

# REPORT OF THE DURBAN SEMINAR

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SexPolitics: Mapping Key Trends and Tensions  
in the Early 21st Century

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SEXUALITY  
POLICY  
WATCH

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On July 13-15th, 2016 Sexuality Policy Watch organized the seminar/workshop *SexPolitics: Mapping Key Trends and Tensions in the Early 21st Century* in Durban, South Africa. Thirty-five researchers and activists from all over the world presented and discussed their analyses and views on how political landscapes related to sexuality have been reconfigured since 2002, when SPW was first established. These analyses cover geographic trends, both in terms of dynamics at play in larger diverse regions as well as a number of specific countries, and various domains of sexuality politics and related research, such as: sexual rights, trans rights and gender identity, abortion, sex work and HIV and AIDS.

Richard Parker, Sonia Corrêa, and Gloria Careaga opened the meeting and laid the framework for the project and our time together explaining that “we are an open collective that brings different people to the conversation whenever possible and relevant”. They announced that one goal of the workshop was a collective birthing of a new round of publications that can take a variety of shapes and will be determined as we go on.

The first part of the workshop focused on presenting regional overviews of the most pressing issues and how these landscapes have shifted over time. Then the group moved on to address major facets of sexuality to explore the intersections and trends of religion, queer theory, sexual rights, sex work, abortion, HIV/AIDS, and trans research activism. The workshop closed with some time to reflect, synthesize, and brainstorm next steps for action.

Unfortunately, we were not able to record notes for all of the sessions, comments, and discussions. In particular we would like to apologize for failing to capture comments from Sibongile Ndashe and Peter Aggleton.

## **PART I – Regional Trends**

### **Africa - Dipika Nath and Carrie Shelver**

The local host, Coalition of African Lesbians, gave the first substantive presentation summarizing sexual politics in Africa. Dipika Nath and Carrie Shelver set the foundation for radical collective activism that is intersectional and addresses neo-liberal economic processes that deepen poverty and economic inequality as well as the patriarchy that is embedded in cultural beliefs and codified in legislation. They noted the rise of fundamentalisms – both national and religious – to maintain power over communities and what they called the neo-conservatism of contemporary LGBT politics that is a manifestation of neoliberal politics.

They described the complex shifts that are occurring as a global LGBT movement arises and problematized the dominance of a “universal gay” subjectivity emphasizing that sexual politics must always be intersectional to address and respond to multi-layered identities. They propose that a radical queer movement is an alternative that extends beyond single-issue politics and individualistic identity politics so characteristic of Western world culture. In closing, they made a call for a collective imagination of the new sexual political landscape and for efforts that may generate counter narratives that challenge the cynicism of capitalist ideology through daily practices.

### **Comments by Sylvia Tamale**

Sylvia Tamale acknowledged the multi-dimensionality of sexual politics and the LGBT movement but she stressed that in political struggles a united voice is also needed. She also problematized the emphasis of the chapter on what she considers to be a reductionist narrative conflating homosexuality with capitalism, because in African political contexts, more often than not, anyone who speaks for inclusiveness of sexual diversity and against homophobia is immediately accused of ‘taking money from the global homosexual movement’ and it is important, in her view, to also contest these

vicious attacks. On the other hand, Sylvia agreed that Western politics in respect to the topic is highly problematic and that this can be illustrated by “the failure of Western states to take any action against openly homophobic regimes like Saudi Arabia”.

Sylvia asserted that when examining African sexual politics it is also important to recall that contemporarily in the continent several artists, writers, and musicians are constructing and projecting alternative images of African sexuality, which either contest or turn upside down the dominant colonial tropes of hypersexuality. Even though quite often these novel artistic expressions of sexuality including LGBT issues may be banned from official press and TV channels, information technology allows “thwarting attempts to muzzle the dissemination of information that it labels ‘immoral’ ‘deviant’ ‘unAfrican’ ‘sinful’ ‘criminal’” because governments cannot block access to YouTube and other social media channels. Sylvia also suggested the paper should give more emphasis to religious fundamentalism and the link between the U.S. Evangelical Movement and the conservative African anti-gay movement and that it would be also important to highlight the historical literature that debunks the pervasive heteronormative claim that ‘homosexuality is unAfrican.’

### Questions and suggestions raised in the discussion

- A question was raised to the authors if their views on the ‘gay problem’ referred to LGBT movements at large or to specific sectors. The interrogation was also been made about whether there are critiques that should also be raised about more traditional feminist movements that are refractory to LGBT rights?
- Regarding this same central topic of the paper, the neoliberal contamination of the LGBT rights agenda, the comment was also made that while the critique of the neoliberal imprint of the international gay movement is very relevant, any analyses of sexual politics must also consider how neoliberal subjectivities more than often goes hand in hand with the neo-conservative trends, including those propelled by religion.

- Another observation was that if competitiveness is a function of the neo-liberal environment, how is that playing out in Africa and the global south more broadly in terms of competition for resources, for example.
- In relation to that, a string of comments was made that indeed funding today for LGBT and sex workers in the Global South is problematic because the new trend is that streams of funds are mainly going to celebrities' philanthropic doings while organizations doing the actual good work are not getting the money they need. Funding has also decreased for the research and advocacy activities, regardless of the fact that in many cases people's lives depend on these resources.
- Another substantive observation was that globalization – which is fundamentally neo-liberal -- may also trigger change. This can be exemplified by cable TV and social media. For instance, a Brazilian soap opera was aired in Angola with queer themes and now they are also producing their own soap opera that is also raising queer issues. Along the same line of thinking, rapid urbanization is another facet of globalization that opens spaces for lives to be lived differently. The analyses should perhaps consider that globalized neoliberal trends both open and close political space.
- In that respect, a comment was added that although it is necessary to look into the power dynamics of Western states and global trends, the analyses should also be able to grasp how change and resistance is taking form on the ground.
- A reminder was made as well that the global sexual politics dynamic is not just about Western states but also related to the work performed by international organizations that are both based in the North and South, as is the case of ILGA that has a place in African sexual politics. And this perhaps needs to be spelled out.
- A final suggestion was made that it would be interesting if the paper could chart, albeit preliminarily, how current geopolitical shifts, particularly concerning Chinese economic expansion may or not be impacting African sexual politics.

## The Middle East - Paul Amar

Paul Amar began the discussion of the Middle East and North Africa region by recapturing the uprisings of the Arab Spring in terms of their main anti-authoritarian, anti-sectarian and anti-sexual moralism motivations and practices. He also looked into how these lively struggles were drawn into and eroded by securitization political trends and narrowly imagined binaries opposing Islamist political and secularist forces within the broader paradigm of West-versus-East. He examined how “this simplistic binary framing served to mask and justify new forms of domination deployed by a security-state sharp repression that must be seen in articulation with grotesque economic cronyism, totalizing gender violence in the home and the streets, serial vigilantist assassinations, police brutality, racialized ‘thugification’ and, not less importantly, the purging of public spaces and sites of sociability to extinguish ‘sexuality’ and ‘restore’ public morality.” He urged us to center sexuality struggles as an essential vehicle to invigorate alternative forms of redistribution and participation, but not to lose sight of these broader structural forces and trends.

He then moved towards placing this Middle East formation within what he calls a new global political discursive regime of “love.” He recalled that, in US sexual politics, the previous years have basically turned around the battles for same-sex marriage, which culminated in the 2015 US Supreme Court Decision. When that happened Obama, in his speech addressing the Supreme Court ruling, proclaimed that “love and justice arrive like a thunderbolt”. In Paul’s view this act of speech implies “a symbolically supercharged mission performed by lightning strikes from above that have the power to inaugurate a global age of political love in a time when dogmatism and ruthless repression were rising on all continents.” To better understand what this means Amar problematized the institution of marriage as it perpetuates gender and economic hierarchies while at the same time firmly settling ‘love’ within the frame of a state sanctioned institution, and discrediting other locations of gender and sexuality



sociability and intimacy that have greater radical potential to create webs of solidarity and transformation.

### Comments by Akshay Khanna

Akshay Khanna covered five overlapping areas in his comments. One key point he raised was if it would also be important to consider that there are many different political languages around 'love' and that these idioms may be contextually specific. He also suggested it would be productive to explore further the connections between eroticism and violence. For example, he asked: could it be the case that in this new love scene the lightning bolt imagery is there to enliven the boredom of the state sanctioned marriage?

- 1) He also suggested that the political framing proposed by Amar should perhaps give some consideration to necropolitics, as well. For example, asking the questions of what lies between death and life on the two stages being examined; how does necropolitics relate or not to this 'revolution of love'; and what is the political work that death does beyond the question of "who dies." As we do know mass killings have been going on for several decades, but it appears that right now they are beginning to be normalized in the perceptions and political practices of the US and European states and societies. There are complexities to be tackled in relation to this novel normalization of killings, both in terms of ontological aspects and political motivations.
- 2) Akshay also adds that, considering a wider audience, it is also necessary to make it more clear what exactly is happening in the MENA region, to pierce the imageries projected by ISIS. In his view, ISIS has been operating like a film production company and questions must be asked: Who is their target audience? Are the screens in the West or in the Middle East itself? How are their 'spectacles' received in different contexts?

