

SEXUALITY POLICY WATCH

Position Paper on the Language of “Sexual Minorities” and the Politics of Identity

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In any vital and highly contested political domain, language can be a potent force for change or an obstacle to understanding and coalition building across difference. This is surely the case in the global debates over sexuality and gender, where even those terms themselves have aroused heated conflicts, to say nothing of the politics of language denoting diverse sexual and gender groups and categories. Through its research and advocacy work in this arena for the past six years (and, for its individual members, many years before that), SPW is convinced that issues of terminology concerning sexuality and gender will inevitably, and ought to, remain unsettled. This is so for at least two important reasons. First, the transnational character of our movements means we speak many languages (local, indigenous, national, post-colonial) and need to be ever vigilant against the continual efforts to impose a homogenizing set of terms that connote unspoken agendas of the powerful. Second, language is itself a critical terrain of political expression and struggle; its ossification can only mean the paralysis of thought and action.

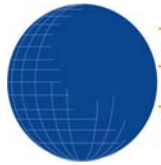
In this spirit, we want to challenge the uncritical use of the term “sexual minorities” based on a number of historical and conceptual problems with which that term—like the larger thicket of identities and identity politics it signifies—is encumbered. We do so fully acknowledging there is a progressive side to the emergence of particular sexual and gender identities and the notion of “minorities” more broadly. The term “sexual minorities” has been advanced by a number of activists and organizations working on issues of sexuality and gender as a means of embracing a variety of stigmatized groups and behaviours without having to enumerate them exhaustively through an ever-expanding acronym. This usage reflects the worthy desire to adopt terms with a stronger claim to universal applicability; “sexual minorities” has the concision and resonance with established human rights discourses (sexual rights, ethnic/linguistic/national minorities) that give it understandable appeal. Nevertheless, for the reasons we shall examine here, a minoritising discourse is both inaccurate and dangerous. Well-intentioned efforts within our movements to boost the term's currency risk reinforcing the very hierarchies we seek to challenge.

Much excellent historical analysis has uncovered the multiple ways in which sexual categories and identities, like those of race, ethnicity, gender, class, and geography,

have been the cultural products of disciplinary and normalizing practices, whether by the state, colonizers, religious institutions or biomedical “experts.” But side by side with the intellectual process of denaturalizing taxonomies of sexual difference has come an equally vigorous political process of reclaiming and sometimes renaming those classifications in order to contest their exclusionary and discriminatory effects. In recent decades, sexual and gender deviants of all sorts—heterosexual women, gay men, lesbians, bisexuals, sex workers, transgender and intersex people, queer youth, *khotis*, *hijras*, *travestis*, etc.—have, like many other groups of the oppressed and marginalized, asserted their specific identities and claimed their “equal rights” to dignity, voice and presence in public (and private) space. In so doing, they have subverted the hegemony of the European Enlightenment narrative’s universalistic categories—“men,” “citizens,” “workers”—behind which lurk, nearly always, the propertied white male and his place at the head of a patriarchal, heteronormative family structure.

Increasingly, however, scholars and activists in the struggles for sexual rights and gender diversity and equality have raised serious questions about identity politics and the “minoritisation” of difference. We think these objections have great merit and would enumerate them as follows:

1. Ignoring history – The very concept of a “minority” derives from Western liberal notions of “tolerance” dating back to the Protestant Reformation in Europe and edicts such as the English Toleration Act of 1689, which excluded Catholics, Jews, Muslims and atheists from its protections. As numerous scholars have pointed out (T. Asad, W. Brown, J. Jakobsen and A. Pellegrini), the objects of “toleration”—commonly referred to in the West as “minorities”—have always, even when extended certain “privileges,” been treated with condescension and exceptionalism at best and continued exclusion and persecution in practice. And of course this hierarchical ordering of local and indigenous populations into “majority” and “minority” groups became a fixture of divisive Western colonial and imperial policies, most famously with the British in India right up to the recent US treatment of Sunnis, Shi’a and Kurds in Iraq. When we adopt the language of “sexual minorities,” we not only endorse this history but also reinforce the similar hierarchical divisions that states and other institutions have imposed on those deemed sexual or gender freaks.
2. Legitimizing dubious normativity – Insofar as it implies deviance from a pre-established norm, the language of “minorities” in fact helps to codify assumptions about the “normal” that should be open to question. Minoritisation is itself a political act. As Andil Gosine has shown with regard to the many culturally and historically diverse forms in which men have sex with men (MSM), practices that may have been considered completely unremarkable and even common among Asian, African, American, and other indigenous peoples became branded as “deviant and dangerous” through “the introduction of Western conceptualizations of sexuality,” whether by colonial conquerors and missionaries or by post-colonial development agencies and regimes (think Robert Mugabe). Rather than



