FORUM

Gender, Sexuality, and the Problem of Democratic Erosion: Using History to Conceptualize the Present Crisis

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Democracy is in crisis. Authoritarian rot, democratic backsliding, democratic erosion, democratic decay. While the names and concepts used might slightly differ, over the last several years, a growing chorus of scholars has been sounding the alarm on democracy's durability (Graber/Levinson/Tushnet 2018; Day 2019). Since the end of the twentieth century, democratic regimes have witnessed the expansion of executive power, abuses of civil and political rights, the subversion of competitive elections, and attacks on constitutional systems of checks and balances. Compounding these institutional threats are signs of a breakdown of democratic norms and values. Heightened polarization, growing support for authoritarian leaders, and the surge of far-right and fascist movements indicate that citizens are feeling increasingly alienated from liberal democracy.

Most of the countries undergoing democratic erosion have also witnessed the rise of political movements against so-called gender ideology. Since the 1990s, various actors from the Vatican to parent groups to far-right politicians have been campaigning and sometimes achieving reforms against reproductive rights, same-sex marriage, gender-affirming healthcare, sex education, gender studies programs, and legal protections against gender-based violence (Kuhar/Paternotte 2017). While much of the scholarship on democratic erosion has overlooked the synchronous rise of anti-gender movements, feminist and queer scholars have explored and elaborated on why attacks against gender and sexuality form a key feature of democratic decline. This article critically surveys how the relationship between gender, sexuality, and democracy has been theorized in this literature and puts forward an alternative conceptualization. Whereas most studies of democratic erosion take the current crisis as their point of departure, this article turns to the crisis of democracy's formation in early modern Europe. By examining the place of gender and sexuality in democracy's historical consolidation, I hope to illuminate the constitutive role of gender and sexuality in its current deconsolidation and show why the crisis of democracy has entailed a crisis in the gender order.

Gender Ideology and Democratic Decline

Scholars studying the relationship between anti-gender movements and democratic erosion often present the relationship between gender, sexuality, and democracy in one of two ways.[1] First, attacks against gender and sexual minorities contribute to

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the erosion of democratic institutions and values. As recent studies have shown, anti-gender movements curtail the ability of women and LGBT populations to participate as equals in public life, thus weakening civil society and undermining democratic principles of inclusion, ultimately creating conditions favorable for autocratic rule (Krizsán/Roggeband 2018, 2023; Flores/Carreño/Shaw 2023). These more empirically oriented studies often conceive of gender and sexuality in terms of what Eve Kosofsky Sedgwick (1990) called a minoritizing view: gender and sexuality describe quantifiable minority groups and the analytical value of these categories pertains only to these groups. Although studies of democratic erosion suggest that campaigns against gender ideology affect all citizens by harming the overall democratic system in which they live, attacks against gender and sexual minorities do not appear to be constitutive but one among many casualties of democratic decline. Alternatively, one can ask, how can we study democratic erosion by understanding gender and sexuality through a "universalizing view" (ibid., 85), such that gender and sexuality operate as empirical and analytical categories that are relevant to all democratic citizens across the spectrum of sexualities and genders?

Second, gender and sexuality are not just categories of minority groups but describe symbolic systems of meaning-making. Attacks against gender ideology serve as a kind of "symbolic glue" (Pető 2015, 127) synergizing a disparate set of claims and actors, such as religious fundamentalists, neoconservative organizations, and populist movements (Graff/Korolczuk 2022). As Andrea Pető (2015, 127) explains in the widely cited report, "Gender as Symbolic Glue",

> at first sight, these movements are anti-gender, but (…) gender is only the symbolic glue. (…) The representatives of these anti-gender movements only use these gender policy arguments as a cover up for fostering a deeper and profound change in the European political and value system.

Moving past a minoritizing view, the conception of gender as a symbolic glue or what others, invoking Ernesto Laclau, call an "empty signifier" (Mayer/Sauer 2017), illuminates how discourses of gender (and sexuality) can create a chain of equivalence between seemingly unrelated issues and groups. However, the portrayal of attacks against gender and sexual minorities as a symbolic "cover" for something more real and materially substantive, which many contend is really the economic crisis of neoliberalism, undercuts the analytical centrality of gender and sexuality. If gender is just "a metaphor for the insecurity and unfairness produced by the current socioeconomic order" (Grzebalska/Kováts/Petö 2017), then attacks against gender ideology come to represent an attack against so many phenomena (Marxism, neoliberalism, postmodernism) except gender and sexuality itself.

