

Chapter 2

Complicating Reason(s) and Praxis for Coming Out

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Introduction

In this chapter Dennis R. Cooley, Alice MacLachlan, and Susanne Sreedhar discuss the ethical demands of passing in regards to reasons vs. emotions, ideals of flourishing, and the cost to the lives of individual LGBTQ persons. The ethical demands placed on outing oneself are complicated in the case of queer femmes who may authentically find that their gendered self-expression more readily produces a façade of passing, whereas greater attempts at visibility may feel inauthentic.

Is There a Duty to be Out?

Dennis R. Cooley

Andrew Sullivan, a gay, conservative commentator, claimed that “all gay people have a moral duty to be out” (2009). His reasoning might be nuanced to a greater degree than presented here, but the primary justification I see for his position is that the more people who are out about their sexual orientation, the greater positive impact in changing people’s minds about homosexuality. Basically, Sullivan’s argument is utilitarian with (perhaps) a hint of Kantian self-respect thrown in. What makes it a bit different from basic cost-benefit analysis is that for Sullivan, it is not carefully crafted arguments appealing to reason that will convince people, but “a slowly rising tide of familiarity” which will drown out “people’s disgust, revulsion, and deep-down aversion to ‘the other.’”¹ Therefore, there is a duty for each homosexual—and I assume, non-heterosexual—person to be out for the betterment of the oppressed group as a whole.

Sullivan’s rejection of reason’s power over that of emotion is a plausible position to maintain on several grounds. First, there is a vast gap between the beliefs people claim to hold and whether they act in accordance with those mental states. For example, according to surveys, a large number of people believe in

¹ These are one of Sullivan’s readers’ words, but Sullivan agrees with the characterization of his position.

the benefits of recycling and claim that they recycle. However, the very same individuals cannot state basic facts about how they recycle, including their daily and weekly practices, or how the community in which they live and work recycles (Tonglet et al. 2004, Tudor et al. 2005, Tudor et al. 2007). The strange forgetfulness about asserted everyday activities shows that the respondents' beliefs do not align with their actions in recycling and possibly other areas. This and similar examples show that reason does not have the compelling force that Kant and others like him thought it did. Moreover, when matching action with rational thought increases the cost to the moral agent, then there is even less incentive for the agent to do what she thinks she should. Hence, Hume's insistence that reason is the handmaiden of the emotions appears to be closer to the truth of what determines how a person will act and what the person will truly believe, if by that term we mean a belief that will cause corresponding behavior. Therefore, if we want behavior and social conventions to change, we must first change people's relevant emotions.

Second, a Gallup poll on gay marriage² supports Sullivan's contention on familiarity breeding acceptance rather than contempt. Nationally, 40 percent of respondents were in favor of same-sex marriage legalization, while 57 percent were against.³ When the figures were broken down by whether the respondent knew a gay or lesbian person, the findings were significantly different. For those acquainted with at least one homosexual person, 49 percent favored legalization and 47 percent were against. For respondents who personally did not know a gay or lesbian individual, only 27 percent were in favor of legalization, while 72 percent were against. Moreover, from those surveyed, being comfortable around a homosexual person is markedly different for those who know homosexuals compared to those believe that they know only heterosexuals—88 percent and 64 percent, respectively (Morales 2009).

With this relatively thin empirical evidence, what are we to conclude about a moral obligation for all gay people to be out to the public in general or in particular? I will make a philosopher's radical claim that the answer is a big "It depends upon the circumstances."⁴ At times, the answer is a resounding yes. At others, a cacophonous no. And for a number of cases that fall somewhere in the murky grey, the answer is maybe, maybe not. For the most part, my argument will focus only upon the duties someone has to out herself to strangers, but what is said about this can also apply to outing oneself to those with more intimate ties to the moral agent.

2 It is more accurate to label this same-sex marriage.

3 The figures I am using for each question do not add up to 100 percent. All I am interested in showing is that familiarity leads to acceptance, which does not require those who are neutral or who refused to answer the question.

4 John L. Cox has raised the issue of age and maturity in coming out. The duty, if there is one, might become stronger as the person ages, and her sexual orientation becomes more solidified within her identity.

When there is not a Duty

I will begin with clear cases of when there is no duty to out oneself. If the actual or reasonably perceived risks attached to coming out will cause significant harms to the outed person's life, i.e., the person will lose something of comparable moral worth,⁵ then, in general, the person has no duty to come out (Singer 2006). In the mid-20th Century United States, for example, many homosexuals worked hard to pass as heterosexual so that they would not lose their jobs, be subjected to increased police surveillance, or suffer any other severe negative consequence resulting from being thought homosexual or "swishy" (Loftin 2007: 1). Anyone whose sexual orientation was questioned was treated as less than full persons by mainstream society, regardless of their actual sexual orientation, which caused a significant cost to their lives. Instead of being free to flourish as they permissibly were as persons, they had either to suppress essential or important characteristics of their identity or be subject to being unethically harmed in their communities, work environments, or other areas of human interaction necessary for an objectively and subjectively satisfying life.

In today's more enlightened society, there are dangers to social interactions, careers, mental and physical health, and even the lives of those who differ from the heterosexual norm. For example, hate crime legislation has been passed to increase the sentences of criminals whose illicit conduct was caused in part by antipathy toward homosexuals. However, there are few federal or state laws against discrimination based on sexual orientation in housing, employment, or other basic areas of everyday life. Therefore, non-heterosexual individuals may legally be injured merely on the grounds of another person's unwarranted prejudices. Although it might not be as obvious as it once was, there is still a lot of hate in certain communities that will cause sufficient harm to those who are out of the closet to make their lives unable to flourish.

Less tolerant societies or sub-societies in the developed and developing world pose even greater risks to homosexuals and other non-heterosexuals including violent attacks and murder. Certain hate groups target gays and lesbians; so being out in a particular community is imprudent because of the general threat. Uganda's proposed death penalty for homosexuals, which was thankfully abandoned under international pressure, fundamentalist Islam's persecution of homosexuals in Iraq and elsewhere, and hate crimes in more developed countries are examples of social hate toward homosexuals' lives and well-being (FBI 2010).⁶ This danger can be sufficient in many cases to show that being out-in-general, which means

5 I borrowed this phrase from Peter Singer's work. Given the difficulty in determining whether this is an objective or subjective determination, the procedure's complex details to evidence weighing, and lack of consensus on what should count, I will leave "comparable moral worth" as vague as he does.

6 The United States Federal Bureau of Investigation (FBI) noted a rise in hate crimes based on perceived sexual orientation between 2007 and 2008. Although the increase might

that one lives one's life as an out person to everyone within the entire community in which the person interacts, does not maximize one's agent-utility nor is a moral obligation.⁷

The potentially excessive burdens of outing oneself override any *prima facie* duty to be out. The reason why should be clear: we know that it is unjust to the innocent and disrespectful of individuals to require them to pay severe costs in their own person merely to maximize utility for society as a whole, or to improve people's perceptions of homosexuals. That is, another Matthew Shepard case could be useful to advance laws that will offer protection to non-heterosexuals, or make society or a sufficient number of its members more tolerant in general—thereby improving social utility to a sufficient degree—but the person who will bear the burden of being another Shepard is not required to take the risk. Of course, on the grounds of respecting personal autonomy, if innocents want to be moral saints by being out in general or particular in these precarious situations, then that is their prerogative, but we cannot expect them to sacrifice themselves for the greater good.

It is here that we see the benchmark by which we can measure if an injury or potential harm is significant enough to preclude any duty to self-out. If the potential injury suffered is undeserved and it is reasonable to believe that it will prevent or terminate the outed gay, lesbian, or other non-heterosexual agent's life flourishing, then there is at least a *prima facie* justification for the claim that the agent has no duty to be out. As Michael Bayles states, "The only ultimate test for the value of a life is whether at its end it is found to have been worth living" (1994: 130). A flourishing life is an existence in which at least one's basic physical and mental needs are met in a way that is sustainable and good for the person's well-being and happiness.

Flourishing is relevant both to individuals and to communities or societies, which are comprised of individuals and the cohesive relationships they have to each other within their environment. Since we need some way to explain why we should lead one life rather than another; why one life is better than another, why we should act one way rather than another, we require some standard by which we can measure the things we want to evaluate. Flourishing is as plausible a benchmark as any of its competitors; in addition to appealing to the values that most people already have. Hence, arguments incorporating it are more likely to have justificatory force than ones based upon less accepted moral factors, principles, or standards.