contributing, however unintentionally, to the insidious process of producing categories of deviance, sexual and gender rights advocates need to seek language that illuminates the reality that all kinds of practices and pathways labeled “abnormal”—cross-dressing, male femininity, female masculinity, homoeroticism, sex for exchange, female lust—are prolific within and across societies in an infinite and ever-changing variety.

3. Fixing biological categories – A similar yet distinct problem occurring when sexual and gender groups are classified as permanent “minorities” who share a common experience of oppression is the perpetuation of biological determinism. “Speaking of sexuality only in terms of identities promotes a view that sexuality is fixed and that it can be fitted into mutually exclusive categories”—the binaries of man and woman, homosexual and heterosexual, being the most common. (J. Sharma) This biopolitical move has at least two pernicious effects. First, it filters gender variation “through the lens of sexuality” (G. Campuzano), so that *travestis* get perceived in relation to sexual orientation rather than gender variation, and transgender (T) and intersex (I) people get cooked into a homonormative alphabet soup (see below). Second, the reproduction of fixed identity and body categories flies in the face of the instability and variability of sexual desire and gender expression, not only among individuals but also across the life cycle. While biomedical regulation defines such variability in terms of diagnostic categories (e.g., “gender dysphoria”), human rights discourse and legal systems also perpetuate fixed, universally applicable categorization in order to identify the targets of discrimination or the subjects of protection. As a result, “While people in [some] countries have won certain rights to change sex, they do not yet have any rights to choose to stay at an in-between state, or transit back and forth.” (G. Campuzano) Can we envision a human rights language broad enough to assure the freedom to be who one is, whatever that is; to express gender in polyglot ways; to seek pleasures across many erotic possibilities; and to share a home and raise children in a variety of family forms—or not?
4. Re-creating exclusions – The process of asserting identities is always, inevitably one of exclusion. As Judith Butler has written, “When we say ‘we’ we do nothing more than designate this as very problematic. We do not solve it. And perhaps it is, and ought to be, insoluble.” But the exclusions are too often painful and destructive, thus demanding our attention not only to the language of group self-definition but also to political practices that re-inscribe traditional binaries. When gay men or lesbian and straight feminists speaking in the name of “women” show contempt for trans and intersex people who wish to join their gatherings or to protest the very particular forms of gender and sexual subordination they experience, they restrict the meanings of humanness. Further, the trend toward homonormative acceptability in many Western countries and in some global cities of the South often conceals distinct class divisions and an “ascendancy of whiteness.” (J. Puar) This privileges an elite stratum of recognizably masculine or feminine bourgeois homosexuals whose “minority” status is defined primarily

by the ways they conform to the normative majority—for example, through legal marriage or upscale consumerism. The creation of identity groups thus ends up denying the complex intersections of sexuality and gender with class, race, ethnicity and geography.

Many attempts to get past the double binds and exclusions of identity have been advanced in recent years, with varying degrees of success. Indeed, reversion to the catch-all category of “sexual minorities” may represent just such an effort while carrying the tainted historical legacy we reviewed above. And frequently the problems are ones of translation. The tenuous concoction of what we earlier called the alphabet soup is unsatisfactory not only because of its incoherence and infinite regress of additions—from LGBT to LGBTQ to LGBTQI and, most recently, (at 7 letters!) LGBTTTI.¹ It also collapses both *differences in condition* (those of sexuality with those of gender; those of a chosen identity with those of a coerced or even mutilated one) and *differences in power*, assuming commonalities and coalition where these are still, at best, at an early and fragile stage of formation. Moreover, translating a formula based on a Latinized alphabet into the world’s diverse languages would seem quite problematic. Likewise, many South-based activists reject the term “queer”—another attempt to invent a global, all-inclusive terminology to capture everything that is not hetero- or gender-normative—because of its Western and post-modern academic derivation but more importantly because it has no equivalent translation in practically any language besides English.

