

□ DIANE RICHARDSON

University of Newcastle

Constructing sexual citizenship: theorizing sexual rights

Abstract

Recently, a new body of work on sexuality and citizenship has emerged. In this article I analyse sexual citizenship through an examination of the concept of sexual rights. How has rights language been used to articulate demands in relation to sexuality? What do we mean by sexual rights or duties? Although the concept is not new, there are competing claims for what are defined as sexual rights and lack of rights, reflecting not only differences in how sexuality is conceptualized but also the fact that there is no singular agreed definition of sexual citizenship. The combination of sexual rights as a contested concept and the increasing usage of the language of citizenship in 'sexual politics', underlines the need for a critical analysis of its meaning and value as a concept. To this end, I have outlined a framework which tries to make sense of the different ways of interpreting sexual rights in terms of three main sub-streams apparent within sexual rights discourse: conduct-based, identity-based and relationship-based rights claims. This is not to imply an uncritical acceptance of the concept of sexual rights, however this may be defined. On the contrary, it is to attempt to clarify similarities and differences between both individual writers and social groups campaigning for social change in relation to sexuality, in order that we may have a more detailed understanding of the limitations and potential of the notion of sexual citizenship.

Key words: citizenship, gay, lesbian, sexual citizenship, sexual rights, sexuality

Introduction

In recent years citizenship has been an important focus of debate within both political discourse and the social sciences. With this

renewed interest, reflected within social policy analyses and critiques, there have emerged new frameworks for thinking about citizenship which require us to question its meaning and application. Indeed, a central theme of these developments is that citizenship is a contested concept. This expansion of the idea of citizenship is evidenced in the diversity of arenas in which citizenship is being claimed and contested (Hall and Held, 1989). Interestingly, and despite an almost exclusive focus on the public sphere in previous considerations of citizenship, it would seem that the everyday practices of individuals are increasingly becoming the bases of citizenship. For example, consider the concept of healthier citizenship, currently being promoted by the government as part of its Health Action Zone programme. As 'good citizens', we are enjoined to take care and assume responsibility for our own health and, especially in the case of women, that of any future children we may have, in a context in which we are provided with 'informed choices' that we are expected to exercise. In addition to patterns of eating and drinking, the 'private' and intimate practices of sex are also part of the realms in which healthy citizenship is constituted. Thus, for example, sexual health promotion, whether understood in the context of concerns about the spread of sexually transmitted diseases such as AIDS or the prevalence of unplanned pregnancies in certain sectors of the community, emphasizes the importance of practising safer sex. That is to say, safer sex is one of the responsibilities incumbent upon responsible and self-governing citizens.

Although the question of how ideas of citizenship are gendered (Lister, 1990, 1996, 1997; Phillips, 1991; Walby, 1997; Voet, 1998), as well as racialized (Alexander, 1994; Taylor, 1996), has emerged as an increasingly important area of debate, there is a lack of similar theoretical attention given to sexuality and its connection to citizenship. Recently, however, commentators from a number of disciplines have written about sexuality and citizenship. This includes work in legal theory (e.g. Herman, 1994; Robson, 1992), political theory (e.g. Phelan, 1994, 1995; Wilson, 1995), geography (e.g. Bell, 1995; Binnie, 1995) and sociology (e.g. Giddens, 1992; Plummer, 1995; Richardson, 1998; Weeks, 1998). Within social policy, by contrast, there has been relatively little discussion about sexual citizenship, mirroring a general lack of theorizing about the relationship between sexuality and social policy (Cooper, 1995; Carabine, 1996 a,b). The main purpose of this article, therefore, is to consider this expansion of the idea of citizenship as it relates to sexuality.

In surveying the available literature, it would seem that a distinction can be drawn between analyses of sexual citizenship that place greater emphasis on the discussion on rights per se and struggles for rights acquisition, and those that are concerned with the wider social and theoretical implications of access to or exclusion from certain rights on the grounds of sexuality. These two approaches, although not mutually exclusive, reflect somewhat different forms of usage of the term 'sexual citizenship'. First, it may be used to refer specifically to the sexual rights granted or denied to various social groups. In this sense we may, like Evans (1993), conceptualize sexual citizenship in terms of varying degrees of access to a set of rights to sexual expression and consumption. Second, we can conceptualize sexual citizenship in a much broader sense in terms of access to rights more generally. In other words, how are various forms of citizenship status dependent upon a person's sexuality? Elsewhere (see Richardson, 1998) I have outlined how notions of citizenship as a set of civil, political and social rights, as well as common membership of a shared community, are closely associated with the institutionalization of heterosexuality. In this article I would like to analyse sexual citizenship as defined in the former of the two approaches mentioned above, that is through an examination of the concept of sexual rights. How, then, has rights language been used to articulate demands in the field of sexuality?

What do we mean by 'sexual rights'?

Sexual citizenship here refers to a status entailing a number of different rights claims, some of which are recognized as legitimate by the state and are sanctioned. However, if we conceptualize sexual citizenship using a model of rights and duties, then this raises the question of what we define as sexual rights. Although the concept is not new, there are competing claims for what are defined as sexual rights and lack of rights. Sexual rights can be thought about in different ways, reflecting not only differences in how sexuality is conceptualized, but also the fact that there is no singular agreed definition of sexual citizenship.

Within sexual rights discourse can be detected three main sub-streams: conduct-based rights claims, identity-based rights claims and claims that are relationship based. For the purposes of this article, these aspects will be dealt with under the headings of practice, identity and relationships (see Figure 1). While I recognize that the analytic scheme

- 1) **Seeking rights to various forms of sexual practice in personal relationships (e.g. campaigns for sexual freedom and safety)**
- 2) **Seeking rights through self-definition and the development of individual identities (e.g. the right to be lesbian and gay; female sexual autonomy)**
- 3) **Seeking rights within social institutions: public validation of various forms of sexual relations (e.g. interracial and same-sex marriages)**

Figure 1 Sexual rights

presented here is merely an intellectual tool to help make sense of the different ways of interpreting sexual rights, I believe it provides a useful framework by which to clarify similarities and differences between both individual writers and social groups campaigning for social change in relation to sexuality. It also highlights, as will be illustrated later, where the boundaries of tolerance or rejection, inclusion or exclusion are sometimes drawn.

Practice

Claims to rights that centre on sexual practice fall into three main categories: those concerned with forms of social regulation which specify what one can and cannot do; those concerned not only with the right to participate in but also the right to enjoy sexual acts, commonly expressed as the right to sexual pleasure; and those concerned with the rights of bodily self-control. I will consider each of these in turn.

The right to participate in sexual activity

At a fundamental level, the concept of sexual rights can be understood as the right to participate in sexual acts. Historically, the concept of rights has been linked to concepts of need and, in this context, such rights claims may be vindicated through definitions of sexuality as a physical need, integral to the status of being human. This is commonly referred to as an essentialist perspective; sexuality conceptualized as an innate sexual drive which seeks gratification through sexual activity (Weeks, 1990). A further assumption within this model is that the

natural and normal aim of this sexual drive or instinct is reproduction. It is a heterosexual drive: ultimately sexuality is defined as the desire to engage in certain practices (vaginal intercourse) with particular individuals (partners of the 'opposite' sex). It is also largely constructed as a male drive, which, as will be demonstrated later, has important implications for female sexual citizenship.¹

This view of sexuality, as a naturally given series of rights that biology/God has created, has implications for understandings of responsibilities as well as rights. In relation to sexuality, the question of responsibility has largely been concerned with establishing what are and what are not acceptable forms of expression of an assumed pre-given human need. That is, how are needs to engage in sexual activity to be met, in terms of both specific sexual practices and objects of desire? Having said this, there are certain social groups where the assumption of sexuality as a universal human 'need' appears to be challenged. Stereotypes of disability, for example, include assumptions of asexuality; of lack of sexual potential. While historically there has been minimal discussion of the sexual politics of disability, both within disability studies and work on sexuality, in recent years attempts have been made to place sexual rights on the political agenda of disability movements (see Shakespeare et al., 1996). A particular focus has been the ways in which people with disabilities have been denied the capacity for sexual feeling and rights to sexual expression. This has been particularly apparent in the case of people with learning difficulties, for whom sex is not a right normally granted, but can only be achieved by 'breaking the rules for their "kind"' (Brown, 1994). It is also the case that for the many disabled people who live in residential care settings, rights to sexual expression are not assured. In a much broader sense, the process of desexualization of disabled people also has implications for identity and relationship-based claims (see later discussion).