Whether something is flourishing is determined by both subjective and objective factors, such as the environments in which we are raised and live. For example, every moral agent *qua* moral agent has to fulfill universal characteristics in order to be a flourishing moral agent. If the person's life is more painful than

pleasurable, then it would be difficult at best to classify it as a life worth living. In addition, if the person's intrinsic value is never recognized, that is, he is treated as a mere object all his life, then flourishing is impossible for the agent. Societies objectively flourish when they allow their citizens to thrive sustainably.

Individuals and societies also have some freedom to choose what counts as flourishing. For example, assuming that each moral agent needs good work of the Marxian variety in order to thrive, there is nothing that states that each agent must have the same type of work or career to flourish. If an individual can have a life worth living by choosing to be a teacher, accountant, line worker, or nurse, then whichever work the agent chooses for himself is ethically justified. That he must flourish is not up to him because it is a species' requirement for all moral agents, but how he does it within the parameters of the objective limitations is wholly dependent upon him.

The combination of the objective and subjective realities that create the standard of flourishing for a particular person or group can be seen in Alice MacLachlan's contention that:

Our sexuality is composed of many strands: these include desires, practices, orientations, self-presentation, gender identities and our many aspects of our lived, physical embodiment. Each of these can come to play a more or less significant role in my sexuality, depending on how I—or others—infuse them with significance ... It matters to our flourishing that we "get these right".
(MacLachlan 2012a: 1-2)

As MacLachlan recognizes, there are universals about people that can be worked out in different ways for individuals. Part of our flourishing is determined by us through the goals we set for ourselves, our attitudes, reactions, character traits and all other factors over which we have control. However, there are objective factors here, as well. An agent might not want her sexuality to be important in her existence, but it could be important in some way regardless of what she wants. If other people make those characteristics significant, then they are significant.

Provided that remaining closeted in very dangerous circumstances is necessary for obtaining or maintaining a flourishing life, Sullivan is mistaken about an actual moral obligation that *all* gay people have that would require too much self-sacrifice. A high enough probability of death, serious physical harm or mental injury that would make their lives not worth living would be enough, *ceteris paribus*, to undermine any claim that a person must intentionally risk coming out due to the benefit others might receive from such an action. Moreover, even in the absence of a severe incident, if being out leads to chronic negative states of affairs that adversely affect a person's life to such a degree that the person's flourishing is sufficiently compromised, then being out for that individual cannot be morally required. So a universal generalization that there is an obligation to be out is false, but is an existential quantifier more appropriate for Sullivan's claim?

have been caused by greater reporting of such incidents, the central point that being perceived as having a non-heterosexual orientation can be dangerous even in the Developed World.

⁷ A person can be out in different ways and to different communities. For example, the person can be out to friends, but might judge it unwise to be out to his or her family.

When there is a Duty

Sullivan might be correct that there is a duty to be out if the situation is altered sufficiently. For the first case, suppose that a closely closeted politician, for his own profit, has made a career of outing people, with callous disregard for the injuries it would likely cause them. He crusaded against non-heterosexuals to appeal to his base and other bigoted voters, and win office, power, and additional benefits for himself. In this case, the closeted politician has a moral duty to out himself, even though it will severely restrict his ability to flourish in his chosen career. The injury to his flourishing is part of the punishment he deserves for illicitly destroying others to further his self-interests. On the grounds of Aristotelian justice, if likes should be treated alike, his exposure of those who were in the same situation as he is demands his self-outing otherwise he is an unjust hypocrite who disrespects his own morality, as well as the autonomy of others. In order to flourish, he must eliminate his debt and begin the process of becoming a better person.

Sullivan's claim seems strongest in a more likely set of circumstances than punishing closeted politicians. Basically, let us focus on average people, who happen to be homosexual, or non-heterosexual, for that matter, in average society. For these individuals, a moral obligation to out themselves exists if the following two conditions are met.

First, if being out does not pose a significant danger to a person's flourishing life, then there is *prima facie* reason to think that the duty to out oneself exists for the person. The good generated for herself or others would help justify her loss of privacy and the negative consequences that result to such a degree that it would be reasonable to believe that utility—both social and agent—is being served. For the first, society would be better off than it otherwise would be. For the second, she is better off than she would have otherwise have been. That is, coming out would be of higher value, all things considered, than remaining in the closet.

In many cases, being out will enhance the person's flourishing by allowing her to create and nurture caring relationships that would otherwise be denied to her whilst she is closeted. For example, finding a significant other or other partners who are compatible with an agent's sexual orientation can enhance the person's web of personal relationships in a positive way that being closeted cannot. This is especially the case if the closeted individual enters a male-female relationship to create the appearance of being heterosexual. In addition, being out allows an agent to share an important, if not essential, characteristic with others so that true friendships and other positive relationships can be built on the trust and communication that is denied to those who are closeted or veiled. Instead of having to disseminate and deceive those for whom the person cares, he can be honest. Moreover, outed people enjoy more relational goods, which are "goods that arise in our relationships with others in personal non-instrumental ways and we recognize that they are important components of our well-being" (Chekola 2009: 3).

Other benefits can be uncovered. Among them, the sheer relief gained by eliminating the mental strain caused by maintaining a closeted life, e.g., having to ensure never giving oneself away in conversation or other actions, and remembering which lies were told to which people. More importantly, there is an end to denying one's identity, the latter of which causes shame, degradation, and inadequate self-esteem and integrity. By being honest, the benefits can go a significant way in improving a person's happiness, and therefore flourishing. Mark Chekola argues that the loss of privacy from being out is more than compensated for by the elimination of 'worthlessness' implications (Chekola 1994: 67). Furthermore, being able to show publicly who one is and the relationships the person has, instead of hiding them out of fear, allows an individual to be more of a community member, who can receive the full benefits of being in a community. Closeted individuals are always a bit of the Other because they have to be so careful not to reveal something that is damaging to them. The deceit makes it more difficult for them to have honest interactions with other community members. There has to be a perpetual distance that does not allow the closeted individual to share his narrative as non-closeted people can, and do share. Hence, if coming out is beneficial enough to the agent, there is good reason to do it on the grounds of ethical egoism and utilitarianism.

There can still be adequate reason to require being out even in particular situations or in general in which a person's overall flourishing is reduced as a result. Granted that many in society now accept non-heterosexuals and non-heterosexual lifestyles, there is still a vast social element that makes their lives less worth living than it does for heterosexuals in the same circumstances. Besides negative comments, looks, exclusions, stereotyping, and other common low level nastiness, this social group issues more serious threats to mental or physical safety, such as being emotionally or physically attacked. However, as long as non-heterosexuals can have flourishing lives, these devaluations are insufficient to preclude a duty to be out. Living as one truly is in an overall tolerant and nurturing environment is better for each gay and lesbian person than having to maintain a stifling personal façade, which denies important or essential elements of who the person is. Even in a society that barely tolerates non-heterosexuals, it is better to be out in many cases so that the out person can have the benefits above described.

If we take a more Kantian perspective, then outing oneself and living "out" allows an individual to respect himself and others as each truly deserves to be respected. When a person tries to pass, then he is performing an action of deceit. As Kant states, a lie is "an insult to the person to whom it is made, and even if this were not always so, yet there is always something mean about it" (1989: 229). Being closeted insults not only other people, but the person who is closeted. Deceit is unethical on its own because "lying is 'mean and culpable' and ... truthful statements are preferable to lies in the absence of special considerations" (Bok 1989: 30). It is only when living as the person truly is will sacrifice something of comparable moral worth that deceit of this type can be justified. Instead of denying who the person is in an important, and I think, essential way, a person who outs

himself takes control of his life and lives honestly with himself and others. He is authentic, which will help him create his own life affirming narrative, and he respects other's autonomy to make the best decisions for themselves by providing them information they might need to live their lives authentically. That being said, the person should at least acknowledge the truth about himself to himself so that he knows who he is.

The self-outing duty's second necessary condition requires a reasonable chance of success in influencing people in the correct way. More specifically, being out must make it more than likely that at least one person will become more accepting of homosexuals than if the person remained closeted. The justification for this condition is obvious. No one has an obligation to endanger or reduce her flourishing unless there is adequate reason to do so. Since there is risk of injury attached in some situations to homosexual activities or being known as a homosexual, there is no need to threaten oneself for a dubious beneficial outcome to another or society. Perhaps being out will help the "slowly rising tide of familiarity" which, in turn, will drown "people's disgust, revulsion, and deep-down aversion to 'the other.'"⁸ But if there is no reasonable chance of success, then there is no adequate justification for risking one's flourishing or society's utility.