## Questions and suggestions raised in the discussion

- One first comment was that 'love' loaded political narratives are not new and once again express themselves in varied manners across history and contexts. For example, in the Latin American political culture there is the continually revived love for the leader or father figure of the nation dominantly deployed in heteronormative terms. There are both fathers and mothers of nations, mostly first ladies, but not exclusively.
- The observation was also made that a strength of the paper could be to articulate the older concept of nationalistic love with this novel transnational stream of 'political love', associated with same sex relations, that is breaking through national boundaries.
- Along the same lines, if love is conceived as something other than coming together, as a movement of transcending constrained or sanctioned positions, it would be interesting to hear more about the concept of sociability and if/how it differs from kinship. The case as it is being analyzed also evokes old and new questions about the 'eroticized' relationship between citizen and nation. This is not unrelated with violence as demonstrated by the case of Jyoti Singh, who was gang raped and killed in Delhi, and suspended between "life and death" for some time and then after departing was elevated to the status of a daughter of the nation.
- Lastly, regarding the articulation of love and necropolitics, Brazil is another place to look at, as once again the imagination around love or the right to love has been critical to expand the support to LGBT rights and same sex relationships in particular. On the other hand, this is also the place where the largest numbers of LGBT murders occur each year that can not be addressed and mourned in isolation or in their specificities as they pertain to the vaster landscape of structural violence (and within it the war on drugs) that entails an annual toll of 60,000 homicides, of which just 10% are properly investigated and perhaps an equivalent percentage are killings performed by state actors.

## China – Huang Yingyang

Huang Yingyang gave an overview of the sexual revolution that has taken place in China since the 1980s economic reforms that implied parallel drastic social changes and many shifts in the political context. She chose to focus on sexuality research, knowledge production, and sexual politics from 2000-2015 to examine the dynamic intersections between political forces (e.g. more direct policies on censorship, anti-prostitution and porn) and less direct factors such as anti-corruption measures, (re-emerging) cautiousness of Western ideology, and new regulations on international funding and the economic environment (e.g. consumerism, funding resources). In this era, Yingyang explained that sexuality research had a strong scientific lens with a limited number of social science researchers. There was little open discussion of LGBTQ issues, but a focus on sex education, call for attention to sexual culture in Chinese history; debates on concubines and new regulations on anti-prostitution were also quite prominent.

Yingyang brought up the connections and tensions between the local and the global and highlighted the lack of critical conceptual and theoretical tools translated and accessible in China. She made a case for producing local and affirmative sexuality knowledge and highlighted the role the Institute of Sexuality and Gender was able to play in that regard. Yingyang also noted that there is a lot of grey literature in China on sexuality matters that has not been properly investigated and that the paper will also look into those sources.

## Comments by Cai Yipyng

Given that China is playing an increasingly important role in the global sphere, also as a new international funder, Cai Yipyng raised an important question to consider about how China is influencing sexual politics in other countries. Another important issue to consider, in Yipyng's view is to critically assess methodologies of research on sexuality in China. For instance, she noted, one recent survey reports that Chinese men are the biggest consumers of porn, but to better grasp what exactly that means it is necessary

to locate these findings in the social context and consider intervening factors such as if and how consuming porn is or not related to censorship. Or else, the slow speed of internet in China could be another factor influencing these results.

Yiping also emphasized the question of positionality and how it may affect how issues are framed, researched and struggled for. As an activist, the way she perceives the role of big institutions, such as the market, the media, the state and the UN will differ significantly from how these arenas are seen by other actors and influence how research questions are framed. She also strongly emphasized the problem or politics of translation in terms of what knowledge is or not available in China and how Chinese knowledge on sexual matters gets exported and shared.

### Questions and suggestions raised in the discussion

- The first question raised was if in China the concept of sexual rights is known and used if people have a common understanding of what it is? Are there certain topics considered to be sexual rights or is there a domain of assertions of human rights appropriate to talk about sexuality in the Chinese context?
- One intriguing question about China is: who are the activists? This is directly affected by the strict national censorship and control. In that regard what is considered a political taboo and can't be spoken about? It would be also interesting to know more about the relations between activism and social research.
- Given the weight of sexuality research in the paper and that sexology is still the main theoretical framework being used today, the question must be raised if this has led or not the pathologization of sexual identities and practices.
- In the same manner, given the place of population control in China's state policy frame, probably it is not possible to speak of sexuality without also addressing fertility control and related demographic research.
- Why is it so difficult to address and work with sex workers?

## India – Vivek Divan

Vivek Divan offered an introspective reflection of his personal experience working with the Lawyers Collective HIV/AIDS Unit in the path of the wider political movement that was organized between the early and mid 2000's to repeal section 377 of the 1861 Indian Penal Code, known as the 'sodomy law'. He examined crosscutting themes of representation, participation, ethics, accountability and attribution as he recounted the civil society mobilization that led up to the hearing of the case in 2008 at the Delhi High Court and the final judgment in 2009.

Vivek recalled that in the early 2000s in India, emotion affected a lot of what they did because their colleagues were dying, there was no treatment, and there was a very callous police force and political climate regarding HIV, sex workers, and queer people. In the years leading up to the Delhi Court hearing (2003-08), an ecosystem of cooperation emerged along with a sense of united purpose in queer activist circles in India that had not existed prior and has not existed since. In this complex and intense political environment, one aspect addressed in the paper is that attacks on the lawsuit most immediately came from within queer activist circles, and not so much from adversaries. These voices, most principally questioned the HIV overarching frame of the argument and most principally the lack of intersectionality of the conceptual legal frame being used. These critiques forced the legal team to engage more deeply with alliance- and movement-building and re-conceptualization. The striking down of 377 in 2009 was a landmark of sexual politics both in India and globally and the suspension of the Delhi Court decision by the Supreme Court in 2013 was a huge blow. Since then much creative work is being done at local levels. Even so Vivek is not optimistic that this new wave may coalesce again in a more unified and national level as was articulated in the 2000's.

## Comments by Malu Marin

Malu Marin began by explaining that it is always difficult to speak from an Asian perspective because the region is so heterogeneous. Even so, the struggle around 377

in India was followed from a distance with great interest, the 2009 victory was celebrated and everybody was angry and alarmed when it was reversed in 2013. This is not a minor fact in a region where political connections across borders are not easy to be constructed. Furthermore, it is necessary to understand that in Asia activists are always very hesitant to parachute outside campaigns into countries or create regional campaigns because we know that such interventions may backfire.

Asia is a difficult context to do human rights work, and not just in China. Spaces for LGBTQ work are also shrinking in many countries. These struggles cannot be carried out in isolation – they require tailored methodologies and strategies of resistance. There is not one model that fits everywhere.

### Questions and suggestions raised in the discussion

- The first question raised was if there has been any attempt to take the 377 Supreme Court defeat to the international system. To which the response was that no, this has not been done.
- A second set of comments relates to the connections and disjunctions between engaging with legal reform, political mobilizing and their outcomes. The first of them is that the India case suggests that engaging in legal reform can be an opportunity for mobilization, even though this may not translate into legal change. In that sense it appears that it is important to understand not only the legal outcome but also what happened with the social movements involved in the process behind this case? Another observation was made about what is seen as failure. The Supreme Court 2013 decision may be also read as an opportunity to reactivate the political mobilizing. In this respect, Akshay's view is that this is not exactly the case because the use of the law as a point of entry is somehow exhausted. Now the queer political struggles have reached the streets (nobody is really paying attention to the law anymore) and he is optimistic about this shift.

## Latin America - Gloria Careaga and Mario Pecheny

Gloria Careaga and Mario Pecheny explore three central issues in their discussion of sexual politics trends in Latin America: violence (femicide), commercial sex, and abortion rights. They placed these trends against the backdrop of main contemporary political ideational streams in the region: developmentalism, neoliberalism, post-developmentalism, post-neoliberalism and then post-post-neoliberalism.

They strongly underline that if LGBT rights can be deemed a success story in Latin America, this does not apply to abortion rights that have very few supporters at institutional levels and regressive tendencies are underway in many countries. This paradox is quite characteristic of sexual politics in the so-called pink wave of Latin America, or the years of the 2000s when the region, in particular South America was mainly governed by left leaning parties. As it is well known, in July 2016, this trend was being reversed in many countries, and that is continuing to evolve.