Although critics have rightly shown how anti-gender movements present gender ideology as an amorphous concept that seemingly means everything and nothing, I do not believe that these movements should determine how feminist and queer scholars use the categories of gender and sexuality. This is not to claim that opponents of

gender ideology get gender wrong (they do), or that we should not deconstruct conservative discourses (we should). Rather, it is to suggest that by ceding our theoretical grammar to its reactionary deployments, we risk overlooking how feminist and queer conceptualizations of these categories can illuminate something distinct about the crisis of democracy. In the following sections, I turn from the current moment to the crisis of democracy's formation in the eighteenth century. I explore the constitutive role that gender and sexuality played in the consolidation of what feminists call fraternal democracy, and in doing so, illuminate the role that gender and sexuality play in the deconsolidation of democracy today.

Constructing Gender, Forming Liberal Democracy

Proponents of absolutism in seventeenth-century Western Europe portrayed society as a naturally hierarchical order of status and rank modeled on the patriarchal household. All subjects were like children, born into natural relations of subjection and obedience to their father-kings. By the latter half of the century, political thinkers began to contest this vision of society by putting forward an alternative symbolic model through which to organize and make sense of social and political relations. The figure of the social contract envisioned society as an artificial agreement made up of free and equal individuals no longer defined by familial rank or kinship relations.

As Carole Pateman (1988) showed in her ground-breaking study "The Sexual Contract", new ideas of freedom and equality elaborated by social contract theorists relied on a prior sexual contract – a fraternal pact that split political society into a public sphere of civic freedom accessible only to men and a private sphere of the family to which women were relegated and subordinated. While social contract thinkers elaborated a revolutionary concept of the free and equal "individual" to critique a model of society in which blood and ancestry determined one's place in the social hierarchy, it was not accidental for these thinkers that "only masculine beings are endowed with the attributes and capacities necessary to enter into contracts (…) only men, that is to say, are 'individual'" (Pateman 1988, 5-6). According to Pateman, the seemingly empty signifier of the 'individual' at the foundation of liberal democracy is, by definition, a gendered category that requires women's exclusion as its condition of possibility.

Pateman showed how the social contract's account of political equality is founded on a gendered grammar of citizenship, such that women's exclusion from civil society played a constitutive role in emerging polities purportedly dedicated to equality. In her account, gender describes both an empirical group and a symbolic system that renders political relations of power intelligible and gives them meaning. It would be inaccurate to interpret this system of symbols and metaphors as merely a cover for something more material. Rather, it was the organizational framework through which new material structures took shape. In the bourgeois public sphere of eigh-

teenth-century Europe, novel gender-segregated clubs militated against aristocratic hierarchies by establishing new spaces of sociality in which new egalitarian relations between men could develop. Making up the institutional base of emerging liberal democracies, these exclusionary civil societies mobilized symbolic figures of brotherhood to organize and make sensible new political relations.

Take, for example, Freemasonry, the largest and most widespread fraternal organization in eighteenth-century Europe.[2] Freemasonry claimed that all men were naturally equal and that any man, regardless of his rank, could theoretically join the fraternity so long as he believed in God. To become a member, men must enter a social contract according to which they committed to treat their brothers with equality and love. Inside the masonic lodge, men learned to practice a constitutional form of self-government by crafting laws, voting in elections, and holding their representatives accountable (Jacob 1991). Economically, the lodges helped build a capitalist society by serving as a forum to establish new commercial relations and open new circuits for mobile capital (Clawson 1989). This influential fraternal organization thus contested an aristocratic society that prioritized landed wealth and organized its social relations based on hierarchical principles of blood and ancestry by mobilizing the rubric of brotherhood to help constitute a new bourgeois society predicated on the natural equality of men.

The symbolic figure of the fraternal contract materially shaped the institutional and economic makeup of emerging liberal democracies. Against an aristocratic society modeled on fatherly authority, men turned to brotherhood to contest their subordination and give new meaning to their relations. However, it would be wrong to assume, as Pateman (1988, 102-103) does, that fraternity already existed as an available *political* category for men to use. In early modern Europe, manhood was not a naturalized biological category of membership that could unite men together across class differences (King 2004). Aristocratic men believed they had more in common with aristocratic women than with men of the lower orders. Manhood thus had to be actively constructed as a natural category to ground men's relations of fraternal equality. If a "central claim" underlying current anti-gender movements is that "'gender' is about collapsing natural differences" between men and women (Graff/Korolczuk 2022, 20), then understanding how gender, and especially manhood, became a *naturalized* category that could serve as a taken-for-granted foundation of democracy will help clarify why challenges to democracy today have entailed conflicts about the organization of gender in society.