Although it might seem rather a low standard to be able positively to influence at least one person or make homosexuality become more familiar even if it is only infinitesimally better, the condition is apt. Given that the other criterion is that the person does not have to sacrifice anything of comparable moral worth, the improvement in another's moral character or the environment for those who are different in morally irrelevant ways is a worthy goal to pursue, especially in societies in which homosexuals are members of one of the worst off social classes.

As the potential for impact becomes greater, perhaps through the sheer number of people affected, the degree to which they are affected, or by some other practical measure, then so too does the strength of the duty to out oneself.⁹ If coming out is likely to help further the social acceptance of homosexuals as full-fledged community members, then the case for the duty's existence move toward being absolute. No particular outing is likely to change a large number of people's minds, but much like a pile of sand, each little grain adds to the overall whole, as well as possibly helping individuals grow in their particular understanding and tolerance. In the end, these small alterations to the *status quo* can eventually build to significant changes in social mores and beliefs that will improve the society as a whole, and the individual lives of many of its citizens.

8 These are one of Sullivan's readers' words, but Sullivan agrees with the characterization of his position.

9 Of course, how a person should out himself is also determined by these two conditions. Outing should be done in such a way that success is more likely than if the person outed himself in a different way.

Complicating "Out": The Case of Queer Femmes¹⁰

Alice MacLachlan and Susanne Sreedhar

Since being taken up by activists in the early days of the gay and lesbian liberation movement, usage of "out" terminology has spread. It is now applied to the disclosure and ongoing expression of other stigmatized identities that are not necessarily or obviously visible: those with psychiatric disabilities, addictions, survivors of abuse, and so on. From within the arena of queer politics has emerged a new call for self-disclosure and an emphasis on the power of visibility. To live an authentic life and to resist the false values of oppression, queer and "queered" persons must actively and intentionally identify themselves as such to others, making their difference visible against a horizon of social expectations: i.e. the expectation that one is heterosexual, cisgendered, physically, psychologically, and neurologically typical, and so on. These disclosures are often difficult and costly, but they are also often personally and politically liberating.

There are undoubtedly complex moral and political issues facing all those for whom out or not-out, passing, covering, or "being loud and proud" all exist as possibilities, and choosing between them is often very difficult. For philosophers interested in the ethics of queer identity and visibility, it is tempting to find and frame the relevant ethical questions in terms of this choice: whether and when we hold a duty to come out, whether life "in the closet" is ever morally defensible, and so on. But there are those for whom the primary difficulty of coming out is not found in the choice or decision but in the communication itself. The value of coming out lies partly in its purported connection to authenticity—in disclosing her queerness, the individual reveals some significant part of her "true" self that was previously hidden; that is, she comes out of the closet as the person she "really" is.¹¹ But the power of this revelation depends, at least in part, on audience uptake—and thus acts of coming out are vulnerable to misunderstandings, ignorance, and confusion of others. Moreover, some queer identities face greater risks of misunderstanding than others.

In this chapter, we take up some ethical questions surrounding passing/outing—specifically, as they arise for those with queer femme identities. We argue that for persons perceived by others to be female, and who have queer sexual identities and feminine or "femme" gender identities, choice between the various possibilities listed above may be complicated in morally significant ways.¹² For example, what it means for a femme to "pass" or "cover" is not always distinguishable—conceptually or in practice—from living authentically

10 Our sincere thanks go to Christina Konecny both for her superb research assistance and for her philosophical insights into these issues.

11 For more discussion of how controversial this argument is, see Harbin 2011: 77-93.

12 The issues and experiences that form the basis of our *particular* discussion are, we believe, limited to femmes whom others are likely to read by others as biologically

and resisting heteronormative identification: i.e. the conditions of being “out.” In some ways, these confluences *privilege* queer femmes; in others, femmes find themselves implicated in a political double bind. We contend that this example complicates the political and ethical demands that are typically taken to arise from the question of passing or coming out.¹³ We conclude by briefly exploring what it means to live queer femme identity *responsibly* and what this means for the ethics of sexual identity more generally.

Philosophers on the Ethics of Queer Visibility

In recent years, a debate over the ethics of queer visibility—that is, the moral significance of coming out, of remaining closeted, and of outing others—has arisen among moral philosophers in the analytic tradition.¹⁴ While queer theorists in other disciplines have challenged the very existence of identities stable enough to be disclosed, analytic moral philosophers have focused on arguments concerning whether, how, and why to “come out of the closet” by first publicly disclosing one’s queer sexuality or gender identity, and then by living openly and visibly as a queer or genderqueer person.¹⁵ Richard Mohr, for example, argues on Kantian grounds for a universal duty to come out, held by all lesbian and gay people, as well as a corollary duty to out others with or without their consent. Mohr grounds this duty in dignity, arguing the following: since there can be no good reason short of immediate physical danger *not* to come out, failing to do so expresses acceptance and even endorsement of the supposed need for secrecy that has enforced queer stigmatization. Choosing to remain closeted thus endorses the stigma itself (that a queer identity is bad, wrong, unnatural and should be hidden), and so disrespects the personhood of *all* queer persons.¹⁶ Coming out—and even outing others who fail to come out—is an assertion of dignity. Almost all philosophical attention to the ethical responsibilities of queer persons *as* queer persons has centered around the ethics of coming out.¹⁷

Why has this particular act of self-disclosure come to take such a central role in queer ethics and politics? Historically, silencing, enforced secrecy and even outright denial—in other words, the social conditions taken up and conceptualized

female (i.e. those, in a heterosexist context, whose bodies lead to social expectations and enforcement of feminine gender roles).

13 Many of the ethical and philosophical issues associated with queer femme identity and visibility that we raise are insightfully discussed by Brennan (2011: 120-34).

14 Prominent examples include Mohr 1992, Card 1995, Stramel 1997, Halwani 2002, Halwani et al. 2008, and see Cooley, this volume.

15 For a recent philosophical discussion of the metaphysics of personal identity and sexual agency implicated in queer theory, see Wilkerson (2009: 97-116).

16 See Mohr, *Gay Ideas*.

17 Notable exceptions to this rule within the analytic philosophical literature on queer visibility include lesbian-feminist philosophers. See Card 1995, Calhoun 2000, as well as Halwani et al. 2008.

as the “closet”—were effective methods for maintaining heterosexism. Since the 1970s, queer activists have rallied around the power of communities increasing in number, in visibility, and in voice. In present-day activist circles and in wider public discourse, it is typically assumed that being out is always, or almost always, better than being not-out and, further, that coming out is a necessary condition for living a queer life *well*—not to mention participating in queer communities.

The moral values of living a good or flourishing life and of resisting and repudiating oppression are not insignificant. And certainly, we do not deny the connection between these goods and the ability to live freely and openly, without hiding or covering significant relationships, desires, and identities. Whether and when these result in a moral duty to come out is another question—and one that we take up elsewhere.¹⁸ Here, our interest lies with the ethical complexities of visibility, recognition, privilege, and passing that continue once the choice to come out has already been made—complexities that are overlooked when we focus too entirely on that choice alone. Furthermore, as we demonstrate, these complexities can serve to weaken the correlation made between visibility and authenticity presumed by advocates of a duty to come out. To get at these dilemmas, we turn to the experiences of queer femmes.

The Case of Queer Femmes

Like so many signifiers of queer identity, “femme” has multiple, overlapping meanings, several of which have shifted over time. At its root, the title “femme” indicates some relationship to femininity, that is—to the appearances, attitudes, roles, and social positions expected of women in a gendered, heterosexist society. The term also has a queer history; it entered popular discourse as part of the butch/femme dichotomy, once taken to represent constructed or assumed gender roles within lesbian communities.¹⁹ Just as butches reject the trappings of feminine gender identities and instead adopt a masculine gender identity, femmes embrace, exaggerate, and occasionally parody their own femininity, leading to the appellation “high femme”—implying that femme femininity is a distorted, excessive, or *queered* femininity. Nevertheless, on a daily basis, queer femmes are far more likely to be mistaken for conventional, “straight” women than other lesbians and bisexual women.

The association with femininity makes femme an interesting and complex identity for those within lesbian and feminist communities. After all, femininity represents a problematic social norm in the eyes of both communities, associated with the control, diminishment, objectification, exploitation, and even infantilization of women. And, at the same time, since femininity is a social norm that continues to be enforced by the wider society, it is both imposed upon and expected of *all*

18 For an extended argument *against* a duty to come out made by one author of this chapter, see MacLachlan (2012a).

19 For further discussion, see Nestle (1992).

those who are female-identified. Successfully performing oneself as both female and feminine—"pulling it off," so to speak—is a social achievement, and one that comes with rewards. Such rewards include acceptance, praise, and sexual desire, or even the sheer relief of being socially intelligible to others, however costly these rewards might be to the bearer. Femininity in these cases expresses sexist oppression and—at the same time—*heterosexist privilege*.