Other key areas to be looked at are violence against women and anti-trafficking laws that have gained legitimacy and policy leverage everywhere, regardless of the ideological position of governments. This prioritization is, in their view, to a large extent motivated by the ideology of victimization that is very strong in feminist circles but that, most principally, operates as a gathering point for very diverse political groupings that, however, have in common the perception that women are predominantly vulnerable and therefore must be rescued. The authors also identified as another factor hampering a more thorough and shared sexual politics agenda is the segmentation of identities, demands and particular forms of relations with the state. They call for the urgent need for researchers and activists in the region to more consistently adopt an intersectional lens that may create the better conditions for coalitional politics.

### Comments by Rafael de la Dehesa

Rafael de la Dehesa suggested the authors could articulate their frame with another layer to situate the trends they describe within ideology, institutions, and implications for activism. He pointed out the growing relevance of criminal law as a locus of sexual politics including recognition by the state. The best example is abortion, as the demand is for decriminalization, but in reality where progress has mostly been made is in regard to extending access to abortion to women who were victims of sexual violence. This is definitely a place of recognition through the law with many paradoxes. In his view one key aspect to be looked at in contemporary politics around sexual rights in Latin America, but probably elsewhere is therefore place, meaning and implication of criminal law.

### Caribbean - Christine Barrow

Christine Barrow discussed how patriarchy and heteronormativity have worked in tandem within the Caribbean geopolitical space to promote heterosexuality through marriage and to outlaw homosexuality, sex work, and abortion. Caribbean moral authorities' have polarized sex and sexuality through an array of good-sex/bad-sex binaries such as marriage and monogamy versus concubinage, and hetero- versus homo-sexuality. In addition, Caribbean society endorses a "vehement heteronormative politics" in the public arena, which situates women as guardians of "national purity" and mandates the control and policing of their bodies, while affording men far greater sexual license as long as they do not cross the line into homosexuality.

Since the 1990's legal reformers and progressive political leadership have therefore had to navigate "a rocky course" to promote global sexual rights principles while at the same time acknowledging conservative national discourse on sex and sexuality. Even so, reformers have made inroads in the legal recognition and protection of women in non-marital unions and children born out of wedlock, and in sanctions against GBV. But the majority of Caribbean nations have not legalized or decriminalized abortion, sex work,



and LGBT sex. Furthermore, NGO's, which advocate for equal sexual rights, have clashed with increasingly formidable and vociferous Evangelist voices that claim the moral center-ground as defenders of so-called traditional Caribbean values against contamination by Western decadence. An open question remains as to whether Caribbean Evangelism will derail future progress towards equal sexual rights. Christine explained that the future of sexual rights in the Caribbean largely depends on the combined resilience of political champions, social activists and enlightened public opinion to guide the Caribbean towards social inclusion and justice.

### Comments by Rhoda Reddock

Rhoda Reddock who participated virtually, began by noting that the Caribbean is a very diverse region with a varied historical trajectory, so caution is required to speak of the region as a whole. In particular she said it is important to delve under the surface to search for gender and sexual variability that does not derive from colonial or current global trends. To make her point, Rhoda drew on Gloria Wekker's classic analysis of "mati work" in Suriname, which constitutes a form of sanctioned same-sex activity. In mati culture, Surinamese women form homosocial and homoerotic non-exclusive bonds, but these bonds are not perceived in terms of sexual identity. But this was entirely at odds with the homophobic views of colonial authorities and norms. Rhoda also pointed out that other Indo-Caribbean cultures such as in Trinidad and Tobago are also more open to androgynous practices in a variety of social, religious, and cultural settings.

In addition to the colonial effects, Rhoda explored other factors that continue to nurture contemporary homophobias. This includes, for example, the new waves of Caribbean fundamentalist religious groups, sexual tourism but also the global media, which has contributed to the hypersexualized view of Caribbean women. This hypersexualization is especially problematic considering that sexuality education is largely absent in societies like Trinidad and Tobago. Moving towards the LGBT rights arena she observed that one

aspect that should not be minimized is that even today advocacy work in this domain has been largely dominated by white gay men, even when in recent years this political field has become more diversified and lesbian women have made some important inroads.

### **The United States - Susana Fried and Cynthia Rothschild**

Susana Fried and Cynthia Rothschild framed their analysis of sexual politics in the US by looking at global trends that are affecting the US and vice versa. They highlighted the massive expansion of global defense and the continuing war on terror that shapes the ideas of the nation-state and in relation to which sexual politics must be situated. The trends that they identified in the US range from political deadlocks in Congress, the effects of Tea Party politics and dominant/normalized ideas of whiteness and masculinity. They noted that the financial crisis of 2008 still has lasting ramifications and that because HIV/aids is part of the sexual politics landscape any analysis of the US must also take into account the place and effect of the pharmaceutical industry.

The US is a hegemonic power in UN arenas and, more than often, uses sexuality rights language instrumentally to push their interest and bully other countries. Since the 1990's it has been doing so in relation to SOGI/SRHR in a variety of circumstances. But on the other hand, it is not uncommon for the US to be silent and sit back and let its priority interests of defense and economics prevail. It is always a very complex game.

In the period they are examining in the paper from the early 2000 onwards, progress can indeed be reported in relation to equal marriage laws. On the other hand, anti-discrimination protection for discrimination based on sexual orientation remains very weak, particularly at the state level. This is still more limited in regard to trans rights that have surfaced recently as a major controversial issue when North Carolina and Texas recently passed laws to restrict access to bathrooms based on biological sex instead of expressed gender identity. These cases are just one example of how sexuality issues easily get pitted against each other, as the argument for prohibiting trans women from using the female bathrooms has been to protect women from sexual

violence (that would potentially be perpetrated by trans women). Lastly, they reminded that from whatever angle US politics is examined, the question of abortion and sex work have been and continue to be central.

### Comments by Ryan Thoreson

Ryan Thoreson expounded that it is difficult to canvas eight years of sexuality policy in the US, especially because it's important to consider intersectional issues such as how state welfare programs shape families, how masculinity plays into mass shootings, and the leadership of black lesbians in the Black Lives Matter movement. All of these issues can also be framed as sexuality politics. Furthermore, the US,, like other other nations, is constituted by clusters of widely different agencies with different priorities and goals. In that regard, instead of framing the analyses as domestic – global, it may be worthwhile to also map the distinct policy realms within the US itself.

But perhaps the more important question is to ask what are the lessons we can extract from the 8 years of the Obama administration? It is important to recognize, for example, that the barriers that prevented us from accomplishing more, are not Obama politics itself (even if under the pressure from the GOP and more extreme right positions). The other key aspect to be tracked is that this has been a period during which a lot of symbolic politics has taken place: iconic moments that do not translate into law or policy but have significant cultural impact. One of these moments was when Joe Biden introduced Lady Gaga at the Oscars to sing a song about sexual rights. What can the analysis say about this type of media oriented politics and its convergence or disjunctions with legal and institutional realities.

### Europe - David Paternotte

David began by rejecting claims that differences between Eastern and Western Europe explain what is happening in Europe today in regard to the European gender and sexuality normative project. Indeed EU Europe (EUrope) has constructed a rather

homogenous cosmopolitan identity that embraces liberal values and is committed to gender equality and sexual democracy. However, these frames are now facing backlashes that are not exclusively explained by the accession of Eastern Europe and this is leading towards selective endorsements of sexual rights. For example, David underlined that abortion remains criminalized in many countries and that the right to abortion is increasingly under attack. Furthermore, Europeans do not generally agree on the place of sex work in European society. This lack of agreement has resulted in increased problematic sex trafficking policies throughout Europe. Finally, while same-sex marriage has generally gained acceptance throughout Europe, opponents have increasingly pushed for referendums on same-sex marriage at the national level.

By focusing on the limits of sexual liberalism and sexual democracy, David reminded that construction of Europe has been dynamic and that boundaries and values have shifted across time. While some places like Germany have experienced gender-mainstreaming fatigue, Europe's Southern and Eastern peripheries have been slower to accept sexual liberalism. In those places, nationalist, populist, and religious factions have increasingly joined forces to revive a brand of conservative politics that rejects sexual liberalism. These regional differences call into question Europe's dominant self-perception as more liberal than the United States on sexual issues (with the notable exception of same-sex marriage) and in opposition to "barbaric enemies" such as Russia and the Islamic state that threaten the foundations of the civilized state.

### **Comments by Gloria Careaga**

Gloria asks a series of questions to probe further and to clarify the arguments of the paper. For example, what role do NGOs play in Europe sexual politics especially in the LGBT realm? She also requested more clarity around the concept of gender fatigue suggesting that a couple of examples would help to illustrate. Gloria pointed out that despite shifts underway there are at least two European examples – the Dutch sexuality education frame and Swedish prostitution law criminalizing clients – that are widely

recognized as best practice models and are being transported to other countries, without much critique. . In her view these 'models' must be looked at more closely. Given the rise of immigration around the globe, Gloria also considers the intersection of sexuality and migration as a particularly complex topic that requires a deeper examination in the paper. For example, what are current EU policies regarding the refugee status of LGBT people? And most principally, how does migration from the South and anti-migration sentiments have an impact on European sexual politics.