The granting of sexual rights, formalized in age of consent legislation as well as other laws and policies relating to sexual activity, should therefore be viewed as a complex process, in which the context and form of expression of sexual behaviour are key factors. Another way of saying this, is that recognition of the right to participate in sex, *where it is recognized*, should not be confused with claims for the right of individuals to exercise personal choice over the kind of behaviours they engage in. Thus, certain sexual acts may be prohibited by law, reflecting views about what people have a right to do with their bodies. For example, sexual intercourse between people of the same sex is still illegal

in almost half of the states of the USA and in many parts of the world (Moran, 1996; Bamforth, 1997). In Britain, prior to 1967, consensual sexual contact between men, even in private, was illegal. After the 1967 Sexual Offences Act, such practices remained unlawful unless the following conditions were met: both consenting adults were aged 21 and over and the acts should take place in private. The 1967 reform applied to England and Wales, homosexual practice remained illegal in Scotland until 1981 and in Northern Ireland until 1982. At the time of writing, the current legal age of consent for sexual practices between two men stands at 18 years of age. Having been reduced to 18 from 21 in 1994 under the Criminal Justice Act, it was further decreased to 16 years of age in 1998 as part of the Crime and Disorder Act. However, this was overthrown in the same year by the House of Lords.

It is important not to interpret such liberalization of the law as state recognition of the right to be homosexual. (This distinction is discussed in more detail in the following section.) What these changes in the law represent is the granting of the right, under certain specific contexts, for one man to engage in sexual acts with another man: a right that extends to all adult males, not only those who identify as bisexual or gay.

Of particular importance in analysing the issues surrounding this and other examples of sexual rights claims is the public/private binary. Indeed, arguments for conduct-based rights claims have largely been based on respect for privacy. Although, having said this, it is important to recognize that in recent years there has been a shift in this discourse associated with the emergence of new social movements, such as, for example, queer politics which have emphasized the right to public forms of sexual expression (Bell, 1995; Ingram et al., 1997). This conceptual division between the public and the private is, nevertheless, fundamental to a liberal model of sexual citizenship, which has predominated in Britain since the 1960s, based on a politics of tolerance and assimilation. Thus, for example, those who wish to engage in sexual acts (often referred to as 'unnatural practices') with members of their own gender are granted the right to be tolerated as long as they remain in the private sphere and do not seek public recognition. The 'I don't mind what they do in their own homes as long as I don't have to see or hear about it' argument. Similarly, justifications of the right to consume certain forms of pornography are frequently couched both in terms of individual civil liberties and a respect for privacy.

The justification for the right to engage in various forms of sexual

conduct in terms of respect for privacy has not, however, gone unchallenged and in some instances may be seen as illegitimate. In the example given above of the right to consume pornography, for instance, both moral right and certain feminist critiques reject the conceptualization of the public and the private as distinct spheres where what happens in the private is assumed to have no wider social effects, specifically in this case on male attitudes and behaviour towards women (Cameron and Frazer, 1993).² Similarly, in the case of gay rights, respect for privacy may be found wanting. Thus, for example, in the now famous *Bowers versus Hardwick* case in the USA, in 1986, the Supreme Court decided that individuals did not have a fundamental right to engage in 'homosexual sodomy' (see Currah, 1995). The plaintiff, Hardwick, challenged the court's decision, claiming that it violated his right to privacy since he was engaging in consensual sex with another adult male in the privacy of his own bedroom. The two men were 'discovered' by a police officer who was delivering an arrest warrant and had been inadvertently directed to Hardwick's bedroom. The Supreme Court's decision upheld the right of the State of Georgia to send individuals convicted of engaging in anal intercourse with someone of the same gender to prison for up to 20 years. At the same time, the court refused to rule on the constitutionality of laws that apply to 'heterosexual sodomy'.

What are the ideas and assumptions behind the denial of the right to perform certain sexual acts, even when conducted in private? Fundamentally important are institutionalized (hetero)sexual norms and practices, whereby heterosexuality is established as 'natural' and 'normal'; an ideal form of sexual relations and behaviour by which all forms of sexuality are judged. Exclusions from the boundaries of sexual citizenship as practice, therefore, may be on the grounds of 'natural' disqualification. For example, the belief that the body should not be used for acts for which nature did not design it. This understanding of bodies within what Butler (1993) refers to as a 'heterosexual matrix', which operates through naturalizing a heterosexual morphology, is itself an important aspect of heterosexual ideology where the penis and the vagina are assumed to be a natural fit, unlike, for example, the penis and the anus or the vagina and the vagina. In addition to such dominant inscriptions of the body, the belief that vaginal intercourse is naturally the chief purpose of sexual behaviour is another 'norm' by which sexual practices have been judged to be more or less acceptable. For example, although the law has traditionally been much less hostile

towards sexual conduct between men and women in both public and private settings, fuelled by this view of what people should properly be engaging in sex for, it can prohibit certain heterosexual practices. It is, for instance, illegal for heterosexual couples to engage in oral sex in a number of states in the USA (Kaplan, 1997).

Lack of recognition of rights claims may also be on the grounds of moral inferiority, where again heterosexual ideology conflates a particular form of heterosexuality with propriety and moral worth. That is, if certain acts are categorized as immoral then the restrictions placed on the right to engage in them may be justified in terms of a moral threat posed to society. This is illustrated by the judgement in the 'Operation Spanner' case, in 1990, where eight adult men were convicted for engaging in consensual sadomasochistic acts in private. Following an appeal, the House of Lords upheld the decision that consensual sadomasochism was against the public interest and should therefore be found unlawful under the Offences Against the Persons Act 1861 (for an account of the case see *R. v Brown*, 1992, 1994). This was an interesting judgement in so far as it appeared to mark a reversal of the law's distinction, post-Wolfendon,³ between legality and morality; a distinction that was to be crucial to the recognition of future rights claims relating to the practice of, amongst other things, abortion and homosexuality. Indeed, echoing this view, those who dissented from the judgement claimed 'that questions of morality should not be presumed to fall within the remit of the criminal law unless explicitly stated by parliament' (Cooper, 1993: 194). The House of Lords decision was subsequently upheld on appeal, in 1997, to the European Court of Human Rights in Strasbourg, who ruled that it was acceptable for the state to interfere in the 'right of privacy' where it is necessary for the protection of health or morals.

Health and welfare considerations in sexual conduct-based rights claims have also been particularly apparent in relation to AIDS. An example of this from the early years of the epidemic, when AIDS was mistakenly portrayed as a 'gay disease', was the calling for the (re)criminalization of homosexuality as a sexual practice by moral rights organizations in the USA (Altman, 1986). In a European context, by contrast, one of the demands of AIDS activists in organizations such as ACT UP has been the right to safer sexual practice through access to effective education about prevention of the sexual transmission of HIV, as well as health and welfare services that encourage safer sex, such as the provision of condoms (Watney, 1991).