It is hardly surprising then that, as Angela Pattatucci Aragon (2006) notes, lesbian communities have historically had what she describes as a "love/hate relationship" with femmes, subjecting them to public vilification and private fetishizing—a femme might provide social status or bragging rights for her butch partner, even while the femme's own membership in the queer community is viewed with suspicion. Lurking beneath these attitudes is the belief that embracing rather than rejecting femininity is "a less noble pathway to lesbianism," that femmes "reify the patriarchal oppression that *real lesbians* were fighting to end." Aragon points out that even now, "feminine women tend to be seen as less genuine lesbians and are viewed with constant suspicion (e.g. that they only are interested in sexual play and might run off with a man at any moment)" (2006: 14, footnote 13). Suspicion of femme identity can be found in academic circles too. Even in queer theory, the editors of *Femme: Feminists, Lesbians and Bad Girls* note, "little has been written about women's use of femininity as queer, subversive or radical" (Harris and Crocker 1997: 4).

Perhaps in response to this disapproval, recently there have been some concerted efforts to remake and reclaim femme identity as wholly, properly, and necessarily queer—and thus to challenge the reduction of "femme" to "feminine" (Harris and Crocker 1997, Rose and Camilleri 2002, Burke 2009, Dahl and LaGrace 2009). In *Brazen Femme: Queering Femininity*, Rose and Camilleri, insist that femme is "a way of being that cannot be described as quintessentially feminine. Instead, femme might be described as 'femininity gone wrong' ... we are not good girls—" while two contributors reverse the conceptual dependence, by decrying femininity as a "debased and fallen form of [femme] itself" (2002: 13, Duggan and McHugh 2002). Similarly, *Femme's* editors individuate femmes by remarking, "femme queerness is a sustained gender identity, a chosen rather than assigned femininity" (Harris and Crocker 1997: 5). Today, some femme-identified lesbians highlight *queerness* rather than femininity by adopting the hyphen "femme-dyke." One femme-dyke defends the move as an effort to distinguish herself from "the vile assimilationist politics of what I mark as lipstick-lesbian culture, in which being seen as 'straight-acting' is taken as a high compliment" (Rugg 1997: 175-89).

These reclamations have a common goal. They all aim to retain rights to the trappings of femininity (expressed through fashion, comportment, modes of embodiment, sexual roles, voice etc) while stripping them of whatever patriarchal meaning they might hold—in particular, messages of submission, weakness, and the status as object (and not subject) of desire. Yet, given how much of what we understand by femininity depends on exactly these meanings, such separation is always provisional, unstable, and even tentative—and is certainly capable of

being misread. Put simply, one person's brilliantly subversive high femme is another person's classy (straight) lady, walking down the street in heels, lipstick, and a sweater set. Furthermore, judgments of masculine and feminine—and in particular, of being "feminine enough"—are always contextual. As one frustrated femme laments, "Why am I a femme when I play in the queer community and a tomboy when I play in the straight community?" (VanNewKirk 2006: 75).

Where does this leave queer femmes, when it comes to the ethics of passing and coming out?

In the first place, the successful act of coming out—and certainly, the sustained, consistent state of "being out"—is often especially *difficult* for queer femmes. "Coming out" has been described as a choice and as a revelation, but for many queer and genderqueer persons, the choice is made for them and the revelation hardly surprising. As LGBTQ visibility grows—especially in mainstream popular culture—many people are now familiar with certain stereotypical markings of queer difference. In urban centers and among younger people, in particular, the strong, athletic woman and the gentle, artistic man may simply be presumed gay until proven otherwise, and the suggestion that two same-sex adults sharing a small apartment are "roommates" treated as laughable. As Ivan Coyote (2009), a queer and genderqueer storyteller and activist, puts it when reflecting on Coyote's own, visible, queerness: "I never get the chance to come out of the closet, because my closet was always made of glass." In some ways, only those who *lack* the visible markers of queerness face the dilemma that coming out was traditionally meant to present—or at least, the dilemma in its starkest, most accentuated form. That is, only those who *can* pass are able to choose between a life of (fraudulent) heterosexist privilege burdened by the moral and psychological costs of secrecy and compartmentalization, on the one hand, and the risks of renegeing privilege by committing to living openly and in solidarity, on the other. Those who can access more privilege in the first place have more to lose by renouncing it.²⁰

It might seem that while queer femmes are among those most likely to face the dilemma of coming out in its starkest form, the basic choice between visibility and privilege remains consistent—but the picture is more complicated than that. Consider the following point: coming out is an act of disclosure and being out a state of visibility. Both disclosure and visibility require audience uptake and interpretation; for me to show and tell, you must see and understand. For me to successfully come out as queer to you, without my performance misfiring, you must understand what I mean by "queer" and believe me when I tell you that I am. If you have no idea, or take my words as a practical joke, as delusion, or as simple nonsense, there is a very real sense in which I have not *come out* to you; certainly, I am not visible to you as queer.

This is the second way in which coming out is made difficult for queer femmes. Because they do not appear gay or queer to many people's eyes, femme

20 Coyote implies as much, by going on to say, "But you do it for me. You fight homophobia in a way that I never could" (Coyote 2009).

disclosures and performances of queerness are far more vulnerable to misfire. A queer femme who uses a subtle cue to demonstrate her queerness is more likely to be misunderstood—references to her “girlfriend” may be heard as “female friend” rather than “romantic partner,” for example. Even her direct, unambiguous claims (“Mom, Dad—I’m a lesbian” or “Actually, no, not ‘he’—my ex is a woman”) are likely to be taken *less* seriously. She may be seen as experimenting, rebelling, going through a phase, or finding herself temporarily “between men” after a broken (heterosexual) heart. Her queerness is subject to challenge in a way that others’ may not be; it can be contested, disputed, and may require defense or proof. Robbin VanNewkirk captures this sense of contested queerness nicely when she recounts a conversation with another lesbian who assumed VanNewkirk was straight, and made a joke on that basis. Forced to explain herself, Newkirk notes, “there is no quick, clever response I’ve found for being shoved back into the proverbial closet. I corrected her arrogation along with a nervous laugh, to which she replied, ‘Gee, I really didn’t get that vibe from you’” (2006: 74).

The challenge to VanNewkirk’s sexual identity (at the time, she was an out, lesbian, academic, working in women’s studies) is double. First, she is presumed to be straight—and this presumption comes from someone within the queer community. Second, once this presumption is corrected, VanNewkirk’s now-stated *queer* identity is again undermined. She lacks the appropriate “vibe” or marker; she does not register on the other (unquestioned) lesbian’s gaydar. Now, a skeptical reader might respond that VanNewkirk is in danger of oversensitivity here. Her conversationalist did not directly doubt her, but only expressed surprise (and possibly embarrassment). This is *not*, the skeptical reader might conclude, a terribly big deal. But such skepticism overlooks the social significance of “vibes” and “gaydar,” of markers and difference. The now commonplace notion of a gay vibe, accessed through the radar of those in the know, suggests that there exist criteria for queerness—or at least for real, legitimate or (as Aragon puts it, above) *noble* queerness—which someone who sincerely expresses queer desires and who identifies as queer might still fail to meet. Claiming an identity for which you lack the appropriate markers has “the implication of fraudulency” (VanNewkirk 2006: 79). At the least, it suggests that your loyalties and your staying power remain in question.

VanNewkirk’s anecdote illustrates an additional way in which coming out is made difficult for queer femmes: it is a task to be performed over, and over again—to each new audience, or to the same audience multiple times: “it’s not just the clueless straight man who assumes I must be straight and therefore sexually available according to my femininity, but also members of my own community and their assumptions about my femininity that requires a constant re-telling or coming out” (2006: 76). Coyote (2009), too, describes this repetition and acknowledges the burden of it: “I want to thank you for coming out of the closet. Again and again, over and over, for the rest of your life. At school, at work, at your kid’s daycare, at your brother’s wedding, at the doctor’s office. Thank you for sideswiping their stereotypes.” While the ability to pass (and thus escape confrontation) might once have been envied for its pragmatic advantage, in a world where “out” has become

an expected norm and visibility the primary measure of queer pride, Coyote is right to acknowledge that for some, meeting this norm requires daily attention and thus extra effort.

