

SEXUALITY POLICY WATCH

Framing Paper for Regional Dialogues

April 2009

“Sex is always political,” and its politicization involves the continual attempt to draw boundaries between “good” and “bad” sex, based on “hierarchies of sexual value” in religion, medicine, public policies and popular culture. These hierarchies “function in much the same ways as do ideological systems of racism, ethnocentrism, and religious chauvinism. They rationalize the well-being of the sexually privileged and the adversity of the sexual rabble.” But in some historical periods, negotiations over sexual “goodness” and “badness” become “more sharply contested and more overtly politicized.”

These were the insights of US feminist and sexual rights activist, Gayle Rubin, in an article written more than two decades ago.¹ But clearly the ethical and political conflicts Rubin warned us about, far from being resolved, are more prevalent today than ever—on a global scale. The revival of religious extremisms of all kinds, the “war on terror” with its rationalization of unrelenting militarism and torture, the shadow of U.S. military hegemony, and an atmosphere of unbridled power create unusually dangerous times for those committed to social justice, peace and human rights — particularly the rights to health, bodily integrity, and pleasure. As Rubin suggested, popular anxieties (of straight men, hegemonic and warring ethnic groups, the economically rapacious or insecure) often take the form of “moral panics” that target the sexually vulnerable and marginalized. It is dangerous in very particular ways for sexual and gender outlaws, whether they be gays and lesbians, transgender and inter-sexed people, unmarried youth, commercial sex workers, or heterosexual women trying to live a “non-traditional” social and erotic existence. Concurrently, however, sexuality, more than ever, is part of open public discourse in societies at large, particularly through the media and other communication systems but also in parliaments, courts, and global policy arenas where, in the last two decades, key achievements have been attained in regard to sexuality, health, and human rights.

These words—now inscribed in the introduction to our on-line book, *SexPolitics: Reports from the Front Lines*, and on the SPW website—represent a kind of conceptual snapshot of the global sexual landscape that has informed our work until now. Through a wide array of research and advocacy activities, most prominently the 10 case studies and cross-cutting analysis that make up the book, those engaged in SPW have explored the concrete implications for the present that this sober but committed assessment has had in a range of national and international contexts. At this moment, however, it is time to pause and rethink, or think more deeply and complexly, some of the assumptions behind our conceptual framework as well as the policies and strategies that “thinking sex” almost a decade into the new millennium calls forth.

¹ Gayle Rubin, “Thinking sex: notes for a radical theory of the politics of sexuality,” in *Pleasure and Danger: Exploring Female Sexuality*, ed. Carole S. Vance (London: Routledge and Kegan Paul, 1984).

A richer conceptualization among a more diverse group of people is especially important now, given certain shifts in the geopolitical landscape and how we have come to perceive it. First, US economic and military hegemony may be undergoing some serious if not fatal challenges—from emerging economies in Latin America and Asia, the crisis in national and global financial markets, and a more progressive and hopefully less imperialist administration in Washington after the 2008 presidential election. Second, recent official stands against homophobia—such as those enhanced by the Brazilian and Cuban governments or the highest court and new democratic parliament of Nepal—contrast with ongoing episodes of state policing of sexual diversity and freedom and may portend a few openings, a bit of promise, in a global scenario that remains dangerous for many sexual outlaws. On the other hand, both militarism and religious extremism, far from subsiding, seem to be proliferating in many different forms that present different sorts of problems depending on the particular context. Finally, ongoing events as well as our recent research have shed doubt on Rubin’s analysis of “sexual hierarchies” as parallel to but distinct from racial, religious, ethnic and gender hierarchies. In fact—whether in India, Peru, South Africa or the halls of the UN—our observations confirm that the power relations that construct sexual discourse and experience are always and inextricably intertwined with those based on race, ethnicity, gender and class.