The right to pleasure

In the second category of rights claims associated with the right to sexual expression, the emphasis is more upon the right to gratification and enjoyment than simply the right to participate in various forms of sexual activity. Examples of this can be identified in claims for sexual liberation, as well as in some feminist demands. In the so-called sexual revolution of the 1960s libertarians, in demanding freedom of sexual expression, emphasized sexual fulfillment as a right. Such views reflected the influence of writers such as Marcuse (1970) and Reich (1962) who, influenced by both Marxism and Freudian psychoanalytical theory, believed that the 'release' of sexual energy was a means of liberation from repressive social forces. Demands for the right to sexual pleasure were also an important aspect of feminist politics earlier this century and, much more centrally, in the early years of 'second wave' feminism during the 1970s. Sexuality was identified as 'male-defined' and organized around male pleasure, with women's sexuality defined in terms of meeting male sexual needs. Feminists encouraged women to 'reclaim' their sexuality; a sexuality that many believed had been suppressed and denied them.⁴ They also sought to challenge the sexual double standard that favoured men, granting them greater sexual rights and fewer responsibilities than women had. In a sense, then, such claims were equal rights claims: equal rights to sexual citizenship, although such demands were not at that time couched in such terms. However, if it was equal rights to sexual pleasure and practice that feminists demanded, it was in the context of a different understanding of these. In particular, feminist writers challenged the centrality of sexual intercourse in definitions of sexual practice and sexual pleasure, pointing out that this is not the major or only source of pleasure for many women. Anne Koedt famously referred to it as 'the myth of the vaginal orgasm' (Koedt, 1974/1996).

Once again, how we understand and explain sexuality has important implications for claims for sexual rights. In this case, what is at stake is not just the right to engage in sexual practices, but the right to gratification of sexual desire. While essentialist notions of sexuality as a reproductive drive may aid recognition of the former claim, in a heterosexual context at least, they are not necessarily supportive of the latter where the recognized aim of sex is individual pleasure. Indeed, one might want to claim that there is no clear bounded right to sexual pleasure per se that is sanctioned by the state.

However, in countries where, for instance, rape in marriage is not considered illegal, this may be interpreted as a state-sanctioned right of a man's access to a woman's body on the grounds of his rights to sexual fulfillment within marriage. In addition, the right to engage in non-reproductive sexual activities for pleasure can be seen to be linked to the extension of citizenship as consumption. Thus, by laying stress on individual liberty and on the citizen as consumer, the state may recognize various rights claims to consume sexual services and goods, for example, prostitution and certain forms of pornography.⁵

For many feminists the demand for the right to sexual pleasure was not only about gaining greater personal authenticity and equal sexual rights with men, it was also about seeking empowerment in a much broader sense. That is, a connection was frequently made between sexual liberation and women's liberation. With hindsight, many feminists have since questioned this view (see, for example, Campbell, 1980; Jeffreys, 1990; Jackson and Scott, 1996). Commenting on this period, Jackson and Scott, for instance, point out that, in practice, sexual liberation had different consequences for women and men. 'In retrospect many women felt that "sexual liberation" meant greater access for men to women's bodies and the removal of their right to say "No" to sex, lest they be damned as "unliberated".' (Jackson and Scott, 1996: 4–5). What this highlights is that for women the right to sexual pleasure is complex and inextricably linked to other rights of citizenship. For example, it is difficult to envision what it would mean to speak of women's rights to sexual pleasure, without at the same time recognizing rights that enable women's control over their sexuality and reproduction.

The right to sexual (and reproductive) self-determination

This leads on to the third set of conduct-based rights claims, which may be analysed in terms of rights claims concerned with bodily autonomy and integrity. Such claims, as I have already suggested, are particularly evident within feminist discourses, which have interpreted sexual rights in terms not only of the right to sexual pleasure and agency, as described above, but also of the right to control and safety.⁶ This latter focus, often characterized as the right to say no, is closely although not exclusively associated with radical feminism. The emphasis is on the right to engage in sex without fear, whether this be in terms of unwanted pregnancy, sexually transmitted diseases, or male

demands and force against one's wishes, and includes claims to freedom from sexual harassment, violence, abuse and coercion, as well as rights of access to abortion and contraception. Feminist debates over these issues have further demonstrated the gendered nature of sexual citizenship. Thus, for example, feminist campaigns for changes in policy and practice concerning sexual violence have highlighted how men have traditionally been granted greater sexual rights than women, especially in marriage. In many countries the law decrees that rape in marriage is not a crime, a view that was only overturned a few years ago in England with the introduction of the Rape in Marriage Act in 1991. Under such laws, a man's right of sexual access to his wife's body is privileged over her right to consensual sexual practice. He has the right to take by force that which the law defines as rightfully his: sex within marriage or, more specifically, the act of vaginal penetration. An example of what Wilton (1992) refers to as 'rights of penetration', which she claims, citing HIV/AIDS health promotion as evidence, frequently takes precedence over other considerations, including rights to pleasure and safety. Even in those countries and states where rape in marriage is recognized as a crime, 'the prosecution of offenders and the success of these prosecutions is greatly reduced in comparison with stranger rape, because socially it is not fully accepted as a crime' (Hanmer, 1997: 369). Translated into the language of rights, this means that men still have greater social rights in relation to such forms of sexual practice.

In addition to these feminist campaigns, debates over AIDS have also been significant in the framing of sexual rights in terms of the language of rights of safety, as well as for the reproductive rights of HIV-positive women (Doyal et al., 1994). On the one hand, we have witnessed claims for the extension of sexual rights, such as the right to information about HIV and safer sex as part of rights recognized by the state to sex education in schools, as well as health education more generally (Watney, 1991). On the other hand, some responses to AIDS represent demands for the curtailment of rights to sexual expression which are justified in terms not of protection of public morals, but rather the protection of public health and the protection of the rights and freedoms (including the right to life) of others. Earlier I made reference to the example of calls for the (re)criminalization of male homosexual conduct. Another illustrative case would be the suggestion that it should be a criminal offence for a person who is HIV infected to (knowingly) practice unsafe sex with a sexual partner without their informed consent (Seighart, 1989). This is already the case in some countries. For example, in 1997, in Finland an American man

who was HIV positive was sentenced to imprisonment for having unprotected intercourse with a series of women, some of whom became infected with the HIV virus as a result.

Many of the conduct-based claims to sexual rights involve claims for civil rights; both in terms of the removal of laws which prohibit or try to restrict certain sexual acts, for example, campaigns by gay rights groups over age of consent and other forms of discriminatory legislation, as well as the creation of new laws that penalize certain practices, for example, feminist campaigns to outlaw rape within marriage. However, such rights claims go beyond protective civil rights. As I have argued earlier, they also include access to social rights, as is evidenced in feminist demands for the recognition of women's sexual needs, and the provision of welfare. Thus, for example, claims for the right to express oneself sexually without fear of unwanted pregnancy are informed by the right of access to education and health services in respect both of abortion and contraception.

Identity

In the 1970s and 1980s, a shift in emphasis occurred in the discourse of sexual rights. There was a partial move away from conduct-based claims, towards a concern with sexual identity rather than sexual practice as the basis for inclusion or exclusion from categories of citizenship. Having said this, we need to recognize the relationship between identity and conduct, in particular the ways in which a person's identity may be a mitigating variable in conduct-based claims. Thus, for example, a person may have differential access to the right to engage in certain forms of sexual activity depending upon whether they are defined as heterosexual or homosexual.

Perhaps the most illustrative case of this shift towards an identity-based approach to sexual rights, was the emergence towards the end of the 1960s, beginning of the 1970s, of gay liberation movements in the USA and Europe. Previous campaigns organized by and on behalf of 'homosexuals' such as, for example, the Homosexual Law Reform Society in Britain, had primarily focused on the removal of criminal laws which prohibited or restricted sexual activity between people of the same sex. Gay liberationist sets of demands went much further than this in challenging discrimination against people on the basis of a lesbian or gay 'identity'. These campaigns were not asking for the

right to engage in same-sex activity couched in terms of respect for privacy, but were expressing opposition to social exclusion on the basis of sexual status through the language of the right to sexual freedom and liberation. This reflected an emphasis within this period of gay activism on the importance of being open about one's sexuality through 'coming out' and publicly identifying as lesbian or gay. Subsequently, and with varying degrees of success, gay campaigning groups have pressed for 'the repeal of hostile laws and for the creation of new laws offering protection against social hostility' (Bamforth, 1997: 3). However, it was not merely 'gay rights' in the civil rights meaning of the term that gay liberationists were claiming. In demanding the 'right of a person to develop and extend their character and explore their sexuality' (The Gay Liberation Front Demands cited in Jeffery-Poulter, 1991: 100–1), they were also claiming social and political rights. Thus, in the USA, for example, representatives of National Gay Liberation demanded that gays be represented in all governmental and community institutions. This marked a significant change in claims for sexual citizenship and, associated with this, the development of the notion of sexual rights.