Not only is the performance of “coming out” potentially more arduous for queer femmes, but also, the goods it is meant to achieve may be more tenuous. The act of coming out is praised, in part, for the recognition and visibility it is meant to secure; while the closet person must compartmentalize their existence and bifurcate their identities into public and secret, the out person achieves authenticity and wholeness. In coming out, he or she loses privilege but gains community. Yet for some queer femmes, these may be fragile, ephemeral and even unattainable goods. Indeed, Coyote (2009) puts it best: “Sometimes you are invisible. I have no idea what this must feel like, to pass right by your people and not be recognized. To not be seen.” Queer femmes may fail to be recognized as such—both by members of their own community, and by those outside it.²¹

Furthermore, once queer femmes succeed in make themselves known as such, the “femme” aspect of their identity may be taken to detract from their queerness, rather than qualifying or even (or partly) constituting it. This can create tensions within the individual’s own agency and sense of identity, if the queer femme herself internalizes the belief that her femininity, her *femmeness*, is somehow at odds with her queer sexual identity—as she is likely to do, given the prevalence of that message, within and beyond queer communities. Indeed, she may feel forced to choose between these aspects of herself, hiding or masking her femmeness in order to prove she is (i.e. “pass” as) truly or properly queer. Many lesbians and gays are still expected to “cover” (that is, to minimize and play down their queer identity) for the comfort of straight acquaintances, while equally, feeling pressure to conform to homo-normative standards *within* the community in order to belong. The newly out may well force the mannerisms they perceive to now be expected of them.²² Queer sex columnist, Susie Bright, gives an account of early attempts to “pass” within the queer community:

At the height of my college cruising, I was attending Take Back the Night meetings dressed in Mr. Greenjeans overalls, Birkenstocks, and a bowl haircut that made me look like I’d just been released from a bad foster home. There is nothing more pitiful to look at than a closeted femme. (Quoted in Walker 1993: 866)

21 As Brennan notes, the isolation of invisibility is also experienced by other queer women who may not meet the social and fashion norms of large, urban queer communities—this includes many working class, older and rural queer women (Brennan 2011).

22 Again, VanNewkirk, a femme lesbian, describes “the insecurity I feel when I am not deemed real enough to be gay, and ... the gratification I feel when I can pass for gay, again with the underlying assumption that in passing I am not intrinsically real” (VanNewkirk 2006: 79).

In highlighting the especial difficulties and fragilities of coming out, as experienced by queer femmes, our intention is not simply to bemoan the plight of the queer femme, to argue that their struggles are uniquely difficult—or indeed, to suggest that queer femmes should not engage in the sometimes daily effort of coming out at all. Instead, we wish to highlight how the ethical significance of queer identities and visibility, passing and not-passing, do not begin or end for femmes (and indeed, as we will show—for many others) with the question whether to come out. Rather the convoluted visibility of already—out queer femmes can leave them implicated in a political double bind.

We have already shown how identifying as a queer femme can leave someone in the peculiar situation of feeling as though she must “pass” as what she already is (i.e. queer). The queer femme identity brings with it a presumption of fraudulence or inauthenticity. Indeed, this is not unlike a milder version of Talia Bettcher’s (2007) description of the inhospitable dichotomy transpeople face, when accused of being either deceitful or fraudulent. Certainly both groups have faced marginalization and ostracization within lesbian communities. But unlike transpeople, queer femme identity also functions as a source of (complicated) privilege for those who possess it. As we noted earlier, queer femmes voluntarily adopt many of the feminine gender markers that heterosexism demands of women. Most queer identities, once open and visible, preclude those who possess them from accessing heterosexual privilege—at least at the same time as they express and make visible their queer identity. But such privilege remains available to queer femmes. Not only can they comfortably enter gender-segregated institutions (e.g. public washrooms) without risk of challenge, but femmes are less likely to be seen as deviant, sexualized, or predatory. They may find it easier to access the confidence and trust of straight women, that is, to present as “one of them” and—if they choose—femmes can appeal to the heterosexist chivalry and flattery of heterosexual men. Indeed, they may not be able to avoid it. In situations where being obviously queer might lead to serious confrontation and even physical harm, the *invisibility* of queer femmes takes on the advantage of camouflage, rather than the burden of explanation.

A relatively banal experience illustrates this point. While we were writing this paper, one of us found herself negotiating the cost of repairing a cat-damaged armchair with a male business owner. On learning his estimate, she explained that the cost was high enough that she’d need to talk it over with her partner (whom, she indicated, was a woman). The male shop-owner noted her pink sundress but missed her pronoun, and immediately assumed the partner in question was a husband—and further, that this husband was responsible for both filling and controlling the purse strings. His demeanor changed from haggling to sympathetic and flirtatious, as he dropped the price to “help her make her case” while he (along with several other customers) proceeded to offer advice for how to flatter and cajole her fictional husband into giving her what she wanted. Is this an example of misbegotten privilege or subtle oppression? On a very practical level, this author clearly benefitted from her femme gender expression—she received a lower

estimate, and the good will of everyone in the shop. On the other, this advantage comes first at the cost of being misread—she was left feeling guilty and complicit for not once again clarifying what she had originally stated. Further, her small financial gain in this particular transaction depended on the shopkeeper’s sexist assumption that, as a woman, she was financially dependent, naïve, willing to manipulate her male partner—and in need of a strange man’s advice about how to best do so. That is, her small gain came at the larger cost of the power he exercised, when he insisted on providing it.

Conclusion

The experience of queer femmes suggests that not all queer identities are created equal. The point we have made is not simply that queer femmes will necessarily find it easier to “pass,” where passing is understood to entail accessing heterosexual privilege. Presumably many queer people could and can successfully pass, whatever their most comfortable mode of gender expression. Rather, queer femmes are distinctive in that it is their queer identity itself—their own, authentic expression of their individual sexual identity—that provides access to privilege. Indeed, fully reneging on that privilege by working to demonstrate, even *prove*, their queerness to others—if that requires they cover or minimize their femmeness, to do so—may end up feeling less authentic, and more akin to passing, than the alternative. In this way, the two goods highlighted by philosophical arguments for coming out—the political importance of queer visibility and the personal importance of feeling authentic and wholly *oneself*—come apart for queer femmes. Instead of choosing these goods over problematic privilege, they find themselves forced to choose between the two of them, in scenarios where all possible options seem to implicate them in complex and uncomfortable forms of privilege. Queer femmes may feel unrecognized or invisible—even fraudulent—within supposedly safe spaces (i.e. queer communities) at the same time as they feel alienated from the comfort they are assumed and even expected to feel within wider, heteronormative ones. It is for this reason that we described queer femmes as facing something like a double bind, when it comes to the ethics and politics of queer visibility.

To be bound is to be restrained, and even disempowered. The double bind facing queer femmes, on the other hand, comes with a special sort of power—one that has not gone unnoticed. In choosing to “thank” queer femmes, for example, Coyote calls attention to their unique ability to disrupt people’s assumptions about both gender and sexuality. In other words, queer femmes are uniquely positioned not only to *pass*, but also to *disrupt*. The fact that femmes have to come out constantly means that they are constantly in a position to challenge people’s stereotypes—stereotypes that depend on heteronormative and sexist assumptions and in particular, the association of female femininity with heterosexuality. That queer femmes may find themselves feeling like an “insider-outsider” in both straight and queer communities also provides them with an informed and critical voice, a voice that contributors to *Femme*, *Brazen Femme* and other recent femme

manifestos have begun to adopt. Undertaking this task appears to require that queer femmes not only be visible—the clarion cry of queer politics—but that they be *responsibly* visible, navigating the discomfiting combination of being both recognized and misread, with an eye to the power that a queer girl in a sundress may possess.

Comments on MacLachlan and Sreedhar's "Complicating 'Out': The Case of Queer Femmes"

Dennis R. Cooley

Although Alice MacLachlan and Susanne Sreedhar raise a number of interesting points, I will confine myself to the two I think are most important to the ethical issue of passing. First, in one author's personal narrative of initially, unintentional passing at a furniture store, the issue of guilt is useful in understanding whether the passing was ethical. Second, the queer femmes' general characteristics and unique difficulties can best be understood as an example of moral luck, which privileges them on one way, yet severely disadvantages them in another. I will consider each in turn.

In the personal narrative, the author mentioned feeling guilt as a result of passing in a store even though she did not intend to do so. She had outed herself to the salesperson, but he seems to have misheard what she was saying, and then made an assumption that was unwarranted given the information that had been provided to him. The result of his "deafness" was a reduction in the price of a piece of furniture, in part, because the salesperson thought that her "husband" would prevent her from buying it if it was too expensive.

But why would someone feel guilt in the situation? Using what is probably illicit armchair psychology, I would hazard to guess that the author felt that she had done something wrong, if we assume that guilt is caused by a self-recognition of some sort that the agent has failed to act ethically in some way.