To map and critically analyze these complexities in an atmosphere that brings together multiple perspectives and locations, SPW will convene three **regional dialogues** in 2008-2009 on the theme **Sexuality and Geopolitics**. The dialogues will take place through regional meetings that are tentatively planned to convene in Vietnam (Asia—in conjunction with the IASSCS meeting in Hanoi in April 2009), Brazil (Latin America, in August 2009), and Ethiopia (early 2010 in conjunction with the conference organized by the African Association of Sexology) with possible further dialogues either within or involving the Caribbean and Middle East. We are planning 3-4-day meetings that will be designed to be applicable across diverse settings and adaptable to specific circumstances. Our expectation is that the dialogues, though configured within a common overall rubric, **Sexuality and Geopolitics**, will have very different points of emphasis or even take a different shape or flow depending on the particular region or sub-region in question. So, much of the overarching frame being proposed in this document may change based on consultations with and leadership of regional task forces made up of locally-based partners who will help to flesh out the specific aims, content and participants in each of the dialogues.

To get the process started, we envision organizing the dialogues around an overarching framework that encompasses two theoretical constructs of sexuality—politics and culture—and four focal topics: political processes, economies, religion, and science (we will outline each of these topics below).² The two theoretical constructs serve as unifying devices that crosscut each of the four focal topics. The four focal topics are aimed at facilitating the choice and framing of specific subjects covered during each of the dialogues.

² These labels are very tentative and may change, hopefully becoming more precise and evocative, as we finalize this framing document.

As mentioned, our lens has always been political. In analyzing sexuality and strategizing ways to advance sexuality rights, we call attention to power relations among actors and among sectors of society. Based on our past experiences in sexuality debates, we have found that the role of politics in shaping sexual experiences, pleasures, and rights has often gone unaddressed. However, in the same way that sex is always political, it is also always cultural. Our understanding of culture is twofold. On one hand, by foregrounding culture, we wish to emphasize the ways that cultural norms, values, and beliefs, as well as institutions and policies, influence sexual behaviors and identities and circumscribe sexual freedoms. On the other hand, we also wish to recognize up front that the focal topics we will address—political processes, economies, religion, and science—are culturally constructed. That is, political processes, economies, religion, and science not only impact, but are also impacted by, the socio-cultural systems in which they are embedded.

In addition to the theoretical constructs and focal topics mentioned above, we have identified three institutional spheres in relation to which these cross-cutting analyses must be situated. These include the nation-state, the supra-state (e.g., IFI and World Bank), and the non-state (e.g., organized religion, media, corporations, and family). We recognize that in an increasingly globalized world, it is important to think about sexuality across different domains ranging from localized to globalized and from private to public. The idea here is not to restrict the scope of analysis but instead to account for the multiple, and often less than obvious, institutional spaces wherein debates about sexuality play out.

The overarching framework we have presented is not intended as an attempt to construct a meta-theory of sexuality or sexuality politics. Rather, we hope that this framing document serves as a heuristic device. We hope that it will provide some clarity and direction for each regional task force to begin conceptually organizing and planning its seminar. We urge task force members and other collaborators to consider what political and cultural factors make sexuality unique in their region and to refine the focus of their dialogue to better lend itself to the particularities of time and place.

I) Political Processes

Despite the past decade or so of pronouncements on the effects of globalization in weakening the power of nation-states, it would seem in 2008 that the state as the primary set of institutional structures in which policies are made and enforced (or not) remains alive and well. One only has to look at the horrific—and many would argue criminal—rigidities of national sovereignty in the wake of the calamitous cyclone in Burma or the catastrophe in Zimbabwe to feel astonished at the endurance of the seemingly outdated sovereignty principle. When the dynamics of state sovereignty is examined in respect specifically to sexuality it becomes yet more evident that we must seriously ask, is the erosion of borders and state power a discreet reality? It is precisely this kind of puzzle that intrigues us: why do the same borders that are so porous when it comes to

movements of certain kinds of persons and commodities become impenetrable when it comes to humanitarian aid in a disaster? This kind of contradiction is crucially important, both conceptually and methodologically, we believe to contemporary issues of sexuality politics. One of the objectives of the dialogues is to work towards developing tools for understanding the complexities and contradictions in the multiple sets of power structures and agendas that emerge in the convergences and divergences of the individual and the social, nation states and supranational organizations (like the UN), small localized pressure groups and large global or regional coalitions.