More recently, particularly as postmodern and poststructural influences have brought about new understandings of identities as fragmented and fluid, there has been a problematization of claims to rights on the basis of sexual identity or orientation. Thus, for example, while writers such as Ruthann Robson (1992) advocate the need to develop lesbian legal theory which is responsive to lesbian interests, those who offer a deconstructive treatment of lesbian identity claim that it is far from clear what counts as a lesbian issue or interest (Phelan, 1995). Behind such a recommendation as Robson's, it is argued, lies a conception of identity as distinctive and stable, rather than plural and fluid, to which certain common concerns and issues are assumedly attached. From a postmodern perspective, claims to sexual rights are neither qualified nor limited by a specific sexual identity or orientation. There is not space, in the context of the aims of this article, to enter further into these debates. However, it is important to acknowledge that they form a backdrop to the following analysis of identity-based rights claims.

The right to self-definition

At the most basic level, identity-based sexual rights claims include the

right to sexual self-definition and the development of individual sexual identities. This is a model of sexual citizenship based upon notions of who the individual is, rather than what their sexual practices might involve. The right to identify with a specific sexual category defined in terms of a class of people, as distinct from the right to engage in specific sexual practices.

These demands are closely linked to notions of the right to self-ownership and self-determination. However, as in the case of conduct-based rights claims, assumptions and beliefs about sexuality are also extremely important. Thus, for example, a common justification of the right to sexual self-definition is that one's sexuality is predetermined and that there is a natural or essential basis for sexual identities, usually explained in terms of genetics or prenatal hormonal influences on the structure of the brain. This is a view that persists, as is evidenced by the considerable attention and debate generated by the research findings of Le Vay (1991, 1996) and Hamer et al. (1993) who both claim to have discovered evidence of a biological basis to sexuality, despite the weight of the social constructionist argument that sexual identities are socially and historically specific 'inventions' (Foucault, 1979; Weeks, 1990). Indeed, the arguments formulated by contemporary lesbian and gay political groups, especially in the USA, frequently draw upon essentialist notions of sexual categories as fixed and discrete, where one's sexuality is understood to be defined not by one's sexual practices but by one's underlying sexual orientation and attendant identity. It is important to acknowledge that this form of political practice does not necessarily mean adherence to essentialist theories, in which case the term 'strategic essentialism' is more appropriate. Whether strategic or otherwise, within this model 'gay rights' claims to citizenship reproduce the discourse of minority civil rights, with lesbians and gays conceptualized as a legitimate minority group 'having a certain quasi-"ethnic" status' (Epstein, 1987: 12).

The assertion that homosexuality is not a chosen but an inborn orientation/identity constitutes an important aspect of the argument for civil and social rights for lesbians and gay men, as well as for many others campaigning for sexual rights. It has been a feature, for example, of the pursuit of rights by transvestites and transsexuals, as well as, if to a lesser extent, some bisexual and transgender activists. Its significance is that within a liberal democracy it should be possible to claim that discrimination on the basis of a personality trait that is believed to be unchangeable and beyond one's control should be regarded as

unfair. However, it is important here to distinguish between conduct and identity-based claims. While such arguments may uphold the right to sexual self-definition, they do not necessarily support the right to express ourselves sexually, on the grounds that, unlike identity, it is assumed that a person can exercise a measure of control over their sexual conduct—although less so in the case of men than women. An example of this is the official policy on homosexuality in the Church of England which recognizes the rights of participation of gay clergy, but does so only on the grounds that they abstain from ‘homosexual acts’.

The right to self-expression

The idea that being gay is a constructed identity has often been interpreted as less supportive of identity-based rights claims (although this need not necessarily be the case). An illustrative example of this was the debate surrounding the introduction of Section 28 of the 1988 Local Government Act in Britain which, among other things, became a focus for discussion about the right to be lesbian and gay (Stacey, 1991).⁷ Indeed, speaking at the 1987 Tory Party Conference, the then British prime minister Margaret Thatcher expressed such concerns when she remarked that: ‘Children who need to be taught to respect traditional moral values are being taught that they have an inalienable right to be gay’ (quoted in Evans, 1995: 126). Behind such concerns is not merely the issue of children possibly engaging in same-sex sexual activity (though that was still there), but also the issue of the right to ‘choose’ to identify with a specific category of people. The implication is that, where possible, the state should try to restrict the construction of such forms of sexual identification.

Arguably, the introduction of Section 28 represented a recognition, as well as a restriction, of the social and civil rights of lesbians and gay men in so far as its proponents were motivated by what they perceived as greater public acceptance of homosexuality and, related to this, a desire to keep homosexuals in their proper place, i.e. within their own private spaces and communities. This is instructive in elucidating the legitimacy of identity-based rights claims. Beyond the right to sexual self-definition, claims for sexual citizenship include the right to public/social recognition of specific sexual identities. Thus, for example, although one may have the right to identify as a lesbian, one does not necessarily have the right to ‘come out’ and inform others of that identity. The ‘Don’t Ask/Don’t Tell’ military policy in the USA

is an illustration of this. Although a 'homosexual' identity is itself no longer a bar to military service, any public construction of oneself as lesbian or gay, including 'coming out' speech, constitutes grounds for a discharge. In other words, one has the right to think one is gay, but not the right to say so. The effect of this policy, argues Currah (1995: 66), is to reinforce the public/private binary, leaving room 'only for a wholly private construction of a homosexual orientation'.

As I have already outlined, sexuality is commonly understood to belong to the 'private' sphere, but more especially so in the case of lesbian and gay relationships. For lesbians and gay men the private has been institutionalized as the boundary of sexual citizenship and social tolerance. Indeed, in terms of the sociology of rights, lesbian and gay rights claims have been primarily viewed in this way, as private individual rights rather than as human rights. Thus, for example, the right to recognition of lesbian and gay lifestyles and identities as a legitimate and equal part of social and cultural life is commonly understood as seeking 'a better deal' for particular sexual minority groups, rather than an extension of the right of freedom to choose one's sexual partner to all human beings.

The relative exclusion from the public does not only pertain to 'homosexual practices', then, but also to 'homosexuality' as a public identity and lifestyle. This raises important questions about claims to civil, social, political, as well as sexual citizenship. Indeed if claims to rights are negotiated through public fora, then the negotiation of citizenship rights will be seriously restricted if one is disallowed from those fora, either formally or informally, through fear of stigmatization or recrimination if one identifies publicly as a lesbian or gay man. The ability to be 'out' and publicly visible is therefore crucial to the ability to claim rights.

At the same time, the issues raised by the sexual politics of recent years have raised the question of whether, alongside assertions of the right to be 'out' with impunity, people have the right not to be out about their sexuality as well. One way this has manifested itself is in the politics and practices of outing. Outing refers to the political practice of naming certain individuals as lesbian or gay, usually those in positions of power who are closeted and support homophobic practices. It is a strategy closely associated with queer politics. As an example, in Britain activists in the organization OutRage have threatened to 'out' gay members of parliament who have opposed equal age of consent legislation, as well as those gay clergy deemed to be hypocritical for

upholding the policy that lesbians and gay men may only be ministers in the Church if they abstain from 'homosexual acts'. Such practices have been extremely controversial, but in the context of the focus of this article I do not have the space to elaborate on this. (For a study of outing see Johansson and Percy, 1994.) Rather, the point I want to make in using this example is that outing sets itself up to challenge what has been a significant argument in the struggle for sexual rights, the right to privacy.