Another approach to avoiding the problems of identity politics and minoritisation and in some ways returning to a stance of universality is contained in the Yogyakarta Principles on the Application of International Human Rights Law to Sexual Orientation and Gender Identity, launched in March 2007 at the UN Human Rights Council. The Yogyakarta Principles, drafted by a very diverse international team of legal and human rights “experts,” is a ground-breaking document that fully addresses the wide range of circumstances in which human rights are violated on the unjustifiable basis of sexual orientation and gender identity. It is distinct among human rights documents, however, in that it never once mentions the words “men” or “women” nor any of the sexual and gender identities listed in the usual alphabet string. While this may seem like a solution,

¹ The latter may be found in an otherwise excellent statement written by a collective of sexual rights organizations applauding the June 2008 consensus resolution at the 38th General Assembly of the OAS to take the hard-won and historic step of including the words sexual orientation and gender identity in an official document. The inclusion of the three “Ts” (transgender, transsexual, *travesti*) is clearly meant to assert their distinct identities, yet creates an unfortunately awkward acronym. See “Historical Advance for Inclusion of Sexual Orientation and Gender Identity within the Interamerican System,” signed by 22 sexual rights NGOs who attended the 38th session; “Human Rights, Sexual Orientation, and Gender Identity,” resolution adopted at the 4th plenary session, June 3, 2008, AG/RES.2435 (XXXVIII-O/08), available at www.oas.org; and “Medellin Declaration of the Coalition of Lesbians, Gays, Bisexuals, Travesti, Transsexuals, Transgenders and Intersex of the Americas,” available at www.mulabi.org.

by retaining the term “identity”—as opposed to the more inclusive term “expression,” which was proposed during the drafting group’s deliberations but ultimately rejected—and coupling it with “sexual orientation,” the Principles actually reproduce some of the problems of the alphabet soup. As the Latin American sexual rights organization Mulabi has pointed out, “sexual orientation” becomes a code term for gay, lesbian and bisexual while “gender identity” is understood as transgender; both heterosexuals and the complex genderings of sexual bodies and vice-versa disappear from view:

En esta interesante visión del mundo, casi nunca se piensa que una persona heterosexual, una travesti o un hombre trans también portan una ‘orientación sexual’. Y que una ‘lesbiana’, o un ‘gay’, o en verdad cualquier persona que se sienta atraída por otras/os, de cualesquiera género/s sean, porta también una ‘identidad de género’.²

Gosine’s critical analysis of the term “MSM” remarks its distinct advantages insofar as it focuses on *acts* or behaviour rather than identities or disease and contains no moralizing implications. But insofar as it still targets particular groups of people and is applied mainly in the global South, MSM reproduces the same divisions and power relations it aims to transcend—to say nothing of completely invisibilising women who have sex with women and all heterosexuals:

MSM has mimicked Orientalist strategies of collapsing cultural differences between non-Western (and non-white) people, and marked them as ‘others’: *Kothis* in Bangladesh, *ibbi* in Senegal, ‘*yan daudu*’ in Nigeria, African-American and Latino men ‘on the down low’ in the USA, and *hijra* in India are collectively tagged ‘MSM’ despite speaking different languages, holding different religious beliefs, occupying different social positions in various environmental spaces, and being engaged in different kinds of sexual practices and emotional relationships. (Godine)