The Problem of Gender Deviancy in Fraternal Democracy

As nascent democratic societies organized around gender started to take shape in the early eighteenth century, novel ideas and identities of sexuality also began to form. Queer historians have shown how urban development in the modernizing cities of London, Paris, and The Hague enabled an increasing number of men to meet, social-

ize, and, if they so desired, have sex, leading to the development of new homosexual subcultures and an unprecedented rise in arrests for sodomy (Norton 1992; Trumbach 1998). This section attends to the imbrication of gender and sexuality by focusing on one site of queer sociability in eighteenth-century London, the molly house, which described working-class bars and clubs where 'sodomites' could meet, drink, dance, and have sex. While arrests for sodomy occurred in various public places, such as parks, bridges, and common toilets, molly houses captured public attention because their participants were revealed to dress and act like women. Reading these institutions of queer sexuality alongside feminist critiques of fraternal democracy, I explore why those 'men' who appeared to give up their manhood posed a threat to an emerging bourgeois society predicated on political ideals of fraternity. I argue that the repression of the molly houses and the practices of gender and sexuality they enabled, helped naturalize and secure heterosexual manhood as the foundation of a new political order committed to men's civic equality and women's subordination to the household.

In contrast to fraternal societies like the freemasons, molly houses were not exclusively men's clubs. They were owned and operated by both men and women, some of whom protected their customers by providing false testimony before the courts (Select Trials 1742b, 37-39). Records also reveal women who did not operate molly houses but nonetheless defended men who frequented them (Select Trials 1742a, 367-368). While limited archival evidence makes it difficult to know why women might have expressed solidarity with those individuals whom society called women-haters, I propose they had a *political* reason to do so because molly houses created a counter-public that defied the principles of fraternal democracy.

Unlike most other public institutions, the molly houses were organized around the world of womanhood. A widespread practice of the clubs was a ritual renaming of their members, and individuals were christened with names like "Pomegranate Molly," "Old Fish Hannah," and "Miss Kitten" (Norton 1992). In addition, members also feminized their aesthetic and corporeal practices. Following a raid in 1709, the working-class amateur journalist Ned Ward (1709, 28) described club participants as follows:

> the *Mollies* (…) are so far degenerated from all masculine Deportment, or manly Exercises, that they rather fancy themselves Women, imitating all the little Vanities that Custom has reconcile'd to the Female Sex, affecting to Speak, Walk, Tattle, Curtsy, Cry, Scold, and to Mimick all Manner of Effeminacy.

Historians have often interpreted such accounts as men doing drag. However, as Judith Butler cautions (1990, xxii-xxiii), to conceive of drag as a "man dressed a woman" supposes that the first term ('man') is "the 'reality' of gender" and the second ('woman') is "mere artifice" because we believe we can know a "person's anatomy (…) from the clothes they wear or how they are worn." Yet, Butler (ibid.) argues,

> if we shift the example from drag to transsexuality, it is no longer possible to derive a judgment about one's anatomy from the clothes that cover the body (…) when one cannot with certainty read the body that one sees, is precisely the moment when one is no longer sure whether the body encountered is that of a man or a woman.

When queer scholars describe mollies as men dressed as women, they unwittingly reify the very binary sex difference they often wish to denaturalize. They posit a pre-existing class of 'men' as an analytic category rather than as an object of historical critique. This not only precludes the existence of transgender mollies,[3] but it also limits our ability to appreciate the type of sex-gender threat that the mollies posed to the hetero-patriarchal politics of fraternal democracy.

The molly houses were sites of queer and trans worldmaking that resisted an emerging regime of fraternity by enacting rituals of feminization that disrupted naturalized conceptions of manhood. Consider a certain ritual of reproduction recorded in Ward's (1709, 285) account of the molly house raided in 1709:

> Upon one of their Festival Nights, they had cusheon'd up the Belly of one of their *Sodomitical* Brethren, or rather Sisters, as they commonly call'd themselves, disguising him in a Womans Night-Gown, Sarsnet-Hood, and Nightrale, who (…) was to mimick the wry Faces of a groaning Woman, to be deliver'd of a jointed Babie they had provided for that Purpose, and to undergo all the Formalities of a Lying in. (…) (One a) Country Midwife, another (…) taking upon himself the Duty of a very officious Nurse, and the rest, as Gossips (…) all being as intent upon the Business in hand, as if they had been Women, the Occasion real, and their Attendance necessary.[4]