As I have stated earlier, lesbian and gay politics over the last 30 years have been less about the right to privacy than about claims for the right not to have to be private. There is a paradox here, as Weeks (1998) also notes, in that it is through claiming rights to the public sphere that lesbians and gay men have sought to protect the possibilities of having private lives of their own choosing. This is further complicated by the influence of postmodern ideas about identity as fragmented and fluid, rather than fixed attributes which one may publicly declare or not. In this context, the right not to be out can be considered in a rather different sense from that above, as a right not to be defined in terms of a particular sexual identity.

The right to self-realization

Closely related to rights of expression of our identities, is the right to realize specific sexual identities. This may include the right to develop diverse sexual identities in an unhindered, if not state-assisted, manner. It may also include claims to purchase individual sexual selves. The emergent debates on cultural citizenship (see, for example, the collection edited by Nick Stevenson, 1999) and the shift in recent years towards defining citizenship in terms of consumerism (Evans, 1993) are of relevance here. This is recognized by Pakulski (1997: 80), whose analysis of cultural citizenship includes the 'right to propagation of identities and maintenance of lifestyles (versus assimilation)'.⁸ Defined in these terms, Pakulski argues that the concept of cultural citizenship involves 'the right to be "different", to re-value stigmatised identities, to embrace openly and legitimately hitherto marginalised lifestyles and to propagate them without hindrance' (Pakulski, 1997: 83). Examples of this include claims concerning indigenous peoples' rights, as well as what might be termed more radical lesbian/feminist and gay rights campaigns that, recognizing the problematic nature of the concept of tolerance, are concerned with

restructuring the social institutions which support, maintain and reproduce the conditions of hegemonic (hetero)sexuality (see Cooper, 1993; Wilson, 1993). More specifically, resistance to exclusion from popular culture and negative media coverage, and access to cultural citizenship (Richardson, 1999), have been an important focus of political activity.

What is important to emphasize, in the context of a discussion of sexual citizenship, is the distinction to be drawn between claims for tolerance of diverse identities and active cultivation and integration of these identities without 'normalizing distortion'. The former can embrace the right to self-definition and, within the established boundaries of tolerance, a limited right to express one's identity as a tolerated 'minority'. The latter claims for sexual citizenship are, however, of a different order, they represent a demand for rights to enable the realization of sexual diversity; for access to the cultural, social and economic conditions that will enable previously marginalized and stigmatized identities to develop and flourish as a legitimate and equal part of the 'cultural landscape'. There are, however, inherent problems in conceptualizing sexual citizenship in this way. This is perhaps best illustrated by the question of the claims to sexual citizenship made by 'paedophiles' who identify as a socially excluded sexual minority. As Weeks (1998: 41) states: 'the emergence of "the paedophile", especially, indicates the limit case for any claim to sexual citizenship'.⁹

The right to self-realization of 'identity' can be linked with the shift towards defining citizenship in terms of consumerism, where the focus is on the rights of citizens as consumers, with identities and lifestyles that are expressed through purchasing goods, commodities and services in both the public and private sector. This use of citizenship as a concept that refers to access to the consumption of certain lifestyles, or membership of 'consumer communities' supportive of particular identities, has been viewed positively by some campaigning for sexual rights. Thus, for example, Evans (1993) considers questions of consumer citizenship and the commodification of sexuality in relation to formations of sexual identity and community. Although he is critical of such developments, he nonetheless acknowledges the new commercial power of gay men and, to a lesser extent, lesbians as productively linked to access to sexual and other forms of citizenship (Evans, 1993). However, others take a more critical view of the power of the 'pink pound' to promote lesbian and gay rights (Binnie, 1995; Woods, 1995).

Relationships

Although the language of rights largely speaks to the freedoms and obligations of the citizen (Lister, 1997), many citizenship rights are grounded in sexual coupledness rather than rights granted to us as individuals (Delphy, 1996). There are some exceptions, but in most cases heterosexual relations in an 'idealized' marital form are the norm by which the rights of coupledness are measured. For example, in the case of social rights the questioning of the welfare rights of lone mothers who have children outside of marriage reflects the way access to and eligibility for benefits is often linked to normative assumptions about sexuality (Carabine, 1996b). This example also highlights how heterosexual relationship norms may penalize those who do not conform to them, both socially and economically.

Claims to sexual rights which might be termed relationship-based cluster around three main strands: those concerned with the right of consent to sexual behaviours in personal relationships; those concerned with forms of regulation that specify who one can have as a consensual sexual partner; and those concerned with seeking public validation of various forms of sexual relations within social institutions.

The right of consent to sexual practice in personal relationships

In deciding to consider the right to consent to sexual behaviours under relationship rather than conduct-based rights claims, I want to make a distinction between the right to engage in forms of sexual practice such as, for example, masturbation, and the right to participate in sexual acts with others. Age of consent legislation defines the age at which individuals are legitimately regarded as sexual citizens with the right to engage in sexual conduct in personal relationships. Thus, even though dominant discourses of sexuality have defined sexuality as a pre-given need in all human beings, certain rights to sexual expression are also dependent upon the assumed capacity of the individual for self-determined sexual relations. In the case of children, cultural assumptions about when a child may be deemed to have reached a sufficient level of cognitive development and sexual maturity to be able to 'consent' to sex are the main considerations.¹⁰ Such judgements vary between countries. In the Netherlands, for example, the government decided in 1990 to allow heterosexual and homosexual intercourse between those over the age of 12. Under British law, as a number of

writers have detailed (Evans, 1993; Moran, 1996), the right to consent to sexual behaviours is not only set at a higher age, but is also both gendered and sexualized. The sexual status and rights of boys are recognized at an earlier age than girls, who are regarded as insufficiently mature to 'consent' to heterosexual acts under the age of 16. A further sexual 'double standard' exists in so far as the law recognizes the right to consent to heterosexual acts before (male) homosexual relations.¹¹

Claims for the right to an equal age of consent have been an important aspect of lesbian and gay rights campaigns, with organizations like Stonewall lobbying for such legal reform. These can be distinguished from campaigns led by various paedophile organizations for legal recognition of 'cross-generational sex' such as, in the recent past in Britain, PIE (Paedophile Information Exchange) and in the USA by NAMBLA (North American Man/Boy Love Association). As with child-liberationist objections to age of consent laws, though for different reasons, such organizations argue for the right of sexual self-determination for children. They are not, in other words, seeking equal rights in law with heterosexuals, but a reduction in the age children are granted sexual rights or the removal of age of consent laws altogether.

The right to freely choose our sexual partners

In discussing the right to freely choose one's partner I am not referring to the right to engage in various forms of consensual activity with another person. Although such rights may be influenced by who one's partner is, I am concerned here with the question of the right to express sexual feelings for members of specific social groups, irrespective of whether sexual activity actually occurs or not. That is to say, a person may have the right to sexual citizenship on reaching an age where s/he is considered old enough to be a sexual subject, but that does not then mean s/he automatically has the freedom to have sex with any consenting partner. In addition to laws governing age of consent, other restrictions exist on who one can legitimately have as a sexual partner. As with other aspects of sexual citizenship that have been considered, claims for the right of individuals to be free to choose who they have sex with has been an important aspect of lesbian and gay demands, as well as feminist politics—albeit with the recognition that 'choice' is a problematic term in this context. A similar set of demands can be observed in a heterosexual context in rights activism centred upon controls on interracial relationships.