### Questions and suggestions raised in the discussion

- The idea of looking into homonationalism beyond the state-level and examine it instead at the EU-level seems productive, but what are you referring to when you say 'siege by immigrants?' Europe is actually a highly regulated society so how does that influence sexuality and gender politics? Perhaps you should consider analyzing the UK as a unique case with national policies that link to foreign policies.
- When considering that the European 'identity' appears to be at risk, how does this affect the main argument of the paper
- Does the financial crisis still affect European politics. How does it play out in terms of inter-European conflict? Does it influence sexuality politics?
- Another comment, however, went in a different direction. There are some limitations of the EU as a governing framework because it is not clear how the EU as a market limits or not the way in which activists are framing their rights as demands? On the other hand, it would also be important to know more about how the European Court of Human Rights influences sexuality politics?
- What underlies the conceptual frame of EUrope and Europe 'exceptionalism'? As we know, the region is not a neutral frame. Will a greater emphasis on cultural relativism, nationalism, and European superiority alter the contours of this report? In particular because under current conditions the question of migration and refugees underscores and extends the European geo-colonial landscape.
- In that regard, the export of European sexual liberalism is an important factor at

play in other regions as it is described as the export of European decadency, this is how this plays out in the Caribbean. It also contributes to perpetuate a myth of Europe as something united and monolithic. It is quite critical to deconstruct this sexual liberalism mythology.

- The analyses could eventually benefit from a greater emphasis on Europe as a contested project. In the same manner, sexual liberalism is mired by tensions and struggles that have strongly national characteristics. Another missing component of the analysis is the historical reminder that the thinking that originally gave rise to the EU was deliberately socialist.
- Lastly the question has been raised on how secularism also implies limitations and discipline related to sexuality. This dimension is important because the paper as it is strongly focuses on 'religious' revivals.

### **Post Soviet Countries – Yana Sitnikov and Anna Kirey**

Yana and Anna described how sexuality became a political currency for Russia, domestically and regionally. Prior to the collapse of the USSR, censorship kept the region very closed off, albeit not entirely, from influences, though there was a considerable amount of social organizing and activism going on. After the fall of the wall, sexual liberalism projects, such as the abolishment of laws criminalizing same-sex conduct were initiated mainly to prove to the Western world that these countries were worthy of investment and to allow them to join the Council of Europe.

Then in the 2000s the landscape radically shifted, particularly under the effect of the Putin regime in Russia that promoted the rise of traditional values and began constantly triggering moral panics as a strategy to dampen LGBTI organizing and advocacy and create distractions. This was when anti homosexuality propaganda legislation became a trademark of Russia and these laws began being used strategically to influence other neighboring countries, as a part of the wider project of building up an Eurasian Union as an alternative to the European Union. Another key aspect to be taken into account is

drastic fertility decline – or the demographic crisis – that also motivated the ramping up of anti-abortion legislation and the open promotion of larger families, which sharply contrasts from the way abortion was used as a method of birth control in the USSR. In regard to the realm of reproduction it is also important to take note that since 2013, the Russian state has the right to take children away from LGBT parents. Even though it has never been implemented, it has had a chilling effect among lesbian mothers.

Within this complex and shifting environment transgender people and their struggles have a peculiar place. Transgenderism has been deeply medicalized during the Soviet Era, so it was never viewed as controversial as LGBT identities. This line of work and organizing around access to medical procedures is still there but more recently cultural political activism around de-pathologization has also emerged that challenges the notion of fixed gender categories. This stream in large part borrows from western academics and tends to be more concentrated among the elite circle of trans activists.

But most principally perhaps, Russia has indeed pioneered a ramp up of legislation that clamps down on civil society that began attacking LGBT organizations as guinea pigs to test the effect of these strategies. In response, online activism has become especially important (in particular for LGBT minors) and Russian and Ukrainian activists have been successful in reaching out to cross national LGBT organizations and building alliances.

### **Comments by Vivek Divan**

Vivek applauded the overview of the history of the region, but noted that it could use an analytical framing, more emphasis on HIV and include a deeper discussion of sex work. He also added that masculinity in Putin's Russia is a crucial concept to be unpacked in this analysis because it must be analyzed as one factor directly influencing levels of violence and public opinion.

Then, he underlined that it is perhaps necessary to recognize that in the short run there is not much hope for more democratic institutions and practices to mature in the

region. And this brings about two important questions: 1) How do the overall political conditions influence activism? 2) It would also be interesting to analyze if activists have or not used the courts? Lastly, Vivek cautioned the authors to be critical of dominant streams of interpretation that consider LGBT activism in the region to be predominantly fueled by the West.

### Questions and suggestions raised in the discussion

- A first round of comments concerns the role of religious dogmatism in the region. Russia has emerged as the leader of the traditional values coalition as a response to extremely violent forms of neoliberalism but also because of the increasing influence of the Orthodox Church.
- Another comment was about the need for more emphasis on contradictions across countries, even when general trends appear to go in the same direction. For example, while Russia has banned adoption by LGBT parents, Ukraine is one of the world's top destinations for surrogacy.
- Lastly a comment was made in respect to the medicalization of trans bodies that recalled that while indeed positive alliances can emerge between biomedical sectors and trans or sexuality activism, the analyses should not lose sight of the potentially controlling or even destructive dimensions of biomedical power.



## **PART II – Thematic Analysis**

On the afternoon of the second day of the workshop, the focus shifted to address a number of realms that cut across all regional dynamics. The discussion began with what the SPW framework has for some time referred to as the said return of the religious. The discussion looked at trends at play in the domains of the religious as manifested in Catholicism, Evangelism, & Islamic societies.

### **The Catholic Church's legal strategies: The re-naturalization of law and the religious embedding of citizenship – Juan Marco Vaggioni**

Juan Marco Vaggioni analyzed how the Catholic Church has invested in juridification as a means to utilize the realm of law to extend their influence beyond their believers to all citizens. He began by acknowledging the progress that feminist and sexual diversity movements have achieved in legitimizing sexual rights and revealing how conservative religious doctrine has been enshrined in the legislative process. These movements successfully articulated an alternative paradigm for the intersection between the law and sexuality in direct confrontation with the power and influence of the Catholic Church.

Despite recognizing *laïcité*, the Catholic Church affirms that secular law should be based on a universal natural morality that the Church authorities and lay people have a responsibility to propagate. Juan described various strategies now being used to restrict ethical plurality such as the appropriation of human rights language particularly in relation to abortion, which is interpreted by these voices as a “tragic negation” of human rights that exalts women’s individual freedom above the potential life of the embryo. This discourse goes yet further in affirming that abortion rights target the embryo as an ‘enemy’. The Church is triggering disputes over the language and meanings of human rights discourse and aims to revoke legislation that already exists or has been proposed. In response to the rise of sexual citizenship, the Catholic Church promoted citizenship rights embedded with religious beliefs as political rights. They are

very effective at mobilizing their believers/followers as citizens to expand the domain of religious freedom, even when it flagrantly clashes with LGBT equality or reproductive rights of women, and especially in the US have established a premise for conscious objection.

### **Evangelicals in the Brazilian Congress, and Sexuality Politics – Horacio Sívori & Marcos Castro Carvalho**

Horacio Sívori discussed the rise of the Evangelicals in Brazil. While Evangelicals have not yet surpassed the Catholic majority, they are now 30 percent of those declaring any religious allegiance and constitute a very influential and well-organized minority that has concerted political influence, organized through the control of communication vehicles, such as the second TV broadcast system of the country, but also through their caucus at the National Congress that accounts for more than one quarter of the lower house. The Evangelical Christians align with other conservatives in an effort to build political hegemony including Catholics, landowners, and pro-right-to-bear-arms groups. Their cultural resonance draws from their focus on sexuality as a main focus to regulate society.

Religious pluralism is very marked in Brazil and what analysts have named as the national religious market continues to expand and diversify. Within this shifting landscape, Neo-Evangelical Churches have gained appeal and popular basis because they operate as commercial enterprises in a de-regulated religious environment and have been able to disseminate material through a variety of media formats and outlets to expand their reach. They have been able to challenge the Catholic monopoly on salvation, because they began offering more immediate responses to material and spiritual aspirations. But they are not exactly in conflict with the Catholic Church when it comes to issues of gender, sexuality and abortion, but rather operate as the front liners of Vatican global strategies against sexual rights.