Guilt can be subjective or objective. Subjective guilt occurs when an agent has done nothing objectively wrong, but still feels as if she has violated some personal principle that does not tip the action into being immoral (Conee 1982). An example of this might be when a person passes because the situation's circumstances entail a considerable danger to his ability to flourish. He permissibly remains veiled but feels guilty because he has not done the supererogatory.

Objective guilt, on the other hand, is appropriate in situations in which whatever the agent did broke some objective moral principle or code. In this case, the author might not have lived up to her free choices of who to be as an individual, as well as one or two that are general to all human persons as persons. Since she has decided to be out, then the situation ended when she was not authentic to whom she is as a person, and hence, interfered with her own flourishing.

Being out is, in my view, one of the more important life goals a person can choose. In order to find a plausible mechanism for justifying that one life goal is more central to thriving than another—and hence, is more valuable—it is necessary to consider whether there are general features that all human persons have as persons. As stated above, flourishing is the standard by which to judge the value of any person's life. What constitutes flourishing is universal for some aspects of being a human person, such as the absence of debilitating pain, presence of enough pleasure to make life have positive utility, creative work, possession and use of autonomy, and so on. These aspects make whatever has them fall under the general category of *being a person*. There are also goals that are under the control of each agent, such as whom the person dates, whether to have children, whether to work here rather than there, and where to set up one's abode. These aspects help make the person a particular individual.

Although being a particular individual is important, its value is dependent upon the more fundamental characteristic of being a thriving person. By necessity, when flourishing's universal conditions, e.g. being authentic, are not met, then the individual's life cannot flourish. When particular goals of a particular person are unmet, then there is no automatic lack of flourishing. People can be stymied in their attempts to fulfill their idiosyncratic choices, e.g., jobs they select in order to obtain the financial resources they need for a good life, but that does not entail that they will lead a bad or significantly worse life. They can fail in their individual goals and try something else. However, if they fail to fulfill the basic requisites, then they cannot have a thriving life. The best analogy to use here is to show that each person has to have her basic physical needs met in order to survive. These needs are comparable to flourishing's universal requirements. On the other hand, individual choice can affect thriving, but tends not to be able to make the life not worth living in the manner that lacking one or more of the essentials can, unless that choice affects an essential.

So where does passing fit into this division between types of characteristics and goals? I would say that passing when a person is out is linked to being authentic to who the person is. More specifically, in situations in which it is unnecessary to pass, then remaining veiled, even if it is the result of other's misinterpretations, assaults the very identity of the individual passing, if it is allowed to go unchecked. The person feels as if she has betrayed who she is as a person. Being out allows people to be authentic and to act and think in ways that satisfy their basic needs as the persons they are, even if it costs them something to do it. There are many ways this openness enhances their flourishing as a species being and an individual, but the most important might very well be that they are not deceivers. By being authentic they are being as they truly are.

My commentary's second component focuses on MacLachlan and Sreedhar's central position. Queer femmes have unique opportunities and difficulties precisely because they are queer femmes. First, queer femmes have more to lose since they can pass better than those who have stereotypical queer features. Second, their coming out is often not believed by their audience, and the former often have to

come out to the same individuals again and again. Third, queer femmes, when they can make clear their identity, are often ostracized from both the heterosexual and queer communities for a hurtful, wrongheaded view about the queer femmes' authenticity: both communities assume that queer femmes are not really queer. Fourth, and most importantly:

queer femmes are distinctive in that it is their queer identity itself—their own, authentic expression of their individual sexual identity—that provides access to privilege. Indeed, fully reneging on that privilege by working to demonstrate, even *prove*, their queerness to others—if that requires they cover or minimize their femmeness, to do so—may end up feeling less authentic, and more like passing, than the alternative. In this way, the two goods highlighted by philosophical arguments for coming out—the political importance of queer visibility and the personal importance of feeling authentic and wholly *oneself*—come apart for queer femmes. Instead of choosing these goods over problematic privilege, they find themselves forced to choose between the two of them, in scenarios where all possible options seem to implicate them in complex and uncomfortable forms of privilege. Queer femmes may feel unrecognized or invisible—even fraudulent—within supposedly safe spaces (i.e. queer communities) at the same time as they feel alienated from the comfort they are assumed and even expected to feel within wider, heteronormative ones. (see MacLachlan and Sreedhar, this volume)

This argument is right, but it also shows us where moral luck plays its role in power, sexual identity, and being out.

Moral luck exists in the disparity between queer femmes and other groups of individuals, whether the latter are oppressed or not. Moral luck refers to unearned or unmerited advantages and disadvantages that people have in their lives. For example, some individuals are born into a life of wealth and privilege, while others have to contend with poverty merely because they were born into a poor society. These unearned positives and negatives can affect the moral evaluation of people and their actions. If we are committed to treating people as equals *qua* moral agency, then there is a feeling that moral luck produces unfair situations and defective evaluations, especially for individuals lacking the opportunities afforded to those with privileged power. In this case, queer femmes are forced to choose between being authentic and being politically visible, while other non-heterosexuals can have both.

Fortunately, the perceived unfairness is merely an illusion, once the larger circumstances are considered. Moral luck is not as lucky as some would like to believe. Some privileged characteristics, included among them are sexual identities, might be experienced as a burden rather than an advantage. Consider the related alleged moral gap between the wealthy and the poor. People assume that being born into wealth is an example of good moral luck that allows the powerful person to have an advantage over the person with less access to power.

But there is no reason to believe that claim. Although the duties are determined by the same moral principles, what must be done will be decided in part by the person's actual situation, including the power the agent has. First, people with greater opportunities have more alternatives from which to choose because their power allows them to do things that those without power cannot. Hence, those with more power will be obligated to do more, while those with less are obligated to do less. In situations in which those privileged in the queer community by being politically visible and authentic have a duty to help those who can achieve only one of the two, until that time in which those who are more vulnerable become equal.

People with privileged sexual orientations—and I am including heterosexuals here—have the general duty to help those with disadvantaged sexual identities achieve a reasonable opportunity to have a flourishing life. In the face of opposition, privileged people have to work to change the cultural mores, social norms, laws, and so on that allow for oppression. The reason for this general duty is based, once again, upon flourishing. What kind of person enjoys a privilege without realizing what it costs others who have less power than he does? What kind of person will do nothing to alleviate the suffering of others when it will cost the privileged little? It would be akin to someone seeing a car accident with victims in need of help, who does nothing to render assistance, even when it will cost him little in comparison. In order to flourish, the privileged must use their power in an appropriate way to help those less powerful, possibly giving up power so that they and those around them are equal as persons with equal opportunities. To begin this process, those with privilege must sensitize themselves and others to what it is to be a queer femme, not treat people according to harmful stereotypes, show disapprobation for other's wrongful actions, such as discounting someone when she does not fit a stereotype of being a lesbian, and do what is within their power to allow everyone a fair chance at a flourishing life.

But I do not want to give the impression that queer femmes are helpless victims who need others to act paternalistically toward them. As MacLachlan and Sreedhar recognize:

queer femmes are uniquely positioned not only to *pass*, but also to *disrupt*. The fact that femmes have to come out constantly means that they are constantly in a position to challenge people's stereotypes—stereotypes that depend on heteronormative and sexist assumptions and in particular, the association of female femininity with heterosexuality. (See MacLachlan and Sreedhar, this volume)

Given the deep fear people have of challenges to the very essence of their conventional identity and morality, queer femmes have the ability to less painfully change ideologies in both the heterosexual and non-heterosexual communities. That is power.

Comments on Cooley's "Is there a Duty to Be Out?"

Alice MacLachlan and Susanne Sreedhar

The title of Dennis R. Cooley's argument poses a question (is there a duty to be out?), which, to paraphrase his own words, he answers with a strong and steadfast "it depends." Yet this somewhat rueful self-assessment does Cooley's very thoughtful discussion a disservice. Cooley not only argues for a duty to come out that holds in some, but not all, cases; he also provides a single ethical standard or benchmark—namely, the Aristotelian value of *flourishing*—which both grounds the general duty and provides the explanation for when and why that duty is absent or overridden. In doing so, he makes a significant contribution to the growing philosophical literature on the ethics of coming and being out. Previous analyses of a duty to come out have typically argued for a universal duty, holding in all situations save the most grievous risk of harm to life and limb, or have adopted a pluralist and occasionally piecemeal approach, for example by pitting the broader utilitarian benefits of coming out (e.g. visibly gay public figures) against the rights of the individual, or by measuring the values of dignity and honesty against other significant concerns, like compassion, friendship, and loyalty. In advocating a moderate version of the duty to come out *and* providing a single rubric for assessing that duty, Cooley's analysis draws eminently reasonable conclusions, and also leaves the reader optimistic that we might—at least in theory—account for all the relevant ethical variables, when spelling out the crucial details of that "it depends."