Although a thorough analysis of restrictions on the rights to select sexual partners from groups defined as racially different from each other is beyond the scope of this article, it is well documented that many of these have been fuelled by a belief in white superiority and concerns about miscegenation. In the USA, for example, the outlawing of marriage between whites and people of colour has a long history. As Ruth Frankenberg comments:

The first antimiscegenation law (which is to say, law against marriage between white people and people of color) was enacted in Maryland in 1661, prohibiting white intermarriage with Native Americans and African Americans. Ultimately, over the next three hundred years, thirty-eight states adopted antimiscegenation laws. In the nineteenth century, beginning with western states, antimiscegenation statutes were expanded to outlaw marriages and sexual relationships between whites and Chinese, Japanese, and Filipino Americans. Not until 1967 did the U.S. Supreme Court declare antimiscegenation laws to be unconstitutional. (Frankenberg, 1993: 72)

Elsewhere in the world similar campaigns have been fought against restrictions on interracial sexual relationships. Under apartheid in South Africa, for instance, the prohibitions of the Mixed Marriages Act and section 16 of the Immorality Act were designed to prevent miscegenation. These were among the first pieces of apartheid legislation to be introduced after the National Party came to power in 1948 (Weeks, 1986).

There are parallels with fears of miscegenation and eugenic concerns with 'purity of the race' in attempts to restrict the rights of people with disabilities to form sexual relationships. This has been evident in the social policies of various countries, including the United States, Britain and Germany. For example, shortly after gaining power the Nazi Party introduced a number of laws for 'improving racial stock' which included the 1933 'Sterilisation laws'. Under the terms of this legislation, 'Germans suffering from physical malformation, mental retardation, epilepsy, imbecility, deafness or blindness were compulsorily sterilised' (Grunberger, 1987: 305). People who were sterilized were not allowed to marry and if it was found out that they had done so illegally, their marriages were judicially annulled.

One might of course want to argue that despite legal prohibition of certain forms of consensual relationships, centred on the right to marry and have legitimate children, sexual relations still occurred.

Such insistence on a restricted right to choose one's partner, however, must be understood in terms of the differential access of different social groups to such forms of sexual citizenship. For example, it is also well documented that in the USA, in the context of colonialism and the slave economy, white men often assumed sexual rights over black women slaves who were their 'property'; those who resisted risked being tortured and punished (hooks, 1992). (There are parallels here with the way in which men have historically been granted rights of access to their wives, defined as their property within marriage.) By contrast, however, it was considered unthinkable that black men should have consensual sexual relations with white women. Indeed, black men were likely to be severely punished if they were even suspected of having made a sexual advance to a white woman. As Rennie Simson (1984) points out, many black men were lynched and publicly castrated in the USA earlier this century as a way of 'protecting white womanhood'. In other words, white men had social and economic rights which enabled them to engage in coercive non-consensual sex with non-white partners, at a time when black men were being denied the right to choose a consensual sexual partner across race lines. What examples such as these clearly demonstrate is that sexual citizenship is not only closely associated with hegemonic heterosexual and gendered norms of sexual behaviour, but is also informed by, and informs, constructions of race.

The right to publicly recognized sexual relationships

The final aspect of relational-based rights claims that I wish to consider are those which are concerned with the right to public recognition and validation of sexual relationships. Many groups are seeking to extend social legitimacy and institutional support to the relationships they are free to have, always assuming they have this right. Lesbian and gay rights movements, for example, have increasingly moved in this direction, most obviously in demanding the right to marry and access to the social and legal benefits accruing from being married. This issue is one that is extremely contentious, especially among feminists who have been critical of the marital model of relationships and rights (Delphy and Leonard, 1992). However, as Jenny Rankine (1997) points out in her examination of the current debates on same-sex marriage, feminist views are likely to differ in different countries, 'even if certain fundamental issues of political principle remain constant', reflecting

differences in welfare systems. In the USA, for instance, where public health care is extremely limited, the issue of the right to entitlements to medical cover on one's married partner's insurance takes on a particular significance.

Although the right to marry and form family units is recognized in the UN Declaration of Human Rights, in most countries such rights are denied to same-sex relationships which do not have, for example, the same immigration rights, pension rights, inheritance rights, next of kin status and tax benefits as those accorded to married heterosexual couples.¹² At present, lesbian and gay partnerships are not legally recognized in Britain, although in Denmark and the Netherlands the passing of partnership law that recognizes same-sex relationships could have implications in future for citizens of other European Union member states. In the USA same-sex marriages have been permitted in the state of Hawaii. However, the federal authorities, in 1996, passed the Defense of Marriage Act, which defines marriage as a relationship between a woman and a man.

It is important to recognize that even in countries that provide legal recognition of same-sex relationships, there may still be disparities with the rights granted to heterosexuals. Major focuses of such disparities are the rights of parenthood. In Norway, for example, lesbian and gay couples are denied the right to adopt children. In addition, lesbians who have had children through donor insemination 'find that their lifetime companions have no legal rights to the children, although their combined income is counted when the local county authorities calculate how much they should pay for day care' (Lindstad, 1996: 135).

Conclusion

In this article, I have explored the notion of sexual citizenship in terms of the question of sexual rights. As I have illustrated, the idea of rights in relation to sexuality, although not a new concept, is problematic, not least because it can mean many different things. For feminists, claims to rights in relation to sexuality have largely been about safety, bodily control, sexual self-definition, agency and pleasure. Lesbian and gay movements have emphasized the extension of specific sexual rights, including an equal age of consent, as well as more broadly the right to freely choose adult sexual partners and the right to publicly recognized

lesbian, bisexual or gay identities and lifestyles. Recently, there have also been attempts to place sexual rights on the agenda of the disability movement (Shakespeare, et al., 1996), especially in relation to disabled people's rights to sexual expression. Some writers (e.g. Evans, 1993, 1995; Binnie, 1995) also include in their discussion of sexual citizenship the right to consume 'sexual commodities', which can be defined as services and goods related to sexual practices and identities. Such 'commodities' might include sex education, lesbian and gay magazines, contraceptives, abortion services, prostitution and pornography.

Recognizing that there is no common or universal agreement about what the term 'sexual rights' might mean, I have presented an analytic schema, which I hope will contribute to emergent debates in sexual citizenship and understandings of citizenship more generally. In my analysis, I offer a way of understanding sexual citizenship as a system of rights, which includes a concern with conduct, identity and relationship-based claims. I am aware that there is an artificiality in listing these as if they were separate when, in practice, individuals may experience these as a complex entanglement. However, for the purpose of distinguishing similarities and differences in demands for sexual rights, and elucidating the boundaries of inclusion and exclusion, I would argue that these categories are extremely useful.

Finally, we need to consider the implications of recognizing these different approaches to understanding sexual rights for social policy. As I and others (Wilton, 1995; Carabine, 1996a,b) have pointed out, there has been a general lack of theorizing of social policy in relation to sexuality across a broad range of social policy issues including welfare, health care, education and housing. In parallel with this, consideration of sexual issues has not been high on welfare agendas, reflecting a view of sexuality as 'human needs', which are not within the remit of social policy. At the same time, as I have mentioned, demands are increasingly being made by a variety of political groups including lesbian, bisexual and gay organizations, sections of disability rights movements and certain feminist campaigning groups, which are couched in the language of sexual rights and citizenship. This represents, as I suggested at the beginning of this article, a shift from what was previously an almost exclusive focus on the public towards an inclusion of the 'private' in recent considerations of citizenship. More specifically, however, this also represents a new and complex subject area for both researchers and policy-makers. The schema presented here may, therefore, provide a way forward in an area where the develop-

ment of frameworks is crucially needed for both theoretical and practical reasons. It offers a way of beginning to theorize the varying ways in which a social policy structure intended to support a particular version of heterosexuality shapes the context within which debates about sexual rights take place and the meanings of sexual citizenship are constructed. Such a framework may also help to clarify a basis on which to construct future research. What, for example, are the implications for social policy associated with conduct-based rights claims? How, and in what ways, might these differ from identity and relationship-based sexual rights claims? What are the justifications given for social inclusion or exclusion in respect of different forms of sexual citizenship? How do these vary across social groups, as well as the various categories of rights claims that I have outlined?

As a first stage in mapping out this relatively new area of debate, at least within social policy, what I have attempted to do here is address the question: What are recognized as sexual rights or demands? What is also highlighted is the need to consider other related issues if we are to develop a more comprehensive understanding of the concept of 'sexual citizenship'. For example, should these rights be secured and, if so, how? What are the social and welfare provisions needed to meet recognized sexual 'needs'? What might one mean by 'sexuality policies'? These are all important questions for future work.