This campy ritual centered around a socially and politically defining feature of a woman's life in early modern Europe, namely, reproduction. With the mother's twisted face and groans, the midwife's apparatuses, and the accompanying women's support, the mollies recreated a central custom and experience of womanhood that was otherwise denied to them outside club walls. Stripped of the signifiers of manhood, individuals who at first appeared to be "*Sodomitical* Brethren" took up the aesthetic, corporeal, and discursive practices of femininity to become "Sisters" (Ward 1709, 285). Inside the molly house, then, men did not just give birth but were reborn as women.

Sodomites who gave up their manhood to dress, speak, and act like women called into question their ontological status as 'men'. As one contemporary explained, a molly was "neither a Man's Man, nor a Woman's Man" but a "Traytor to both Sexes" (Dalton 1728, 35). Against an aristocratic society avowedly predicated on class difference, naturalized visions of gender served to ground an emerging bourgeois society committed to men's equality *as men.* The feminizing rituals and practices of the molly houses posed a threat to this political order by contesting the naturalness of men's bodies. As one poet complained, "*Britons*, for shame! Be *male* and *female* still" (Armstrong 1798, 17). The molly houses refused the principles of fraternal association organizing the public sphere by placing the corporeal and sartorial signs of feminized bodies in public. Individuals were arrested, charged, fined, pilloried, and

imprisoned for the crime of attempted sodomy simply for being present at a molly house, regardless of whether they were caught attempting the sexual act. Feminizing bodily practices cultivated in these homosexual spaces thus challenged the naturalized status of heterosexual manhood as the ordering principle of men's equality.

A Crisis in Democracy is a Crisis in the Gender Order

Attention to the molly houses and their repression reveals that what is at stake in democracy is the formation of the citizen as a proper political subject of gender and sexuality. By disrupting naturalized images of embodied heterosexual manhood, molly house practices threatened the gender order in and through which men rendered themselves intelligible as democratic subjects. As such, efforts to ridicule, expose, raid, and shut down institutions that safeguarded and promoted non-normative practices of gender and sexuality consolidated a fledgling fraternal democracy and its hetero-patriarchal structure. In the current moment of democracy's deconsolidation, what can this history reveal about the role of gender and sexuality in the crisis of democracy?

The molly house case shows the centrality of heterosexual manhood as the pathway to political subjecthood in fraternal democracy, a political regime that is currently under threat. Indeed, as Myra Marx Ferree (2020) argues, the masculinist resurgence that characterizes democratic erosion is not anti-democracy *per se* so much as an attempt to restore a brotherhood state and its breadwinner-housewife model of social organization. The sexual contract of fraternal democracy relies on a naturalized vision of sexual difference in which women are wives and mothers and men collectively hold the power and capacity to govern. Consequently, any attempts to restore fraternal democracy necessitate repressing forms of gender and sexuality that disrupt naturalized conceptions of manhood and womanhood underpinning the 'traditional' heterosexual family.

This history also demonstrates that we make a conceptual error when we reduce gender and sexuality to questions of symbolic discourse separate from and opposed to material matters. Distress about the mollies' feminizing bodily practices reveals how gender and sexuality are material practices that give flesh to the symbolic figures that organize and give meaning to our political relations and institutions. Conservative panic about women's control over reproduction, hormones altering children's bodies, or sharing bathrooms with trans people shows the centrality of the gendered and sexualized body to anti-gender movements. Conceptually, therefore, we cannot make sense of democracy unless we center gender and sexuality as embodied political categories of analysis. If the crisis of democracy is intimately connected to a crisis in the gender order, then attending more carefully to the corporeal practices of gender and sexuality – the way we move, gesture, interact with, and relate to others – will not only help clarify why democratic norms and institutions are under stress but also illuminate the shape of a democracy to come that is no longer governed by hetero-patriarchal principles of fraternity.

References

Armstrong, John, 1798: The Economy of Love. London.

Butler, Judith, 1990: Gender Trouble. Feminism and the Subversion of Identity. London.

Clawson, Marry Ann, 1989: Constructing Brotherhood. Class, Gender, and Fraternalism. Princeton.