One important feature of the Brazilian landscape is that the political rise of Evangelicals not accidentally coincided in time with the years of the PT (the Workers' Party) administration (2002- 2016). These forces were part of the political basis of both the Lula and Dilma Rousseff administrations until 2010 when the Evangelical leaders made their support of Dilma's presidential candidacy conditional to her taking a stand against the decriminalization of abortion which she likely would not have otherwise done. That marked the beginning of a stage of intensified conservative religious campaigning against progressive public policy platforms that would culminate in the conditions prevailing in 2015 when the Evangelical forces rebelled and became key actors in the processes leading to the impeachment of Rousseff in 2016.

Even though the deleterious influence of Evangelicals in Brazilian sexual politics is undeniable, it is also necessary to examine how unified they are in relation to sexual and related matters, because these churches are not unified with a vertical leadership and operate more as loose network. On the other hand, this mode of organizing gives them great political flexibility. Finally one aspect that the paper will address when further developed is how the Brazilian scene fits in the global scenario of the Evangelical politics of sexuality.

### **Sexuality and the Rise of Political Islamist Movements: Where it comes from and where it is headed – Fahima Hashim & Shareen Gokal**

Fahima Hashim started off by giving an overview of the history of the rise of extremist Islamist movements in the Middle East and North Africa with a special emphasis on women and sexuality. She cautioned against the frequent use of the word Islamist as a political ideology, when it must be addressed always as a religious or theological construct as other religions are. But she pointed out as well that that unlike Catholicism and Evangelicism, in Islam, predominantly, the political realm is not conceptualized as a separate sphere and Islamist extremism has been on the rise since the 1960's as a distinct, but not always entirely distant from, the Arab secular nationalist movement.

The convergence between secular and religious forces in the Middle East coalesced around political responses to Western geopolitics.

In order to understand the effects of extreme forms of Islamism on gender and sexuality is important to map out recent legal, cultural, political and economic trends and shifts that are relevant, especially to women and their expression of sexuality. She argues that “women in particular, are often used to symbolize a society’s collectivity; ‘its culture and tradition’, its boundaries and its future’s production.” For this reason, the brunt of identity politics and gender relations fall on women as their life choices are more tightly controlled to maintain and regulate collective morals. The uprisings of the Arab Spring have been quite critical in that regard, despite the somber aftermath, as women appeared as core political actors of the upheavals.

But even before that, women had been successfully organizing to challenge cultural and religious norms in the region and have won some important legal battles. Looking more specifically into the realm of religion, today a group of Feminist Islamic scholars is also gaining traction in terms of offering alternative interpretations of the four texts (out of over 6000) in the Quran that are heavily cited and often form the basis for discriminatory civil laws that derive from Islamic verse. Their scholarly work has been embedded in well organized regional and international advocacy efforts.

### Comments by Sonia Corrêa

Sonia began by noting that the analysis developed by Juan Marco is particularly instigating because it throws light into the religious (Christian impregnation) of Western law, including human rights, suggesting, perhaps, that this is why it is not so difficult for the Vatican to re-appropriate human rights premises and discourses (which they have denied between the late 18<sup>th</sup> century and the 1960’s) and used them to attack and de-construct feminist and queer frames and gains in this realm. Perhaps this is one aspect that should come more clearly in the final version of the paper. The other key element to be emphasized is the newly crafted notion of religious citizenship, without which it is

not possible to fully understand what is politically happening in many places, in particular Latin America.

As for the analyses of Evangelicals, even though Brazil is decidedly a hot spot to more fully examine Evangelical growth and political power gains in recent years, the Brazilian case must be decidedly situated in the Global scene of Evangelism, in particular in what concerns the connections between Brazil and the US, but also Africa, where the presence of the Brazilian churches have been expanding predominantly in Portuguese speaking countries. For geopolitical reasons it would also be interesting to look elsewhere, as for example, China, where signs of Evangelism have also intensified in recent years and most particularly it has become a new terrain for the operation of Brazilian churches, as their presence in the country was negotiated by Lula in the early 2000's. Lastly, the analyses should also include more evidence from political anthropology studies that examine how Brazilian Evangelism is rooted in theology of prosperity and has enormous affinities with the intense neo-liberalization of Brazilian policies and lives, including while the PT was governing.

Regarding Islamic societies, given that paper is looking mostly at the Middle East it should expand both on the aftermath of the Arab Spring and the peculiar geopolitical conditions of the region. In that regard, Amar's previous analyses about what he calls Mega-Arabia can be very useful. Lastly, I would like to see a bit more emphasis on sexuality at large, although it is quite clear that this is a context where any discussion of sexual politics can not be gendered in a conventional binary sense.

### Questions and suggestions raised in the discussion

- The suggestion has been made that it would be interesting to talk about the hybridization and overlap between these three religions. What faces do these religions take in different places? How should we label these forces (i.e, extremism, radicalism, right wing)? What are the conflicts that exist within these religions? Or else what happens when a religious strand loses its hegemonic status (i.e., the loss

of Catholic prominence in Brazil)?

- A core question also to be examined is how does the political economy influence religion? Both in terms of economics and political parties. The example of Brazil is compelling in that regard.
- It would be also useful to frame the 'religious' in a more historical sense. How do these trends correlate with privatization and the naturalization of gender and sexuality today?
- In what concerns Catholicism, it would be interesting to excavate further the origin of its moral authority, in particular in a time when the question of sexual abuse by priests is so glaring. Also there is a big contradiction between the rhetoric of caring for the poor and the economic power of the Church. Having said that, there is always the other side of the coin because as we do know, faith based groups, including Catholic organizations, have also been important partners in responding to HIV and gender based violence.
- It would be important also to look more closely at how the Catholic Church has been shifting in regard to sexual politics, in particular LGBT rights in Africa. And it must also question if all churches are indeed seen and experienced as places of relief. Once again this is a paradox.
- The case studies cover a huge arc and this requires caution. In relation to Islam in particular the paper needs to be tightened, amongst other threads but especially from a historical lens. Currently Islam is de-historicized, and this context is needed to better understand the relationship between Islam and sexuality politics. Political and economic history should be reintegrated into the analysis along with how the current formations of Islam targets and particular groups.
- In regard to Islam, it is important not to evade the question of extremist groups. But in that regard it would also be important to talk about contestation and resistance. Does it happen – where and how?
- In general, the papers could perhaps benefit from how the religious approach the wider question of identities, identity politics, and nationalities, but also how the

religious play out in the context of and in relation to authoritarian and totalitarian regimes. And thinking geopolitically would it also be worth looking into the problem of arms and weapons and how they may be related to religious trends and related conflicts.

- Regarding China in particular, political discourses on religion are quite peculiar. In fact, as surprising as it may be, religion is a much more politically sensitive question than sexuality or gender issues. On the other hand, the more visible oppression of sexuality and sexual rights does not emanate from religious forces, but rather from the very secular state. How can these differences be addressed in these analyses?
- A last comment was made that all cases portray very dire scenarios and realities. Is there a way to transcend a form of writing on sexuality that is often mostly about horrible things? Do we still have 'faith in change'? If so, these semantics need to change.

### **Sexual rights landscape – Sofia Gruskin, Jane Cottingham, Eszter Kismodi, & Alice Miller**

Sofia Gruskin explained that the terrain of sexual rights is expanding in many ways while also experiencing a simultaneous backlash. There is growing acceptance of gay marriage at the country level and recognition that sexual assault against anyone is a serious crime while at the same time we are seeing more state sanctioned homophobia and a decreasing commitment to sexual education. This also illustrates the expanse of issues that fall under the umbrella term of sexual rights, which still does not have a solid definition at the political or even international level, though the WHO working definition from 2002 is the standard used most often. How we chose to define sexual rights and what term we chose to use –sexual and reproductive health and rights, or sexual and reproductive health rights are also common –determines our point of entry and how we will engage with the issues. The breadth of the term also means that groups might push for one issue, such as gay marriage, but not in connection to other reproductive health or racial and economic movements more generally.

Sofia went on to say that in order to understand the current landscape of SRHR, we must consider the historical context and she highlights three particular streams of influence: 1) technical – research and academic institutions but also larger organizations such as WHO and UNFPA; 2) legal – the human rights system and monitoring bodies; and 3) political - regional and state governmental bodies and processes. Health has been a strategic entry point, especially in the wake of the HIV epidemic, but that approach brings into question the importance of sexual rights in and of themselves and instead situates them as a means to achieve health and well being. There is increasing agreement that sexual rights are “both relevant to all populations and grounded in universal human rights that are already recognized in international and regional human rights documents, and in national constitutions and laws”, but nonetheless there is doubt about whether or not sexual rights are legally binding and the best way to claim these rights. Violence and discrimination against women is seen as distinct from violence and discrimination based on sexual orientation as evident by the two separate bodies setup to deal with these issues at the Human Right Committee (HRC).