We are interested in the implications for sexuality and livable sexual lives of various kinds of dislocations, both within and across borders, that result from such disasters but also, of course, those resulting from the outburst and long-term festering of armed conflicts. Militarization of borders—the proliferation of checkpoints and security areas in airports, transfer points, border surveillance sites—has had particular impacts on sexualized (and simultaneously racialized) bodies who become detained, captured or turned away there. These may include perceived gays, lesbians, trans people, *travestis*, hijras, sex workers and women traveling unaccompanied, as well as the “monster-terrorist-fags” marked as both deviantly non-masculine and dangerous.³ And what about the millions of people detained in the refugee and internally displaced person camps and prisons for undocumented aliens and suspected terrorists that comprise the “states of exception” now burgeoning within/outside national regimes?⁴ We have barely begun to document and analyze the maze of sexual abuse, neglect, and also subversion that real human beings—differing by gender, ethnicity, age and sexuality—are living in these zones of sovereign non-law.

Apart from issues related to migration (internal and cross-border), dislocation and war, our focus under this topic will also involve the more mundane, everyday impacts of policies affecting citizens and even defining who count as citizens—questions of sexual citizenship. We take as a starting point that state policies related to health care (including reproductive and sexual health), marriage and family, housing, employment, medicalization of sexuality and gender, gender normativity of women and youth, legality and criminality (of abortion, homosexuality, gender-ambiguous or unsanctioned dress, commercial sex, same-sex unions, etc.) all work to establish markers of “good” and “bad” sexual bodies and to constitute the contemporary face of biopolitics. Such policies, the enforcement methods and severity that accompany them, and the particular effects they have with regard to diverse sexualities differ widely in different countries and regions. While sexual and moral policing seems to crop up all over the place, its targets (youth, “immodest” or “tomboyish” women, deviant men, trans people, sex workers) vary depending on local dynamics. So do the specific configurations of institutional power structures that come into play around sexual policies—including not only official state agencies but also the medical, religious, corporate and media forces that help produce state racisms, state misogyny, and state homophobia and transphobia.

³ See Jasbir K. Puar, *Terrorist Assemblages: Homonationalism in Queer Times* (Durham & London: Duke University, 2007), for a fascinating analysis of the sexualization of alleged terrorists.

⁴ See Giorgio Agamben, *State of Exception* (Chicago: University of Chicago, 2005); and *Homo Sacer: Sovereign Power and Bare Life* (Stanford: Stanford University, 1998).

Concurrently the present scenario also requires that we critically examine those contexts and circumstances in which state actors and institutions are shifting under the pressure of social struggles towards greater acceptance of sexual diversity and plurality. This new trend can be exemplified by the already mentioned dynamics at play in Brazil and Nepal, but also by the progressive South African “sex laws,” the new Ecuadorian Constitution, the Colombia Constitutional Court decision and local legislation related to same-sex unions, among other examples of jurisprudence. Furthermore, the same applies to progressive positions adopted by states in global arenas. Although positive, these novel political and policy trends are not exempt from contradictions and pitfalls that must also be named and critically scrutinized; such trends include the systematic disjunctions between law and on-the-ground realities, the effects of close collaboration between sexual rights activists and political parties and states, and the diplomatic games and trade-offs observed in global negotiations involving sexual matters.⁵

Our task is to not only to map these variations and particularities in the current biopolitical scene and how they relate to geopolitical (security, surveillance, military) projects. We also want to analyze the ways in which they contribute to exclusions from full citizenship and denials of sexual rights. Indeed, we need to ask whether “sexual rights” is still the best framework for challenging such policies, when and where it makes sense within particular local and cultural contexts, and whether other oppositional frameworks are now emerging. This raises larger questions concerning opposition movements within and against states and the development of alternative political cultures. What forms are these taking around sexual politics and biopolitics, and to what extent are new formations, namings and vocabularies as well as new coalitions arising that challenge older, or more western-derived, kinds of identity politics? While identity-based formations that look much like the lesbian and gay communities and political movements of countries like the USA or the UK have emerged in many parts of the world, close examination also shows that sexual diversity takes many different forms, and the ways in which sexual cultures and communities feed into political struggles and processes needs to be examined carefully.⁶ Finally, what do these new developments in the power relations of sexuality tell us about contemporary processes toward, or away from, democratization?