In our response, we will focus on what is novel in Cooley's treatment, namely, the central role he gives to the concept of "flourishing". Cooley's argument hinges on his acceptance of the claim that the concept of flourishing represents the best standard by which to make ethical evaluation; that is, that "the only ultimate test for the value of a life is whether at its end it is found to have been worth living" (Bayles 1994:130, cited by Cooley, this volume). Like other Aristotelians, Cooley takes flourishing to be an ethical concept, including both subjective and objective factors; we do not flourish when we happily partake in ill-gotten benefits that come at an unjust cost to others, for instance. Cooley connects flourishing to the more specific question of coming out in two stages. First, he suggests that—all things being equal—coming out *adds* to an individual's flourishing, both through its effects on her life and character, and for its likely effects on the attitudes and emotions of others. Thus, when these conditions obtain, we always possess ethical reasons to come out, unless there exist other reasons *not to*. What might reasonably count as a reason *not* to come out? Again, we turn to individual flourishing: we should come out whenever doing so does not sacrifice something of comparable moral significance, and such significances are weighed against each other by their relative contributions to individual flourishing.

In some sense, it is impossible to disagree with Cooley's main claim. If there is an act that will improve someone's life in significant ways, for example by

"allowing her to create and nurture caring relationships that would otherwise be denied to her" and by granting her significant relief from self-denial, shame, degradation, and "mental strain," and if this act will—at the same time—improve the moral attitudes and behavior of others, it certainly seems as though it ought to be undertaken. If that act can be undertaken without sacrificing anything of comparable moral worth, then *of course* it ought to be undertaken. We might want to caution that this is not yet sufficient reason to *enforce* such a duty through coercion or social pressure, but—at the least—the case as presented gives the agent very good reason, and most likely overriding reasons, to take such an action. But perhaps there still lurks some small devil or two in the details, which may well complicate the duty to come out as Cooley describes it. Indeed, we might ask when (if at all) such fortuitous conditions obtain—that is, how often does coming out lead to the flourishing Cooley describes, in practice?

Consider the benefits to the individual achieved by coming out. Cooley claims that the out individual gains access to relational goods and to psychological relief. Let us focus on the latter, and recall that Cooley is concerned with "the duties someone has to out herself to strangers". Does coming out to strangers lead to relief, as well as "an end to denying one's identity ... shame, degradation, and inadequate self-esteem and integrity"? The process is not always, or immediately, so affirming. Coming out is a performative speech act, in which one person discloses something of herself to others. What she succeeds in disclosing depends, in part, on her audience's uptake—how they hear, understand and interpret her—and in this case her audience are strangers. Thus, the dependence on audience uptake can leave the person who comes out extremely vulnerable. She risks having her life and her identity "excerpted", as Claudia Card (1995: 212) puts it: that is, reduced to her sexual self in ways that do not feel authentic or truthful and may well be self-alienating. Judith Butler expresses a little of this alienation when she remarks that it is not clear "what or who [it is] that is "out", made manifest and fully disclosed, when and if I reveal myself as a lesbian" (1993: 309).

Furthermore, the strangers to whom she discloses herself are members of a wider culture that is both sex-obsessed and relatively sex-phobic. No matter how much activists remind us that coming out discloses an identity, not specific sex-acts, those who may most need their attitudes changed are likely to hear "sex" when told "sexuality." And Cooley agrees with us that sexuality is composed of many strands, which include desires, practices, and orientations as well as fantasies, imaginings, identities, and embodiments. Coming out reveals queer sexual desires, and it does so against a social background in which sexual desire is highly regulated. As even a cursory glance at contemporary American pop culture reveals, while we are not strangers to sex, we have strict expectations about who, exactly, is a subject of desire, who is an object of sexual desire, and who is assigned as asexual comic relief. Sexual and erotic desires that match these expectations are so completely normalized as to become invisible: they belong in commercials for beer, yogurt, real estate, or household cleaners, or become the stuff of casual jokes. Queer desires, in contrast, are startling, and may appear

exaggerated as a result. Choosing to come out may mean accepting a public identity that is not only problematically excerpted from her broader self-concept, but is also disproportionately sexualized.

We mention the dangers of excerption and sexualization because these do not seem like external costs to be weighed against the moral value of coming out (itself taken as a *prima facie* moral plus)—as risks to family relationships, career, citizenship, and life would be. Rather, sexualization and excerption are potential complications *internal* to the meaning of the act. Coming out, or even “coming clean” about one thing, i.e. that one is gay, lesbian, bisexual or transgendered, may clear up some misperceptions and misidentifications and thus bring some relief, but in doing so the act itself may create others. This is especially true for those who fall short of audience expectations in other ways, perhaps by failing to meet wider, admittedly problematic, gay stereotypes. We focus on one such case in our argument, and suggested that—among other things—queer femmes feel pressure to keep closeted the “femme” aspect of their identity in order to successfully come out as queer. Similarly, there are those who experience their sexual identity as fluid, as a history of choices and relationships over time, or as a trajectory of unfolding possibilities. It may be that they cannot provide what feels like a truthful account of themselves ahistorically. A duty to come out—where coming out refers to discrete acts of disclosure—may leave such individuals struggling to translate their own, experienced, sexuality into a set of facts that is wholly discernible and communicable to others at a given point in time. Reframing the duty as a duty to come out over and over again (once for each identity) is also problematic; the duty becomes more burdensome, for one thing, and second, the language of “coming out” implies what is revealed was first denied or hidden. If someone comes out first as lesbian, then as genderqueer, and then as a transman, others may take her subsequent disclosures as evidence that her coming out as a lesbian was partial or provisional—or even mistaken (this may well be true—but it is certainly not necessarily so).

Should the complications we have raised concern Cooley? In some sense, these are extensions or further illustrations of his basic claim, that applying the duty to come out always involves an individual calculus of enhancements to and detractions from flourishing. But, as illustrations, they suggest that the calculus is far from straightforward. Rather than being a *prima facie* addition to one’s level of flourishing, whose contribution may be lessened when weighed against external costs and considerations, the act of coming out looks like a calculated risk; a willingness to correct one decidedly problematic set of misperceptions and misreadings by others even in the knowledge that doing so may well lead to another set, one that cannot be determined before engaging in the act. Both possibilities are uncertain, and both depend on interpretive moves by others, moves over which the agent has little control. Sometimes, the risk is slight and the benefits are great: these are the cases where, with Cooley, we agree there is likely overriding reason to come out. Once we include the more complex cases, though—such as those with fluid or less recognizable queer identities—we wonder if talk of a “duty to

come out” can best capture the moral variables in question, even in “all things considered” cases. So, our first question is, how often does Cooley envisage the duty obtaining, in practice?

Certainly, we *can* account for the more difficult cases in the framework of a duty to come out, either by denying they have a duty, admitting that it’s not clear whether or not they do, or by reframing that duty as a duty to come out over and over again. Doing so starts to lessen the strong connection Cooley makes between the duty and the individual’s own flourishing. The objective benefits (i.e. improvement to others’ attitudes) remain, but the subjective experience becomes ‘burdened’ in ways that, phenomenologically, bear little resemblance to any picture of *eudaimonia*.²³ We invite Cooley to consider, first, whether the duty remains (in weakened form) when the psychological benefits of coming out are compromised, in the ways we describe.

On the other hand, someone committed to *eudaimonia* might propose an alternate framework, one that would shift the focus from a single, or more likely, a set of discrete communicative acts, to think instead about the values these acts are meant to communicate and enact. It might also allow us to explore duties of sexual selfhood that emerge *before* or *after* the act of coming out, as well as duties held by heterosexuals and cisgendered persons, for whom coming out is not an issue. After all, we agree that openness about oneself, self-esteem, pride, willingness to connect with the like-minded and like-selved, community membership, honesty and affirmation are all qualities likely to enhance individual flourishing. We worry that while sometimes these are best achieved by the act of coming out, too close a focus on a duty to perform that act risks excluding both persons and considerations of moral value. In introducing the value of flourishing, Cooley is perhaps more radical than he acknowledges; rather than limiting the question of flourishing to the act of coming out, we might ask what a broader ethics of sexual flourishing would look like.