Sexual rights are rarely utilized in the political context, though the political environment plays a critical role in determining which issues will be taken up or pushed aside. Many states will allow advancements in the realm of SRHR but they nevertheless won't allow sexual rights language into agreements. Advances in the realm of reproductive health tend to be for heteronormative women. At the global level, there is no standard that recognizes sexual rights for anyone who is not an adult heterosexual woman and this is problematic.

### **Legal Developments in the Domain of Sexual Rights – Ryan Thoreson, Arturo Sanchez, & Laura Saldía**

Ryan Thoreson elucidated trends that have animated legal battles over sexual rights over the past decade. Ryan surveyed some of the domains where sexual rights advocates have sought to use legal mechanisms to advance sexual rights. He pointed



out, for example, that in places like Sub-Saharan Africa, lawmakers have been successfully persuaded to repeal prohibitions on same-sex activity. Other domains he discussed include the judicial realm where activists have waged successful campaigns in South Africa to invalidate prohibitions against same-sex activity and recognizing same-sex partnerships for the purposes of immigration, benefits, adoption, parenting, and marriage; administrative agencies; and regional and international institutions such as the European Court of Human Rights, Inter-American Commission on Human Rights, and United Nations.

Ryan argued, however, that when activists pursue legal avenues to advance sexual rights, they face several limitations. For example, when the European Court of Human Rights and the UN Human Rights Committee decried Russia's law against propaganda of "non-traditional sexual relations among minors, judicial pronouncements," Russia simply ignored them. In addition, legal advocacy can increase the power of state institutions and further marginalize structurally marginalized and disadvantaged groups. Finally, legal interventions can prompt opponents of expanded sexual rights to assert competing rights and interests. Nonetheless, despite their limitations, law and regulations so deeply structure the social environment that simply disengaging from the use of state power in the form of law is not an option.

### Comments by Dawn Cavenagh

Dawn noted that there is a really great interconnected network of people doing research, global politics, and local organizing around sexual rights today. From CAL's perspective this means engaging with LGBTI movements, but not exclusively because in the Coalition's views it is just one of the several movements in relation to which they are situated within. Originally, CAL conceived itself as a women's rights organization. Then it was not allowed to have an observer status at the African commission because the committee said that the words "African and lesbian" do not belong together. So now CAL is defined as a Lesbian platform.

In Dawn's view it was not clear if Sofia's paper aimed at defining an ideal standard of sexual rights or rather if it seeks to map out the current landscape of sexual rights debates looking for strategic insights and new approaches. In that regard, she asked if autonomy would not be a useful frame to consider, as it contributes to bring coherence to the distinct concepts of gender and equality. She suggested the paper could engage more directly in pushing back against the hegemonic idea of a conventional woman who actually has some privilege although they still struggle to achieve equality. Using the term cisgender would be important to emphasize hierarchical formation within gender itself even when many stakeholders have been reluctant to include the term in agreements. Dawn agreed that it is important to consider who is being included in the sexual rights agenda that has committed to "leave no one behind". But there are many questions to be raised in that regard. For example, "trans\*" are often excluded in many contexts and circuits. But this does not apply everywhere as in South Africa today trans groups are quite vocal and well supported. On the other hand lesbians often fall behind as they are lumped into, LGB organizations run by men. In the practice of sexual rights politics this means that the field remains crossed by hierarchies and tensions deriving from identity politics that also need to be addressed.

### **Sex work: challenges of research – Laura Murray, Elsa Oliveira, & Debolina Dutta**

Laura Murray explained how conducting participatory research projects with sex workers in South Africa, India, and Brazil has shaped their frameworks for thinking about sex work knowledge-making as sex-positive scholars. They also discussed how knowledge production about sex work still reflects geopolitical inequalities in whose voices are heard and what topics are read. While research produced by or in collaboration with sex worker rights organizations has increased, sex work abolitionist groups and lobbies have become increasingly powerful in the global North. Even when researchers form partnerships with sex worker rights organizations, northern institutional perspectives dominate the bulk of research. Funding streams largely explain this dynamic, as research centers with access to funding tend to be located in

the global North, while their “targets” are in the global South. The result has been an overemphasis on HIV/AIDS work and less work on equally important issues such as migration, stigma, and the structure of sex markets. Laura concluded by stressing that research is a political process and activism is a form of research. Consequently, it is more important than ever to ask political questions about things often not considered as political like knowledge production.

### **Comments by Daughtie Ogutu**

Daughtie Oguto began by emphasizing the complex and heterogeneous nature of sex work and the tensions that arise from power inequalities as well as from the constant conflation of sex work with trafficking. There are tensions between global discourses deployed by international organizations such as Amnesty International and the “truth narrative” of sex workers themselves. The paper makes an important contribution when it spells out the term “truths” in the title, on the other hand it fails by not having involved sex workers in the production of the analysis. This implies that to some extent the paper has been sanitized. This absence is problematic because these days we see institutions and other actors that indeed make important steps to further the advancements of sex workers’ rights but at the same time marginalize these populations.

Despite these underlying tensions, Daughtie affirmed that there can be strategic utility in partnering with agencies (i.e., UNAIDS) to facilitate policy-level change and activist initiatives to challenge the state. And in that regard the production of research that shows imbalances in how data is produced is also relevant. But the question of participation and involvement also remain critical.

### **Questions and suggestions raised in the discussion**

- The suggestion was made that UNDP could be another good source to gather information in relation to sex work. The reason why HIV has dominated this

discourse is because it is the most palliative entry point. However, fortunately, this is changing - primarily due to the sex worker movement correctly being fed up with this. On the other hand, the question of what is evidence and what is research remains key. The other problem is the challenge of communicating the outcomes of the research. And one point missing in the analysis is the scope and effect of financial flows for research.

- A second point raised was that it is quite urgent to consider what circulates as knowledge in the realm of sex work and critically examine the conditions of knowledge production. For example, there are also sex worker narratives circulating that are assumed to be unfriendly to sex workers and that are picked up by different actors for political purposes. The inherent biases in the collection of data and the discussions they trigger must be also made explicit.

### **Abortion: more of the same? – María José Barajas & Susana Chavez**

Maria Jose Barajas analyzed the abortion debate in a global context. She discussed how advances in reproductive rights around the globe have largely been made possible by the women's rights movement and international organizations that have emphasized reproductive rights as human rights. Nonetheless notable regional and global differences exist regarding access to abortion. For example, while parts of Latin America have endorsed limited abortion rights as necessary to promote women's human rights and reproductive justice, much of Central America still equates abortion to murder. Even in Europe where nations have tended toward the liberalization of abortion, in recent years, some countries have imposed barriers to the access of sexual and reproductive health services. A majority of Asian countries have liberal abortion laws. However, in China and India, selective abortion by sex is prevalent. The global Zika epidemic has also demonstrated large regional gaps in sexual and reproductive health. Nonetheless, the fight for reproductive rights continues, and notable advances have been made.

## Questions and suggestions raised in the discussion

- In addition to mapping, the paper needs a conceptual elaboration, in relation to the politics of abortion, the public sphere, and the state. It should also highlight the role of and access to medical abortion, in particular the role played by local level feminist organizations in that regard. It is interesting to place the discussion in Latin America, however more information on the global trends should be included. Africa, in particular, is missing because it is the continent where many laws have changed lately, the most recent example being the 2015 Mozambican legal reform. The paper should also consider how the abortion rights debate is being framed at the African Commission of Human Rights and People's Rights.
- One important aspect is the increased criminalization of women who have abortions (e.g., in Brazil and Argentina, etc.).
- In respect to Africa, in South Africa today the main issue is the clash between the legal frames and the ability of women to access services. Thinking more broadly in terms of abortion and sexual rights, could it be that the right to abortion and the sexual rights of people who do not conform to dominant norms in relation to assisted reproduction could be part of the same agenda?
- The question of geographic variance is really relevant. For example, China provides an entirely different picture, because abortion is part of the population policy and in the past has been forced on women with more than one or two children. In that sense, it is always key to examine the cultural pressures against and in favor of abortion (the state, law, husbands and family, and religious forces).
- The point was raised that at this time it is now urgent to move beyond the understanding of abortion as a technical medical issue. It is necessary to think of abortion as rights within a frame of "nothing about us, without us".

## Mapping the Changing Landscape of HIV and AIDS (Research and Politics) in the Early 21<sup>st</sup> Century – Richard Parker

Richard Parker began by highlighting the three threads of sexual politics that contextualize the landscape of HIV and AIDS research and politics: 1) the history of the HIV epidemic; 2) the emergence of the field of 'global health' that HIV in large part created space for and is now situated within; and 3) the broader geopolitical context including legacies of colonialism, new rising powers such as BRICS after the Cold War era, and the broad reaching influence of neoliberalism.