⁵ See, for example, Belinda Beresford, Helen Schneider, and Robert Sember, “Constitutional authority and its limitations: the politics of sexuality in South Africa,” and Françoise Girard, “Negotiating sexual rights and sexual orientation at the United Nations,” in *SexPolitics: Reports from the Front Lines*, eds. Richard Parker, Rosalind Petchesky and Robert Sember (available online: <http://www.sxpolitics.org>, 2007); Sonia Corrêa, Rosalind Petchesky and Richard Parker, *Sexuality, Health and Human Rights* (London: Routledge, 2008); and Rafael de La Dehesa, *Sexual Modernities: Queering the Public Sphere in Latin America* (Durham, NC.: Duke University Press, in press).

⁶ See, for example, Richard Parker, *Beneath the Equator: Cultures of Desire, Male Homosexuality, and Emerging Gay Communities in Brazil* (New York and London: Routledge, 1999); Peter A. Jackson and Gerard Sullivan, *Lady Boys, Tom Boys, Rent Boys: Male and Female Homosexualities in Contemporary Thailand* (Chang Mai: Silkworm Books, 2000); Tom Boellstorff, *The Gay Archipelago: Sexuality and Nation in Indonesia* (Princeton, N.J.: Princeton University Press, 2005); and Gayatri Reddy, *With Respect To Sex: Negotiating Hijra Identity In South India* (Chicago: University of Chicago Press, 2005).

II) Economics/Economic Development

The flow of bodies across borders, the distribution and quality of health and other social services, policies regarding marriage and employment, the militarization of societies—in short, practically all the issues covered in relation to sexuality and the state have clear economic as well as sexual dimensions. Thus the second component of the dialogues will build on the first by addressing a number of particular areas in which the **political economy of sexualities** has created new (if also old) complexities and even, in some cases, crises. In the domain of trade, for example, we may wish to interrogate how pharmaceutical companies and their drive for profits have not only controlled access to essential medicines (e.g., for treating AIDS) and products (e.g., safe and effective contraceptives) but also contributed to both the desexualization of the epidemic and the further biomedicalization of heterosexuality (the Viagra syndrome and its gendering). Further, we are interested in the play of market forces (including media and popular culture) vs. government regulatory schemes in making diverse and alternative forms of sexual expression visible or invisible, possible or marginal across age, gender, ethnic and class boundaries. In other words, in what ways and for whom are market forces opening, constraining or closing new spaces for sexual plurality and freedom?

A key area of the sexual economy that links trade issues and labor issues is obviously that of commercial sex work. Much has been written about sex work and sex workers, both national and cross-border. SPW has consistently taken a pro-sex worker, anti-punitive stand when it comes to consensual commercial sex work, including that which is transnational. This means supporting policies that decriminalize consensual commercial sex among adults and provide full citizenship rights to sex workers—including access to health care and HIV prevention and treatment, decent housing, education and training, protection from police harassment and gender based violence, and “the right to be in public space without shame.” But there is still much that we need to know concerning the official and unofficial treatment of sex workers by state agents and the conditions of poverty and exclusion and forms of discrimination that often produce commodified sex (including of children). In turn, discrimination and segmentation within labor markets have much broader effects on the gender-race-ethnic-sexual patterning of employment. The channeling of *travestis*, hijras, and other non-normative sexual and gender expressions into sex work as their only available means of survival is only one—if one of the most austere—form of exclusion/tracking of particular groups out of and into labor boxes. We need a sharper analysis of where and how diverse sexual categories get sorted into marginal employment or unemployment through race, ethnicity, gender and class.

This problem of sexual (that are also gendered and racialized) divisions within labor markets raises a deeper question concerning the fracturing of “queer” or LGBTQI⁷ movements on the basis of class, economic privilege, and what Jasbir Puar, following Rey Chow, calls the “ascendancy of whiteness.” Certainly in the United States, Western Europe, Canada and Australia, but also in large urban centers across the globe, we see the

⁷ This language is obviously inadequate and needs re-invention, probably in a multitude of locally specific ways, since no terms have universal applicability, and the current ‘alphabet soup’ acronyms are problematic.