Notes

1. There has also been a division of sexual attributes based on race and class as well as gender, which has implications for sexual citizenship.
2. In saying this I want also to stress, especially in the context of accusations of collusion, that the arguments of antipornography feminists are different from those of religious and right-wing movements.
3. The Wolfendon Committee reviewed the law and practice relating to homosexuality and prostitution. Its conclusions, published in 1957, were enacted later in the Street Offences Act 1959, relating to prostitution, and formed the basis of the 1967 law reforms relating to homosexual acts (Wolfendon, 1957).
4. This is interesting, given the important role that feminists have played in critiquing essentialist understandings of sexuality over the last 25 years or more, in so far as such claims appear to reaffirm a notion of sexual essence, while challenging the idea of a reproductive purpose to sexuality.

5. In the case of prostitution, it is important to note that the law in many countries observes the protection of citizens' rights to purchase but not to sell sex (Hotling, 1996).
6. Although by the end of the 1970s the focus had shifted from the assertion of women's right to sexual fulfillment and liberation towards issues such as, for example, the right to freedom from sexual violence, it remains a significant theme in the work of some contemporary feminist writers (see, for example, Segal, 1987, 1994).
7. Section 28 sought to ban the 'promotion of homosexuality' and 'pretended' family relationships by local authority schools. Its use as a case example is particularly interesting, as it suggests that in some respects social constructionist arguments were beginning to be recognized. See Stacey (1991) for a useful discussion of this aspect.
8. Pakulski (1997: 80) also analyses cultural citizenship in terms of 'the right to symbolic presence and visibility (vs marginalization)' and 'the right to endignifying representation (vs stigmatization)'.
9. One might want to make a similar point in relation to 'rapists', although there is no organization claiming rights in the way that paedophile groups have in the past. Having said this, we should note that various 'men's movement' groups such as, in Britain, 'Families Need Fathers' have included as part of their campaign the repeal of the recent Rape in Marriage legislation.
10. The term 'consent' is problematic, in particular it suggests a lack of agency on the part of the person 'consenting' to sexual practice with another and assumes that the ability to say 'yes' or 'no' after a certain age is a 'relatively straightforward affair when in fact it is frequently complicated by relationships of power' (Maynard and Winn, 1997: 189).
11. There is no specific age of consent law for sexual acts between women. However, as no female under 16 can give consent to an 'assault', any woman older than 16 having a relationship with someone younger than 16 can be charged with 'assault' (Evans, 1993).
12. It is also the case that immigration legislation in Britain has been shaped by racist as well as patriarchal interests, which has affected the terms of exclusion from citizenship (Bhavnani, 1997).

References

- Alexander, M. J. (1994) 'Not Just (Any) Body Can Be A Citizen: The Politics of Law, Sexuality and Postcoloniality in Trinidad and Tobago and the Bahamas', *Feminist Review* 48: 5–23.
- Altman, D. (1986) *AIDS in the Mind of America*. New York: Doubleday.
- Bamforth, N. (1997) *Sexuality, Morals and Justice: A Theory of Lesbian and Gay Rights Law*. London: Cassell.

- Bell, D. (1995) 'Perverse Dynamics, Sexual Citizenship and The Transformation of Intimacy', in D. Bell and G. Valentine (eds) *Mapping Desire. Geographies of Sexualities*. London: Routledge.
- Bhavnani, K.-K. (1997) 'Women's Studies and its Interconnection with 'Race', Ethnicity and Sexuality', in V. Robinson and D. Richardson (eds) *Introducing Women's Studies: Feminist Theory and Practice*, 2nd edition. Basingstoke: Macmillan.
- Binnie, J. (1995) 'Trading Places: Consumption, Sexuality and the Production of Queer Space', in D. Bell and G. Valentine (eds) *Mapping Desire. Geographies of Sexualities*. London: Routledge.
- Brown, H. (1994) '"An Ordinary Sexual Life?": a Review of the Normalisation Principle as it Applies to the Sexual Options of People with Learning Disabilities', *Disability and Society* 9(2): 123–44.
- Butler, J. (1993) *Bodies that Matter: On the Discursive Limits of 'Sex'*. London: Routledge.
- Cameron, D. and Frazer, E. (1993) 'On the Question of Pornography and Sexual Violence: Moving Beyond Cause and Effect', in C. Itzen (ed.) *Pornography: Women, Violence and Civil Liberties*. Oxford: Oxford University Press.
- Campbell, B. (1980) 'A Feminist Sexual Politics: Now You See It, Now You Don't', *Feminist Review* 5: 1–18.
- Carabine, J. (1996a) 'A Straight Playing Field or Queering the Pitch: Centring Sexuality in Social Policy', *Feminist Review* 54: 31–64.
- Carabine, J. (1996b) 'Heterosexuality and Social Policy', in D. Richardson (ed.) *Theorising Heterosexuality: Telling it Straight*. Buckingham: Open University Press.
- Cooper, D. (1993) 'An Engaged State: Sexuality, Governance and the Potential for Change', in J. Bristow and A. R. Wilson (eds) *Activating Theory: Lesbian, Gay and Bisexual Politics*. London: Lawrence and Wishart.
- Cooper, D. (1995) *Power in Struggle: Feminism, Sexuality and the State*. Buckingham: Open University Press.
- Currah, P. (1995) 'Searching for Immutability: Homosexuality, Race and Rights Discourse', in A. R. Wilson (ed.) *A Simple Matter of Justice? Theorizing Lesbian and Gay Politics*. London: Cassell.
- Delphy, C. (1996) 'The Private as a Deprivation of Rights For Women and Children', paper given at the International Conference on Violence, Abuse and Women's Citizenship, Brighton, 10–15 November.
- Delphy, C. and Leonard, D. (1992) *Familiar Exploitation: A New Analysis of Marriage in Contemporary Western Societies*. Cambridge: Polity.
- Doyal, L., Naidoo, J. and Wilton, T. (eds) (1994) *AIDS: Setting a Feminist Agenda*. London: Taylor & Francis.
- Epstein, S. (1987) 'Gay Politics, Ethnic Identity: The Limits of Social Constructionism', *Socialist Review* 93/94: 9–54.

- Evans, D. (1993) *Sexual Citizenship. The Material Construction of Sexualities*. London: Routledge.
- Evans, D. (1995) '(Homo) sexual Citizenship: A Queer Kind of Justice' in A. R. Wilson (ed.) *A Simple Matter of Justice? Theorizing Lesbian and Gay Politics*. London: Cassell.
- Foucault, M. (1979) *The History of Sexuality*, Vol. 1. London: Allen Lane.
- Frankenberg, R. (1993) *White Women, Race Matters: The Social Construction of Whiteness*. London: Routledge.
- Giddens, A. (1992) *The Transformation of Intimacy: Sexuality, Love and Eroticism in Modern Societies*. Cambridge: Polity Press.
- Grunberger, R. (1987) *A Social History of the Third Reich*. London: Penguin.
- Hall, S. and Held, D. (1989) 'Citizens and Citizenship', in S. Hall and M. Jacques (eds) *New Times: The Changing Face of Politics in the 1990s*. Buckingham: Open University Press.
- Hamer, D. H., Hu, S., Magnuson, V. L., Hu, N., and Pattatucci, A. M. L. (1993) 'A Linkage Between DNA Markers on the X Chromosome and Male Sexual Orientation', *Science* 26: 321–7.
- Hanmer, J. (1997) 'Women and Reproduction', in V. Robinson and D. Richardson (eds) *Introducing Women's Studies: Feminist Theory and Practice*, 2nd edition. Basingstoke: Macmillan.
- Herman, D. (1994) *Rights of Passage: Struggles for Lesbian and Gay Equality*. Toronto: University of Toronto Press.
- hooks, b. (1992) *Black Looks: Race and Representation*. Boston, MA: South End Press.
- Hotling, N. (1996) 'Prostitution: Getting Women Out', paper presented at the International Conference on Violence, Abuse and Women's Citizenship, Brighton, 10–15 November.
- Ingram, G. B., Bouthillette, A. and Retter, Y. (eds) (1997) *Queers in Space: Communities/Public Places/Sites of Resistance*. Seattle: Bay Press.
- Jackson, S. and Scott, S. (1996) 'Sexual Skirmishes and Feminist Factions: Twenty-Five Years of Debate on Women and Sexuality', in S. Jackson and S. Scott (eds) *Feminism and Sexuality: A Reader*. Edinburgh: Edinburgh University Press.
- Jeffery-Poulter, S. (1991) *Peers, Queers and Commons: The Struggle for Gay Law Reform from 1950 to the Present*. London: Routledge.
- Jeffreys, S. (1990) *Anticlimax: A Feminist Perspective on the Sexual Revolution*. London: The Women's Press.
- Johansson, W. and Percy, W. A. (1994) *Outing: Shattering the Conspiracy of Silence*. Binghamton, NY: Harrington Park Press.
- Kaplan, M. B. (1997) *Sexual Justice. Democratic Citizenship and the Politics of Desire*. New York: Routledge.
- Koedt, A. (1974/1996) 'The Myth of the Vaginal Orgasm', in The Radical Therapist Collective (eds) *The Radical Therapist*. Harmondsworth:

- Penguin. Reprinted in S. Jackson and S. Scott (eds) *Feminism and Sexuality. A Reader*. Edinburgh: Edinburgh University Press.
- Le Vay, S. (1991) 'A Difference in Hypothalamic Structure Between Heterosexual and Homosexual Men', *Science* 253: 1034–7.
- Le Vay, S. (1996) *Queer Science: The Use and Abuse of Research into Homosexuality*. Cambridge, MA: MIT Press.
- Lindstad, G. (1996) 'Norway', in R. Rosenbloom (ed.) *Unspoken Rules: Sexual Orientation and Women's Human Rights*. International Gay and Lesbian Human Rights Commission. London: Cassell
- Lister, R. (1990) 'Women, Economic Dependency and Citizenship', *Journal of Social Policy* 19 (4): 445–68.
- Lister, R. (1996) 'Citizenship Engendered' in D. Taylor (ed.) *Critical Social Policy. A Reader*. London: Sage.
- Lister, R. (1997) *Citizenship: Feminist Perspectives*. London: Macmillan.
- Marcuse, H. (1970) *Eros and Civilisation*. London: Allen Lane.
- Maynard, M. and Winn, J. (1997) 'Women, Violence and Male Power', in V. Robinson and D. Richardson (eds) *Introducing Women's Studies: Feminist Theory and Practice*, 2nd edition. Basingstoke: Macmillan.
- Moran, L. (1996) *The Homosexual(ity) of Law*. London: Routledge.
- Pakulski, J. (1997) 'Cultural Citizenship', *Citizenship Studies* 1(1): 73–86.
- Phelan, S. (1994) *Getting Specific: Postmodern Lesbian Politics*. Minneapolis: University of Minnesota Press.
- Phelan, S. (1995) 'The Space of Justice: Lesbians and Democratic Politics', in A. R. Wilson (ed.) *A Simple Matter of Justice? Theorizing Lesbian and Gay Politics*. London: Cassell.
- Phillips, A. (1991) 'Citizenship and Feminist Theory', in G. Andrews (ed.) *Citizenship*. London: Lawrence and Wishart.
- Plummer, K. (1995) *Telling Sexual Stories: Power, Change and Social Worlds*. London: Routledge.
- Rankine, J. (1997) 'For Better or For Worse?', *Trouble and Strife* 34: 5–11.
- Reich, W. (1962) *The Sexual Revolution*. New York: Farrar, Straus and Giroux.
- Richardson, D. (1998) 'Sexuality and Citizenship', *Sociology* 32, 1: 83–100.
- Richardson, D. (1999) 'Extending Citizenship: Cultural Citizenship and Sexuality', in N. Stevenson (ed.) *Cultural Citizenship*. London: Sage.
- Robson, R. (1992) *Lesbian (Out)Law: Survival Under the Rule of Law*. Ithaca: Firebrand.
- R. v. Brown* (1992) 1 QB 491.
- R. v Brown* (1994) AC 212.
- Segal, L. (1987) *Is the Future Female? Troubled Thoughts on Contemporary Feminism*. London: Virago.
- Segal, L. (1994) *Straight Sex: Rethinking the Politics of Pleasure*. London: Virago.
- Shakespeare, T., Gillespie-Sells, K. and Davies, D. (1996) *The Sexual Politics of Disability: Untold Desires*. London: Cassell.

- Sieghart, P. (1989) *AIDS and Human Rights: A UK Perspective*. London: British Medical Foundation for AIDS.
- Simson, R. (1984) 'The Afro-American Female: the Historical Context of the Construction of Sexual Identity', in A. Snitow, C. Stansell and S. Thompson (eds) *Desire: The Politics of Sexuality*. London: Virago.
- Stacey, J. (1991) 'Promoting Normality: Section 28 and the Regulation of Sexuality', in S. Franklin, C. Lury and J. Stacey (eds) *Off Centre: Feminism and Cultural Studies*. London: Unwin Hyman.
- Stevenson, N. (ed.) (1999) *Cultural Citizenship*. London: Sage.
- Taylor, D. (1996) 'Citizenship and Social Power', in D. Taylor (ed.) *Critical Social Policy: A Reader*. London: Sage.
- Voet, R. (1998) *Feminism and Citizenship*. London: Sage.
- Walby, S. (1997) *Gender Transformations*. London: Routledge.
- Watney, S. (1991) 'Citizenship in the Age of AIDS', in G. Andrews (ed.) *Citizenship*. London: Lawrence and Wishart.
- Weeks, J. (1986) *Sexuality*. London: Tavistock.
- Weeks, J. (1990) *Sex, Politics and Society*, 2nd edition. London: Longman.
- Weeks, J. (1998) 'The Sexual Citizen', *Theory, Culture and Society* 15(3-4): 35-52.
- Wilson, A. R. (1993) 'Which Equality? Toleration, Difference or Respect', in J. Bristow and A. R. Wilson (eds) *Activating Theory: Lesbian, Gay, Bisexual Politics*. London: Lawrence & Wishart.
- Wilson, A. (1995) 'Their Justice: Heterosexism in A Theory of Justice', in A. R. Wilson (ed.) *A Simple Matter of Justice?: Theorizing Lesbian and Gay Politics*. London: Cassell.
- Wilton, T. (1992) 'Desire and the Politics of Representation: Issues for Lesbians and Heterosexual Women', in H. Hinds, A. Phoenix and J. Stacey (eds) *Working Out: New Directions for Women's Studies*. London: Falmer Press.
- Wilton, T. (1995) *Lesbian Studies: Setting an Agenda*. London: Routledge.
- Wolfendon, J. (1957) Report of the Departmental Committee on Homosexual Offences and Prostitution, Cmnd 247. London: HMSO.
- Woods, C. (1995) *State of the Queer Nation: A Critique of Gay and Lesbian Politics in 1990s Britain*. London: Cassell.

□ Diane Richardson is Professor of Sociology and Social Policy in the Department of Social Policy at the University of Newcastle-upon-Tyne, England. She is currently co-editing, with Steven Seidman, an International Collection on Lesbian and Gay Studies. Previous publications include *Women and the AIDS Crisis* (Pandora, 1989), *Safer Sex* (Pandora, 1990), *Women,*

Motherhood and Childrearing (Macmillan, 1993), *Theorising Heterosexuality* (Open University Press, 1996) and, as co-editor, *Introducing Women's Studies: Feminist Theory and Practice* (Macmillan, 2nd edn 1997). A forthcoming book on Sexuality, Social Theory and Social Change will be published later this year by Sage. □