What is the result of all this struggle to find precise language to designate the subjects of sexual and gender rights? We seem caught in a modernist dilemma between two desires: to name and honor difference by signifying identities and to avoid exclusivity and hierarchy by reclaiming universals. SPW has no solution to offer for getting out of this dilemma. On the contrary, we want to stress the importance of seeing it not as a conflict but rather as two sides of a coin, insoluble because both desires are indispensable. The insistence of diverse groups on naming themselves and achieving recognition of their distinctness and variety will go on as long as aspirations for

² (In this interesting vision of the world, one almost never thinks that a heterosexual person, a travesti or a trans man also has a “sexual orientation.” And that a “lesbian,” or a “gay,” or in fact whichever person who feels [sexually] attracted to others, of whatever gender, also has a “gender identity.”) Mulabi, “Urbi et orbi: Algunas reflexiones sobre los imperialismos de la identidad en el Examen Periódico Universal,” May 2008, available at www.mulabi.org.

democracy exist, because that is the nature and necessity of emancipatory politics. So sexual and gender rights movements must and should remain polyversal and polyvocal.

At the same time, our language needs to reflect the fluidity and complexity of sexuality and gender expressions in everyday life and their intricate interweaving with other conditions such as class, race, ethnicity, time and place. In this regard, many researchers and advocates on gender and sexuality have adopted some version of Rubin's concepts of **erotic justice and injustice** and her appeal for "rich descriptions" that would abandon "hierarchies of sexual value" and simply document "bodies and pleasures" in all their enormous variety. This would mean avoiding both the regulatory classifications of biopolitics and the condescending, othering discourse of "minorities," except in the most strategically necessary contexts, and focusing instead on what people actually feel and do in everyday life. In human rights forums, it would mean using terms such as sexuality, gender expression, pleasure, and bodily and personal integrity and citing cases and examples of violations across a very wide spectrum, including heterosexual women and men. Above all, we need a language that encompasses the human capacity for change, variety, and crossing boundaries of erotic experience and embodiment and the ways in which class divisions, racisms, misogyny, homophobia, transphobia, and imperialism limit that capacity. From this perspective, the freaks are all of us.

References

- Asad, T. (2003) *Formation of the Secular: Christianity, Islam, Modernity* (Stanford: Stanford University Press).
- Brown, W. (2006) *Regulating Aversion: Tolerance in the Age of Identity and Empire* (Princeton: Princeton University Press).
- Butler, J. (2004) *Undoing Gender* (New York and London: Routledge).
- Campuzano, G. (2006) "Reclaiming *travesti* histories," in A. Cornwall and S. Jolly, eds., *Sexuality Matters, IDS Bulletin*, Vol. 37, No. 5.
- Corrêa, S., R. Petchesky and R. Parker (2008) *Sexuality, Health and Human Rights* (London and New York: Routledge).
- Currah, P., R.M. Juang and S.P. Minter, eds. (2006) *Transgender Rights* (Minneapolis: University of Minnesota Press).
- Gosine, A. (2006) "'Race', culture, power, sex, desire, love: Writing in 'men who have sex with men'," in A. Cornwall and S. Jolly, eds., *Sexuality Matters, IDS Bulletin*, Vol. 37, No. 5.
- Jakobsen, J.R. and A. Pellegrini (2003) *Love the Sin: Sexual Regulation and the Limits of Religious Tolerance* (New York: New York University Press).

- Puar, J. K. (2007) *Terrorist Assemblages: Homonationalism in Queer Times* (Durham, NC: Duke University Press).
- Rubin, G. (1984) "Thinking sex: Notes for a radical theory of the politics of sexuality," in C. Vance, ed., *Pleasure and Danger: Exploring Female Sexuality* (Boston: Routledge & Kegan Paul).
- Saiz, I. (2006) Bracketing Sexuality: Human Rights and Sexual Orientation – A Decade of Development and Denial at the United Nations, IWGSSP Working Papers, No. 2 (originally published in *Health and Human Rights* 7 [2004]; available as an SPW Occasional Paper at www.sxpolitics.org).
- Sharma, J. (2006) "Reflections on the language of rights from a queer perspective," in A. Cornwall and S. Jolly, eds., *Sexuality Matters, IDS Bulletin*, Vol. 37, No. 5.