emergence of a “homonormative” population and culture—which is also to a large extent white (or the dominant ethnicity), educated and affluent. Sharply divided from the stigmatized *travesti* street worker or the lesbian targets of hate crimes or the poor single mother living (or dying) with AIDS or unable to access a safe abortion, this population not only enjoys many of the benefits of heteronormative citizenship (secure employment, stable household life, access to health care) but also constitutes a thriving market for capitalism. The “queer consumer” is now an important target for growing entertainment, travel/tourism, fitness, and other industries, including reproductive technologies and international adoption. Indeed, the strange relation between the low-income Indian surrogate mother and her (or rather, her employer’s) white gay male American client is one of the signifying moments of complexity that mark the unfolding sexual landscape and its crisscrossing political economies. Once again, we need not only to develop a more accurate and detailed mapping of the ways in which class divisions are sexualized, gendered and racialized but also to think through the implications of these divisions for our efforts to build social movements. What are the most insidious fractures dividing old sexual identity categories, and can we move beyond them? How do we integrate economic transformation into movements for sexual and bodily rights?

III) Religion

Over the past decade, the appearance of a religious “resurgence” has been a common lament, particularly among left-wing and feminist activists, in many countries. Whether facing right-wing Hindu nationalists, radical Islamists, conservative evangelical or Vatican-led Christians, or Orthodox Jews, many of us have felt blindsided by not only the political power of these forces but also their strategic capacity to join together across enormous ideological and theological differences—particularly when it comes to matters of sexuality and gender. But lately we have come to understand that some of our reflexive assumptions about the highly contested relations between religion and sexual politics have been oversimplified if not contaminated by an equally sectarian form of secularism. These assumptions need rethinking as much as do our ideas about sexuality and the state and sexuality and economics. For one thing, the “return of religion” is not an “event,” not even a “return,” but a disclosure of deeply embedded social formations that were always present but overshadowed by a different kind of Armageddon during the Cold War.⁸ Increasingly, it becomes clear that we will be dealing with these religious forces in the domain of politics, and as claimants to sovereign authority over all “morality,” for the indefinite future. Further, we have learned to be suspicious of totalizing and ahistorical labels like “fundamentalism” and more attentive to the particularities of different religious doctrines and sects, their variable impacts on state policies, and the tensions between those doctrines and actual practices and behavior. Finally, through the work of Islamic feminist groups like Sisters in Islam and indigenous feminist groups like those in Chiapas, those of us who come out of secular political

⁸ For a deeper analysis, see Sonia Corrêa, Rosalind Petchesky and Richard Parker, *Sexuality, Health and Human Rights* (London: Routledge, 2008), Ch. 3; and Jacques Derrida, “Faith and reason: the two sources of ‘religion’ at the limits of reason alone,” in *Religion: Cultural Memory in the Present*, eds. Jacques Derrida and Gianni Vattimo (Stanford University, 1998).

cultures have become more aware of the huge diversity of religious positions and the capacity of some of these to embrace a polyversal and inclusive view of sexuality.

In this third component of the regional dialogues, we want to investigate how the connections between religious power structures and state policies are taking shape and undergoing change in different local and national sites in different ways. To what extent are these links constructed primarily around issues regarding sexual, gender and family norms and their codification and enforcement? Which issues—abortion, sex education, homosexuality, virginity, adultery, Gay Pride marches, adolescent sexuality—have seized the energies of local and national religious forces, and why at particular moments? How have adherents to different faith groups responded to pronouncements of doctrine by religious leaders, sometimes revealing gaps between doctrine and practice? What, in different contexts, does secularity mean, how has it been troubled by abundant reclamations of faith, and what are its complicated relations with religious forces and hierarchies even in supposedly democratic and secular societies? Where and how have alternative religious movements and groups emerged that may offer opportunities for erotic and gender justice alliances, as we confront hierarchical and racist/sexist religious institutions? Indeed, what might such movements teach us about new ways of understanding the intersections between sexuality and spirituality, the body and the cosmos, and turning sexual hierarchies into sexual pluralisms? We are wondering here whether, instead of seeing religion as invariably a force against us, we would do better to understand all religions as dynamic and multiple political fields whose “hierarchies of sexual value” are susceptible to cracks. Deconstructing the sexuality-spirituality binary may be an important dimension of deconstructing ancient and tired gender and sexual binaries—therefore, a critical part of our politics and strategies for change.

