




# Sexual Cultures

*As Western culture develops its hegemony over the world, destroying local belief systems in the process, it is to be expected that what were originally local problems within Western thinking must increasingly become global problems. The world seems to be suffering a global cultural pandemic, which is currently unrecognised but potentially more disastrous than AIDS, SARS, and bird flu combined. Problems concerning the acceptance of various forms of sexual identity generally seem to involve deeply ingrained attitudes and traumas that are often derived from Western cultural values and power systems. Perhaps, it would be interesting to see more clearly how problems of sexual identity might relate to indigenous cultures.*

*To delve into this theme, we feature two articles, first, "Spelling It Out: From Alphabet Soup to Sexual Rights" by Sangeeta Budhiraja, Susana T. Fried and Alexandra Teixeira and second, "Knowing One's Place: Culture and the Filipino Lesbian" by Angie S. Umbac.*



# Spelling It Out: From **Alphabet Soup**<sup>1</sup> to **Sexual Rights**

By Sangeeta Budhiraja, Susana T. Fried  
and Alexandra Teixeira

In August 2004, in Kathmandu, Nepal, 39 *metis*—self-identified “cross-dressing males”—were arbitrarily arrested and held in custody without food or water for 13 days. The International Gay and Lesbian Human Rights Commission (IGLHRC)<sup>2</sup> was called on to work with the Blue Diamond Society (BDS) to prepare an *Action Alert*<sup>3</sup> to mobilise international protest to denounce the arbitrary arrests and unreasonable detention of the 39 *metis*, and to demand their release. BDS is a sexual rights organisation that provides information, advocacy, and resources to men who have sex with men, *metis*, people living with HIV, and sex workers in Nepal. The director of BDS drafted the majority of the *Action Alert*, and described a *meti* as a “cross-dressing male.” Since our work at IGLHRC rests on respecting the identities and expressions that local activists use in their own contexts, we defined *metis* in

English using the language of the BDS director. However, when we sent the *Action Alert* to our office in Argentina to be translated into and circulated in Spanish, we were met with the difficulties of translating identities across boundaries: In the Argentine context, the use of the term “cross-dressing males” refers most often to heterosexual males who, on occasion, wear women’s clothing. In Argentina, the terminology can be seen as inaccurate to the transgender and *travesti* activists and organisations that demand to be understood on their own terms rather than with reference to their departure from traditional masculinity or femininity—in this case, gendered dress codes.

The process of translating that issue of the *Action Alert* in order to mobilise international support illustrates one of the challenges of cross-national



organising around fixed-identity categories. In contrast to *travesti* and transgender-identified activists in large parts of Latin America, many *metis* involved with BDS do not necessarily identify as part of a trans movement. Rather, they make rights claims based on violations that are perpetrated against them when they cross-dress, that is, as a result of their gender-transgressing behaviour or gender expression rather than their (gender) identity.

This example raises important questions for collaborative work within the human rights system: How do we organise around multiple forms of identity shaped by various cultural contexts and spaces? How do we name and identify our common ground in order to foster effective organising and advocacy strategies?

Organising strategies that group lesbian and bisexual women with gay and bisexual men also raise these questions. Human rights abuses against lesbian and bisexual women are shaped and determined by gender as well as by sexual identity. Women's sexuality is regulated in all communities and maintained through particular legal responses, strict constraints, or even severe punishment, and justified as securing social, economic

and cultural norms, such as: forced marriages and childbirth, "corrective rape," so-called honour killings, or the perpetuation of beliefs that women, and particularly married women, are always available for sex—with or without their consent.<sup>4</sup> The ways in which the accusation of lesbianism is used to attack women's human rights defenders and organisations, and the ways in which the women and organisations respond to these tactics is [*sic*] another important point of intersection between movements that are traditionally treated as "separate."<sup>5</sup>

Both the BDS example and the analysis of women's sexuality speak to a few of the limitations of organising strategies modeled around fixed-identity categories.

As an international organisation with headquarters in the global north,<sup>6</sup> IGLHRC changed its mandate in 2002 to adopt a sexual rights framework for promoting the rights of people whose sexual orientation and/or gender expression do not conform to social prescriptions. The significance in the change in wording of the mission was to add the word "expression" to "orientation" and "identity" as a way to signal our understanding, as the persecution of *metis* in Nepal makes evident, that people are often targeted for attack because of the **perception** of who they are and what they do based on their appearance or conduct—which may or may not be connected to the individual's own **identity construct**. The adoption of this new framework was grounded in the diverse realities, identities and expressions of our colleagues around the world. As a result,

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our advocacy has shifted from organising around common categories of identity to that of building a common context of struggle.<sup>7</sup>

Identity-based organising and sexual rights advocacy are not necessarily opposing or mutually exclusive frameworks. Indeed, as advocacy tools, they each offer unique opportunities. Both in national and international legal systems, identity categories are successfully used to make rights claims based on protection from discrimination and on the basic principle that everyone can claim certain freedoms by virtue of their common humanity. Where rights are based upon protected categories of identity, this framework has a long history of success. The *Dalit* rights movement in India, the indigenous rights movements in Brazil, and gay rights organising in the US are but few examples of successful rights claims.

de-essentialise both sexuality and gender.