Richard described several phases of the HIV epidemic starting with the 'structural moment' that took place from 1996-2001 and coincided with a parallel struggle for global treatment access. This structural turn and treatment access activism fed into one another creating a synergy that ushered in the next phase of 'scale-up' that stretched into the early 21<sup>st</sup> century and was characterized by the rise of large GHIs, biopower, governmentality and 'therapeutic citizenship'. A gradual rebiomedicalization of the epidemic began to set in and by the mid-2000's and biomedicalization fully returned and became the focus of virtually all of the GHIs as they continued to search for a vaccine and promote the utilization of microbicides, VMMC, and PrEP.

Then the effects of the global economic crisis of 2007/2008 rippled throughout the world as the US Administration shifted from Bush to Obama. Instead of turning a critical eye to neoliberal policies, the financial crisis actually reinforced neoliberal policies by providing a rationale for scale-down. Since Treatment as Prevention (TasP) could not ethically be scaled down, it became the major focus of programs while other program elements were downsized or eliminated. In the late 2000s and 2010s this shift is fully embraced in global advocacy as evident from the UNAIDS 90-90-90 treatment target plan and other international agencies that emphasize 'end of AIDS' discourse in their policy goals.

Richard went on to connect how these trends have contributed to what David described as ‘the erasure of sex and sexuality’. Rebiomedicalization has allowed clinicians to ignore the messy carnal reality of sexual transmission. Public health practitioners can scale back interventions without worry as long as millions of dollars continue to be funneled into research that will facilitate control over researchers and promote docility among patients alike. Politicians can respond to the epidemic by offering treatment as prevention without having to acknowledge non-heteronormative gender identities and sexual ideologies. This erasure of the sexual also coincides with the simultaneous erasure of the social and the structural forces that shape the epidemic and Richard concludes that “At the end of the day, therapeutic citizenship is important, but it can’t replace sexual citizenship.”

#### **Comments by Peter Aggleton**

Peter reinforced the emphasis on how the rebiomedicalization of the epidemic in recent years has threatened to undermine years of progress in relation to addressing the social and political dimensions of sexuality that had been made possible by the earlier rights-based response to HIV.

#### **Queer theorizing and sexuality research: perspectives from Latin America and India – Akshay Khanna & Mariä Amelia Viteri**

Akshay Khanna proposed a shift from a theory of “sexuality” to a concept of “sexualness.” Akshay argued that “sexualness” does not ascribe “who or what one desires, or fucks” to the “ontology of personhood.” He also argued that this ontology of personhood, which was imported into Queer theory from the writings of Hegel, Foucault, and Judith Butler, fails to adequately capture the Indian and non-western experience of the sexual and its relationship to gender. He emphasized, for example, that the concept of “sexualness” better explains the transactional, transformational, and subversive nature of the Indian Kothi identity, which he claimed is neither a gender nor

a sexual identity, despite being so identified in western academic, juridical, and medical literature.

Maria Amelia Viteri discussed the reception of queer theory and politics into *Latinoamericano* culture. She argued that even though Latin American governments have made strides in recognizing LGBT rights, dissonances exist. In Brazil, President Kirchner supported legislation regarding marriage equality and gender identity while making concessions to the Catholic hierarchy regarding abortion. In Ecuador, “[c]olonial formations are informing sexual policies as these transcend political ideologies and parties.” Maria also addressed the unequal conditions and regional imbalances presiding over queer theory-making and knowledge production. Even though the West has been marked as the site of secular modernity, homophobia and anti-LGBTIQ politics in Latin America have their origin in European institutions like the Catholic Church and other elements of the Spanish colonial legacy. Maria concluded by stating that the struggle continues regarding how to decolonize “queerness.”

### Questions and suggestions raised in the discussion

- The Latin American paper talks about Left/Right politics and expresses disappointment with the left politics in relation to queerness. However, queer politics is decidedly more complex and intersects with class politics in different ways. In addition, quite often in the region we focus too much on what the left did not do, but don't criticize the right enough for they should not do.
- The proposal of moving away from the binary of Left/Right politics and at the same time adopting a cross cutting frame to address sexuality politics is really provocative and instigating. However, in doing so where we do place the state? How can the paper also incorporate into this frame the critique of the colonial features of the state – control over territories, over bodies, over the possibility of life and death.
- Another aspect to be raised is that interestingly enough queer theorizing has a



blind spot on abortion. This is a problematic blank, as it can be productive to begin thinking of abortion as another form of queer rebellion that turns the heteroprocreative pact upside down.

- In what concerns akshay's epistemological elaborations, what are the implications of this stream of thinking for sexual upheavals and politics in India and elsewhere? It would be also interesting to hear more about the additional spellings of the word queer as mentioned in the presentation.
- How does gender play into this frame? For example, If a straight woman falls into bed with another women, does it imply an identity formation or question? Would the philosophical notions of linearity, temporality, and pre-ritual identities be useful in the paper to also address the meaning of gender for women? The paper provides a strong and provocative anti-humanist reading of sexuality. But can this dense new theory be easily translated into vernacular, popular language?

### **PART III – Final Reflections**

The last session of the meeting begin with a commentary by Mark Gevisser on the main trends he has captured in the previous two days of intense debates. What is presented here is a revised and more thorough version of his original notes, which was published on the SPW website in September 2016. The comments made by the group after Mark's comments are compiled afterwards:

Perhaps the most emotional session, at the Sexual Policy Workshop's July 2016 seminar in Durban, "SexPolitics: Mapping Key Trends and Tensions in the Early 21<sup>st</sup> Century", was the one about AIDS at the very end. Richard Parker and Peter Aggleton spoke about the remedicalization of the epidemic, and their presentations struck a chord: participants from the floor echoed the anger and the pain of activists and scholars who have dedicated much of their lives to

fighting the epidemic, but have found themselves stymied – or perhaps even compromised – by the self-perpetuating commercialism of the AIDS industry.

I am something of an outsider to the SPW – this was my first meeting – and I was struck by two things in this session. The first was the extent to which the AIDS epidemic opened a door for societies to grapple with sexuality as never before – and the way it spawned (or at the very least inspired) a generation of activists and scholars who have redefined the way we think about these issues.

*“And so many of them,”* I said to myself, *“are sitting in this room.”* That was my second insight. The people convened by SPW in Durban were, with a few exceptions, of a particular generation; a pioneering generation; my own generation. We are the children of the second-wave feminists and the anti-colonialists of the 1960s, and the younger siblings of the gay rights activists of the 1970s. We are the AIDS activists and global LGBT activists of the 1990s and 2000s; and the older siblings of the queer and trans\* activists of today.

This generational profile gave the SPW meeting a particular energy: the gift of hindsight, certainly, and of reflection, but also something of a despondency about the state of the world. Would a younger generation of scholars and activists share this, I asked myself? Such despondency is often the consequence of the kind of idealism that powers arduous and selfless activism – an idealism that infects, in particular, those of us reared on mid-20<sup>th</sup> Century revolutionary Marxism – and I was glad when, early on in the meeting, Richard Parker warned about unhelpful millenarianism.

It also seemed to me that the general mood of pessimism came from the fact that most of the meeting’s participants were not digital natives, not exactly the “globalized children”. This meant – again, with notable exceptions – that we still saw activism and policy advocacy in a rather 20<sup>th</sup> Century way, as something that is negotiated with the state and that happens somewhat apart from other

energies that are perhaps more difficult to harness, such as the information revolution, mass migration, the spread of commodity capitalism, tourism, and the like.

This was reflected in what I thought was a significant gap in the content of the meeting: a grappling with the effects of digital technology and the information revolution on sexuality and gender policy and practice. It also meant a preoccupation with state power, something Sonia Corrêa identified: “*We have to take distance and go beyond our crush on the state!*” I shared this sentiment in my closing comments to the meeting, but I agreed, in the end, with Juan Marco Vaggione when he reminded us of the importance of negotiating change with the existing structures of power and suggested, instead, that we rather “*renew our vows*” with the state, taking into consideration the new globalized environment, where agency flows in very different ways to how it did in the 20<sup>th</sup> Century.

The marriage metaphors were apt, and dominated the meeting, because of the way the advance of same-sex marriage has come to represent a triumph for progressive sexuality policy to such an extent that it has eclipsed all other concerns in the field, particularly those of reproductive rights and sex-work. Cynthia Rothschild spoke, with some frustration, of how data about LGBT initiatives overwhelmed all other research she and Susana Fried conducted in the US, because of how many initiatives there were in this area as opposed to abortion rights or sex-workers’ rights. Several participants, particularly from Latin America, contrasted the advances made in this sphere with the lack of progress made in abortion rights. Many participants built on already-existing theories of homonationalism and homonormativity to explain this.