A Response to MacLachlan and Sreedhar

Dennis R. Cooley

I want to start considering MacLachlan and Sreedhar’s claim that whether or not someone should unveil himself will be based on “something like an ongoing series of provisional principles and guidelines for responsibly navigating a series of

²³ Feminist Aristotelian Lisa Tessman claims that under conditions of oppression, virtue and flourishing come apart. Tessman hypothesizes the existence of ‘burdened virtues’, virtues that “while practically necessitated for surviving oppression or morally necessitated for opposing it, carry with them a cost to the bearer.” These virtues are *burdened* because they “have the unusual feature of being disjoined from their bearer’s own flourishing” (Tessman 2005: 5).

messy trade-offs, and compromises” (see MacLachlan and Sreedhar, this volume). That’s right; ethics is a lot messier than some might have us believe. Pluralism is necessary to capture morality’s complexities because our intricate reality cannot be classified by one absolute, abstract principle. Not everything fits cleanly into a single box, and we should recognize that fact.

However, there are certain duties that are flexible enough to account for the vast majority of exceptions. More specifically, the duty to flourish, if one exists as I think it does, is not overridden by even the most pathetic of circumstances.

In an example suggested by Raja Halwani, suppose that a person is in the closet to his mother. Due to a physical illness, she needs long-term care that requires her son to live with her. If she knew about his sexual orientation, then her flourishing would be significantly compromised. His orientation will make her extremely unhappy to the point that her life will no longer be worth living. Even if he does not tell her, if he attempts to live as the gay man he is, some gossip will relay the information to her. Revealing himself will also cause injury to both because their relationship will be severely harmed. If nurturing, sustaining relationships with our parents is part of their and our flourishing, then we should care for them as they want to be cared for. Moreover, the son’s flourishing benefit can be enhanced even after his mother is dead. By remaining closeted, he will know that her end of life was much better than it would have been. He can then achieve closure in a way denied to those who realize their parent’s life ended in strife. Therefore, if they do not want to know that their child is non-heterosexual, and it will affect their care if they know, then there is at least a *prima facie* obligation to remain in the closet.

There are two responses to this example. First, people, who decide to reproduce and raise children make the decision to bring a sentient, potential person into being, thereby creating an obligation for themselves to seek their offspring’s flourishing. The self-created duty might require great sacrifice on the parents’ part. However, parents cannot create a debt for their children unless the children take the burden on themselves (English 1995: 300). Children do not choose to be born to particular parents; hence, the former have no gratitude duty that outweighs their individual obligation to flourish. In fact, gratitude, when done right, is part of an individual’s flourishing.

Second, flourishing can show that being out to one’s loved ones, even if it harms them, can help justify an obligation to be out. We must recognize that those who are injured by the knowledge that their loved one is non-heterosexual are unwarrantedly hurting themselves because there is nothing inherently wrong with acting non-heterosexually or evil by being non-heterosexual. Bigotry should not be rewarded. Therefore, the immediate reduction of flourishing is self-inflicted and unethical, which is not the child’s responsibility. Moreover, since parents willingly take up the burden of having offspring whose flourishing they must foster, they have a moral obligation through their entire lives to assist in their child’s flourishing as long as doing so sacrifices nothing of comparable moral worth. Given that sexual orientation is an essential component to a child’s identity, and sexual orientation is neither morally good or bad, then parents have the duty

to accept their children’s orientation no matter what it is. Doing so is necessary for the child’s flourishing because it recognizes who the child is *as* the child is. That is, it allows the child to be authentic and to have authentic relationships with those for whom she cares.

Of course, outing oneself to those for whom we care and who will be harmed is more ethically complex than examined here. Although the impact on flourishing is the key criterion for whether there is a duty to be out, there seem to be different moral principles at work for different types of outing. Outing oneself to oneself—odd though the notion may appear—seems to be something that respecting one’s intrinsic value, virtue ethics, and even ethical egoism cover best. Outing to family and friends can use the same principles, but involves more ethical factors. Care ethics has to be one of the principles because of the caring relationships we need to develop and nurture. Outing to others, such as acquaintances, might use utilitarianism, respect for all persons, a bit of care ethics depending on what the relationship is, and the principles for outing to oneself. Outing to others with whom we have less intimate interactions, such as strangers, might use utilitarianism, respect for all persons, and the principles for outing to oneself. Basically, as the connection’s intimacy weakens, more general principles focusing on what is good for society or persons in general take greater weight in the evaluation, while those based on more intimate relationships are less applicable. How all of these principles work for every case is beyond the scope of this response, but it is important at least to recognize the complexity in play. Doing so does not harm the argument that there is a duty to out oneself; it only shows that the duty exists under a pluralist theory of morality based on actual circumstances.

A Response to Cooley

Alice MacLachlan and Susanne Sreedhar

We are grateful to Dennis R. Cooley for his thoughtful and constructive response to our argument. Cooley appears to agree with many of our substantive commitments—and also with our concluding thought, that is, that the particular dilemmas faced by queer femmes are ultimately tied to the *power* they possess: that is, “the ability to less painfully change ideologies in both the heterosexual and non-heterosexual communities.” Indeed, rather than disputing our core claims, he extends our analysis further and in new terms, suggesting that our paper’s focus reveals “where moral luck plays its role in power, sexual identity, and being out.”

It was not our original intention to identify and delineate specific ethical obligations adhering to queer femme identity. However, Cooley’s analysis—when applied to our original observations—raises a series of interesting questions, namely: does the power we have ascribed to queer femmes give rise to specific obligations? If so, is the obligation to be visible as a queer femme—where possible—among them? Given his remarks on the importance of challenging

problematic stereotypes and ideologies, and his emphasis on the close relationship between visibility and flourishing, it would seem that Cooley believes this is the case. Indeed, read at its strongest, the claim that queer femmes have relatively unique power to contribute to ideological change, when taken together with Cooley's analysis of moral luck and attending obligations, implies that queer femmes who do *not* take advantage of every opportunity to challenge stereotypes, or at least those with little personal cost, are not unlike witnesses who walk away from minor accidents without stopping to assist. Put simply, this gave us pause.

At the same time, we struggle with the question of how this claim should be put into practice. Maintaining a requisite level of visibility would presumably entail more than simply being out in one's personal life, since, as we argued, for queer femmes simply being out does not always lead to being visible as such. In fact, in some cases, any further obligation might fall afoul of "ought implies can," unless we understand "visibility" as a willingness to utter and re-utter direct, clear, and impossible-to-misunderstand statements, reinforcing them until they are understood (e.g. "No, I am a lesbian. A lesbian. Yes, I'm sure." "No—you misheard me. My partner is a woman. Yes, my sexual partner—not my business partner." "No, while I am married to a man, our marriage is not heterosexual, as neither person in it is heterosexual. I am bisexual and so is he."). And certainly, when compared to legal or physical harm, material loss or alienation from family and community, an ongoing commitment to daily enactments of such conversations does represent relatively little personal cost. But neither does it appear, to us, to contribute to one's level of flourishing.

And ultimately, visibility and disruption may come apart. Let us return to our original example of the author and the shopkeeper. Here, our sympathies lie with Cooley; this does seem like an excellent opportunity to exercise what we have called the subversive power of queer femmes. But is direct and immediate visibility (perhaps an immediate, insistent correction of pronouns) the best way to do so? There would be little cost beyond immediate awkwardness and the loss of a (sexist) discount on furniture, and the moment might well have been educational. Yet, as it turns out, an alternative, longer-term strategy is even more effective. The author's inadvertent short-term invisibility led to a conversation with the shopkeeper about the vagaries of relationships, budgets and interpersonal negotiation—though this conversation suffered from the sexist and heterosexist assumptions, on his part, about the relationships in question. Through civility, a connection was formed. The potentially disruptive impact of the author's return several days later—along with her female partner—was thus even greater, given this connection, which in turn depended on the unfortunate happenstance of her temporary invisibility. Indeed, we suspect that the ubiquity of such situations is partly why we did not draw specific conclusions about what concrete obligations queer femmes hold, in practice.

Cooley's general challenge to us is well taken. Assessments of someone's power to do good raise important questions about their attendant responsibilities: i.e. how and when to take up that power. If my identity, in and of itself, contradicts harmful

stereotypes, then being visible as the person I am represents one way to disrupt these stereotypes. Nevertheless, a general duty to disrupt remains importantly distinct from a general duty to visible—and this is especially true when the call to disrupt is understood as a call to disrupt strategically or effectively, and when the visibility in question remains fragile and easily misread. Thus, while we are grateful that Cooley's reframing has pushed us to consider how we might best articulate the practical consequences of the power we have attributed to queer femmes, we suspect that accurate analysis of these consequences—beyond the basic injunction to use it responsibly—will likely resist formulation as a set of general obligations. Rather, it will resemble something like an on-going series of provisional principles and guidelines for responsibly navigating a series of messy trade-offs, and compromises. Enumerating these remains a task for another day.

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