IV) Science

Just as religion requires careful scrutiny as a domain strongly influencing ideas, policies and practices regarding sexuality, so too does science. Science (encompassing scientific institutions and as well as discourse) occupies a key position in Western industrialized countries, if not in all the world. It is supposedly the most important, if not the only, source of authoritative knowledge for those who do not rely mainly on religious doctrine. Ever since the 18th century European Enlightenment, labeling knowledge as “scientific” is, for practical purposes, saying that it has been tested and proven as fact.

Implications of this aspect of contemporary mainstream culture are numerous. Invoking science is a paramount mechanism of legitimation, as is evident in the insistence of the medical profession, for instance, on the scientific roots of its practice. It is a legal requirement in many situations, as evidenced by the role that forensic experts play in many trials. Even consider how sectors that were defeated by scientific arguments try to recast themselves in supposedly scientific terms, as has happened in the USA with the current invocation of biomedical arguments and “studies” to discredit abortion as causing breast cancer or psychological trauma, or the relabeling of creationism as “intelligent design.”

Contemporary societies often fall under an overextended reach of scientific claims. Political arguments are often drowned by allegedly “scientific” facts, as in the case of technocratic rule, something that is widespread even in modern democracies, if one considers how a narrow neoliberal view of economics has become a de facto yardstick for measuring good governance (with consequences continuing to unravel today in the midst of the global financial meltdown). Another common form of this overextension is the process of medicalization,⁹ wherein general aspects of human life are encapsulated in health/disease formulations, thus putting the latter under the yoke of an army of specialists. Both processes are easily identifiable in the sexual rights arena. Sexuality has been medicalized for a long time, and despite recent struggles to stave off this colonization of sexuality by biomedical science (which have succeeded in some instances, such as the exclusion of “homosexuality” as a psychiatric category from medical manuals), there is a very palpable risk of recolonization. A major example of this is the reemergence of a predominantly biomedical discourse, which is palpable in the most recent developments in HIV/AIDS prevention “science” (i.e., the upsurge of “biomedical prevention technologies”). Another field is the constitution of the (new?) field of “sexual medicine,” focused on the development of drugs and technologies that target some aspect of sexuality or reproduction (such as the ever increasing number of drugs related to “sexual dysfunction”).

This is not to say that science in general, and biomedical science in particular, are “evil” or always driven by hidden normative agendas, as some forms of conspiracy theory might suggest. There is ample room for controversy within the domain of science,¹⁰ as exemplified by theory, research and political activism related to intersexuality and transsexuality, a key area to examine the complex intersections of power, politics and sexuality. What we are pointing out is that the techno-scientific arena is yet another framework of reference that must be considered in any attempt to develop a political analysis and transformative strategy about sexuality and erotic and gender justice.

Goals and Methods for the Regional Dialogues

Our goals and methods for the regional dialogues will include:

- **Mapping carefully the points of convergence and difference** both within and across the three regions with regard to the topics and sub-themes described above—or locally appropriate variations on them.
- **Concretizing this mapping through three instruments:** (1) sets of papers commissioned and distributed in advance as the basis of discussion for each of the dialogues; (2) the dialogues themselves among the invited participants in each region; and (3) a cross-cutting analysis developed by a team of SPW members who will attend the dialogues and act as rapporteurs.

⁹ Peter Conrad, *The Medicalization of Society: On The Transformation of Human Conditions into Treatable Disorders* (Baltimore: The Johns Hopkins University Press, 2007).

¹⁰ Bruno Latour, “Why has critique run out of steam? From matters of fact to matters of concern.” *Critical Inquiry* 30, no. 2 (2004): 225-48.

- On the basis of this analysis and the informal interactions of the dialogues, **developing political priorities and action strategies** both within SPW and, more importantly, between SPW and our partners in the regions for the next five-year period. Ideally, this collaborative process will enable SPW to evolve from a “forum,” loosely associated with a wide range of organizational partners, to a network whose visibility and polyphonic voice will have a discernible impact on expanding sexual freedoms and diversity in sites across the globe.