Dipika Nath and Carrie Shelver expressed the dynamic of homonationalism most vividly, at the beginning of the meeting, when they spoke of how “*our wedding*

*dress is spattered with [the] blood*” of militarism committed against states who do not adhere to Western norms – which now, of course, include “*LGBT Rights*”. Paul Amar challenged us, too, to understand 21<sup>st</sup> Century framings of love and war by riffing on the American rhetoric about the global “thunderbolt of love” (Barack Obama’s phrase) spreading across the world – in the form, at least in part, of advancing marriage equality – which is set against the hate, the “hugs of death”, perpetrated by ISIS and the enemies of democracy. David Paternotte illustrated this dynamic vividly by looking at the way Western European right-wingers seek to exclude new immigrants on the basis of their alleged homophobia.

Sonia Corrêa urged us to understand marriage as a “sexuality rights” issue and to critically examine how states are playing with same sex marriage within the longterm project of “conservative modernization”, which has dominated Latin America since independence, in the 19<sup>th</sup> century. And, Maria Amelia Viteri spoke, compellingly, of how adherence to same-sex marriage has become a new regulatory apparatus for the Global South’s admission into the “civilized” Western world. Many participants spoke about how “LGBT Rights”, culminating in same-sex marriage, had become a fetish of modernity, a marker of “global citizenship”, a competitive market advantage. Anna Kirey and David Paternotte illustrated this dynamic as it related to accession to the European Union – and Russia’s framing of a “global culture wars” against the West, in reaction. Christine Barrow explored the way these “culture wars” are playing out in the Caribbean, where a reactionary “traditional values” camp – using religious ideology – has set itself up against perceived Western secular modernity; Horacio Sívori and Juan Marco Vaggione explored this ideology in the evangelical and Catholic churches respectively.

I was interested, particularly, in the way that Kirey explained the dramatic gap, in the countries of the former Soviet Bloc, between a progressive legal framework –

such as the decriminalization of homosexuality – and very reactionary social attitudes towards LGBT people. This was, she said, because such initiatives came from the state’s wish to join the “modern” European community of nations rather than from a grassroots movement for change: it was, in other words, driven from the top, or from the outside.

While listening to Kirey, I remembered what the Senegalese Prime Minister, Macky Sall, had said to Barack Obama when the latter visited Senegal in 2013. Obama had just come out strongly in support of same-sex marriage in his own country, and was, in turn, playing to his domestic constituency, given that the Supreme Court had just overturned the Defense of Marriage Act, which prevented federal recognition of same-sex marriage. In Dakar, he celebrated the ruling, and added that gay people should have equal rights in Africa too. Sall responded, in effect, that Africa was not ready for this, and offered the oft-cited canard that Africans do not preach to the West about polygamy. The Senegalese president subsequently defended his position, to Germany’s *Die Zeit*, by speaking about how “it takes time” for cultures to change, and that the West was expecting change from Africans too quickly: *“You have only had same-sex partnerships in Europe since yesterday, and yet you asking for it today from Africans! This is all happening too fast. We live in a world that is changing slowly!”*

Sall is wrong, of course, perhaps deliberately so, on two counts. The first is the misperception that a pressure for change comes from the outside – “you asking for it today from Africans” – and thus a denial of African agency. The second is that the world is not changing slowly, but actually – due to the digital revolution – more quickly than he (or, at the very least, the patriarchs and *sheikhs* he needs to appease) can handle. His argument is nostalgic, in that it imagines a world where national or cultural boundaries are still intact enough to be protected against the vectors of globalization. And so while Anna Kirey might be right

about the former Soviet Bloc in the 1990s, at a time when the digital revolution had not yet fully sparked, such arguments no longer hold in the contemporary world, where actors in the Global South (or 'Global East') might be subject to all manner of influences, but make their own decisions and have their own agency.

In opposition to Sall's assumption that outsiders are impressing change upon Africans, and are wanting Africa to change quicker than it is able, I hold up the words said to me in 2013 by Olena Sevchenko, one of the leaders of the Ukrainian LGBT movement. They are words, I believe, that anyone interested in policy advocacy or human rights activism should listen to, for they explain how these activities do not happen in a vacuum, particularly now, in our globalized and digitalized world:

*Certainly, Ukrainian society is not ready for LGBT rights, this is true. But Ukrainian LGBTs, themselves, they cannot be restrained anymore. They go online. They watch TV. They travel. They see how things can be. Why should they not have similar freedoms? Why should they be forced to live in hiding? The world is moving so fast, and events are overtaking us in Ukraine. We have no choice but to try and catch up.*

I was astonished by the breadth, and wisdom, and humor, and righteousness of the forty-odd people in the room at the "SexPolitics" seminar in Durban, and I was struck by the Sexuality Policy Workshop's extraordinary network, across disciplines and geographic regions. Among the presentations were broad philosophical challenges issued by participants such as Paul Amar, Akshay Khanna and Maria Amelia Viteri. There was invaluable empirical research by participants such as such as Laura Murray, Huang Yingying and Ryan Thoreson, and invaluable analytical work by participants such as David Paternotte and Juan Marco Vaggione. And there was personal testimony offered by participants such as Fahima Hashim, Vivek Divan, Daughtie Ogutu and Peter Aggleton.

But I felt we all could have done better to listen to the sentiments expressed by Olena Sevchenko: *“we have no choice but to try to catch up.”* If, as part of the SPW’s global network, we are going to map “key trends and tensions” in the early 21<sup>st</sup> Century, we need to develop a broader understanding of the interconnected world we inhabit, and of the effects of these connections on the people who both forge policy and are subject to it. This means understanding, more clearly, the effects of the forces of globalization such as the information revolution and the social media; such as mass migration and urbanization and global tourism; such as the spread of global commodity culture and popular culture; such as the effect of transnational capitalism, multinational corporations, and “modernizing” elites; such as the consequences of what is termed “neo-liberal” socio-economic policy in the Global South.

It also means understanding, more clearly, the way the global human rights frontiers are shifting, due to the “global culture wars” between those who advocate for “universal human rights” on the one hand and those who fight for “traditional values” and “cultural sovereignty” on the other. And this means plotting what life is like for those on the frontiers, dodging the bullets from either side.

Finally, it means coming to terms with the way the frontiers are shifting, too, away from the “sexual orientation” battles that have dominated the sexuality policy arena for the last decades and towards the area of gender identity. Understanding this dynamic globally, and how gender identity issues interact with the “traditional” areas of sexuality policy research – sexual orientation and sexual and reproductive rights – is perhaps the key challenge facing the SPW network as it maps the global trends and tensions of the early 21<sup>st</sup> Century.

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## **Final comments**

**Vivek Divan:** In light of the conversation we had the last few days, I want to stress that we must urgently think hard about how SOGI rights are constitutive of a broader community and movements. This circles back to Peter Aggleton's observation about risks and practices of co-option. The other key topic is as Mark says new media and technology that is having a huge impact on the world we live in and our politics. How do we do effective activism in the world we live in? Last but not least we can not leave this room without mentioning the trends towards the narrowing of democratic spaces in all settings we have been analyzing.

**Mario Pecheny:** One core outcome of this conversation is in my view that we, on the one hand, need to critically assess our relations with the State and for that to happen it is crucial to grab how the role of the state is also rapidly changing. The central question here is if can leave the state aside. It is also necessary for us to more fully recognize that production of knowledge in sexuality is never neutral but traversed by ideologies. Lastly, on the basis of what we have discussed, do we dare imagine the future? How would this meeting be 10 years from now? Will we be debating the same topics?

**Horacio Sívori:** it seems like we indeed have to renew and revise our vows with the state, but not necessarily the national state or states out there located at the international-level. We need to look for how the state is operating at the local level at the extremities. We need somehow to displace our lenses and understanding of where exactly sexual politics is located.

**Paul Amar:** While recognizing all of that, we definitely need to think more about, to better understand and connect with youth sexual politics, sociabilities and media. On the other hand, the time seems ripe to also re-emphasize ethnographies or oral histories to look more in depth at what is happening on the streets.

**Cai Yiping:** Very clearly, our discussions have touched upon the question of tensions within and across movements. This requires that we think carefully about the points of entry in research. For example in studying the sex industry. should we begin with



trafficking or with sex workers perspectives? We also need to move beyond confrontational stances and be more self critical about place and role within and across movements. And in what regards the oppositions maybe we should also aim at gaining a better understanding of their perspectives.

**Peter Aggleton.** Hearing you all I thought that in these hard times we must contemplate how to progress in difficult circumstances. I would say we may need some strategic silence moments, to stop and think more clearly. The questions floating in the air to consider are: When to embrace, when to compromise, and when to disengage?

**Dawn Cavenagh:** In that regard a distinction needs to be made between being silenced and using silence strategically. These are times that requires courage, if for other reason than because the production and dissemination of knowledge implies certain obligations.

**akshay khana:** As I see it we have reached a point when we need to recognize that sexuality and gender have become central to politics itself. We are experiencing active, complex and contradictory deployments of the relationship between sexuality, gender, and politics. Something that appears very clearly to me is that the human rights strategy is no longer sufficient. We need much more.