Day, Tom, 2019: Democratic Decay. Conceptualising an Emerging Research Field. In: Hague Journal on the Rule of Law. 11 (1), 9-36.

Dalton, James, 1728: A Genuine Narrative of all the Street Robberies Committed Since October Last. London.

Ferree, Myra Marx, 2020: The Crisis of Masculinity for Gendered Democracies: Before, During, and After Trump. In: Sociological Forum. 35 (1), 898-917.

Flores, Andrew R./**Carreño**, Miguel Fuentes/**Shaw**, Ari, 2023: Democratic Backsliding and LGBTI Acceptance. Los Angeles.

Graber, Mark/**Levinson**, Sanford/**Tushnet**, Mark (Eds.), 2018: Constitutional Democracy in Crisis? Oxford.

Graff, Agnieszka/**Korolczuk**, Elżbieta, 2022: Anti-Gender Politics in the Populist Moment. New York.

Grzebalska, Weronika/**Kováts**, Eszter/**Pető**, Andrea, 2017: Gender as Symbolic Glue. How 'Gender' became an Umbrella Term for the Rejection of the (Neo)liberal Order. In: Political Critique. Internet: https://hal.science/hal-03232926/document (23.12.2023).

Jacob, Margaret, 1991: Living the Enlightenment. Freemasonry and Politics in Eighteenth-Century Europe. Oxford.

King, Thomas, 2004: The Gendering of Men, 1600-1750. The English Phallus. Wisconsin.

Krizsán, Andrea/**Roggeband**, Conny, 2018: Towards a Conceptual Framework for Struggles over Democracy in Backsliding States. Gender Equality Policy in Central Eastern Europe. In: Politics and Governance. 6 (3), 90-100.

Krizsán, Andrea /**Roggeband**, Conny, 2023: The Gendered Face of Democratic Backsliding. Internet: https://theloop.ecpr.eu/the-gendered-face-of-democratic-backsliding/ (20.12.2023).

Kuhar, Roman/**Paternotte**, David (Eds.), 2017: Anti-Gender Campaigns in Europe. Mobilizing against Equality. London.

Mayer, Stefanie/**Sauer**, Birgit, 2017: "Gender Ideology" in Austria. Coalitions around an Empty Signifier. In: Kuhar, Roman/Paternotte, David (Eds.): Anti-Gender Campaigns in Europe. Mobilizing against Equality. London, 23-40.

Norton, Rictor, 1992: Mother Clap's Molly House. The Gay Subculture in England, 1700-1830. London.

Pateman, Carole, 1988: The Sexual Contract. Stanford.

Pető, Andrea, 2015: Epilogue. In: Kováts, Eszter/Põim, Marri (Eds.): Gender as Symbolic Glue. The Position and Role of Conservative and Far Right Parties in the Anti-Gender Mobilizations in Europe. Foundation for European Progressive Studies, 126-131.

Sedgwick, Eve Kosofky, 1990: Epistemology of the Closet. California.

Select Trials at the Sessions-House in the Old Bailey, 1742a: Vol. II. London.

Select Trials at the Sessions-House in the Old Bailey, 1742b: Vol. III. London.

The Life of Tho, 1729: Neaves, the Noted Street-Robber, Executed at Tyburn, on Friday the Seventh of February, 1728-9 for Shop-Lifting. London.

The Proceedings at the Sessions of the Peace, and Oyer, and Terminer, for the City of London, and County of Middlesex, 1732: No. VI. London.

Trumbach, Randolph, 1998: Sex and the Gender Revolution. Heterosexuality and the Third Gender in Enlightenment. London, Chicago.

Ward, Edward, 1709: The Secret History of Clubs. London.

Notes

1 Unfortunately, much of the literature does not treat gender and sexuality as intersecting categories of analysis, despite commonly acknowledging that opponents of gender ideology portray women (and men) to be naturally heterosexual and destined for motherhood (and fatherhood).

2 Lodges began to spread across Britain, the European continent, and various colonies in the 1720s. By 1750, over 180 lodges existed and some 50,000 men had been inducted. By 1789, there were 600 lodges and up to 100,000 masons in France alone (Jacob 1991).

3 Court records suggest the existence of individuals who were legally identified as men but ordinarily lived and were recognized by others to live as women. See, for example, the account of Princess Seraphina in "The Proceedings at the Sessions of the Peace, and Oyer, and Terminer, for the City of London, and County of Middlesex" (1732).

4 The ritual also appears in some autobiographies of London's underworld (The Life of Tho, 1729, 36).