The sexual rights framework has emerged, at least in part, as a response to this tension. In the context of claims to LGBT rights, the sexual rights framework aims to reformulate political empowerment to be inclusive of, but not limited to, people who claim recognised identities based on their sexual orientation and/or gender expression. In other words, the framework references a right to construct identities while rejecting the need to be bound by them in order to access rights and freedoms.<sup>9</sup>

In practice, a “sexual rights” framework is proving to be a flexible and adaptable tool for advancing the rights of people whose sexual orientation and or gender expression do not conform to social or cultural prescriptions. People—whether they identify as lesbian, gay, bisexual, transgender, *meti*, *woubi*, *hijra*, all-sexual, *travesti*, women-loving-women or heterosexual—have the right to have control over their bodies and to have autonomy over decisions related to their sexual life, and the right to express and interpret that sexual life free from coercion or discrimination.<sup>10</sup> From our perspective, this growing discourse is a bold challenge to **heteronormativity**<sup>11</sup> and its corresponding systems of privilege and oppression.

The sexual rights framework is, therefore, by definition, a broad, multi-issue framework that serves to acknowledge the fluidity of identities across space—as in the case of localised identities such as “women-loving-women,” “*meti*” and “*travesti*”—as well as over time—as in the case of people who take on or

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Nevertheless, identity-based social movements, and the LGBT movement in particular, have struggled to negotiate the boundaries of inclusion and exclusion in order to construct politically viable fixed-identity categories.<sup>8</sup> In the case of the LGBT movement, this political imperative is at odds with simultaneous efforts to deconstruct and

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emphasise multiple or different identities across their lifespan, some of which may be rooted in their gender identity or expression but may also be anchored in their sexual expression or conduct. It is also a framework that frees people from the (often unarticulated) expectation that identity and practice must always be externally coherent.

In the arenas of a truly **international** human rights movement, this shift more explicitly recognises the various cultural contexts and spaces that shape sexual practices, orientations and gender identities and expressions while facilitating their translation into shared rights agendas that link not only *travestis* in Argentina to *metis* in Nepal, but also to sex workers, men who have sex with men, women who have sex with women, and single and widowed women all over the world who refuse to easily comply with the predominant social/cultural expectations for their sexual and gender comportment.

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of identities based on sexual orientation and/or gender expression. In the US, what started as the Gay Rights movement, became the Gay and Lesbian movement, followed by the LGBT movement, and, recently, we have seen it go as far as LGBTIQTSQF<sup>12</sup> (hence, the “alphabet soup” referenced in the title of this article). As the international collaboration around rights claims related to sexual orientation and gender expression has grown more prominent, so, too, have the challenges of and challenges to an identity-based framework.<sup>13</sup>

In addition to addressing emerging tensions of identity-politics, the sexual rights framework presents a formal opening for broader coalition-building. As the visibility of “gay and lesbian rights” grew worldwide, women’s health and human rights advocates were engaged in articulating a sexual and reproductive rights agenda that sought to assert women’s rights to control over their sexuality as well as their reproduction, and for their sexual autonomy as well as protection from sexual violence. Momentum has now grown strong around a broad agenda that seeks to affirm the right of every human being to “pursue a satisfying, safe, and pleasurable sex life.”<sup>14</sup>

Grounded in this broad agenda, sexual rights activists have been working in innovative coalitions to promote rights protections at the UN Commission on Human Rights, the UN Commission on the Status of Women, and in national contexts and spaces. These coalitions are actively engaged in multi-issue organising that links up the agenda of activists







working on safe migration, violence against women, LGBT rights, housing rights, HIV/AIDS, and the rights of human rights defenders, among other issues. This multi-faceted sexual rights approach to organising supports the most basic principle of human rights—the inherent dignity of all people.

Therefore, a sexual rights framework, which speaks to the rights of bodily integrity and sexual and gender autonomy and expression, provides for advocacy strategies that embrace a larger community. Working transnationally and/or in international arenas

necessitates an organising strategy that takes into account geographically and historically specific concepts of sexuality and gender, and gives deference to local activists' preferred ways of thinking of and expressing any gender that falls outside of social and cultural norms; it requires modes of organising that do not actualise a gender binary.<sup>15</sup> Finally, a sexual rights framework also creates a space for cross-movement organising, which is crucial for advancing the human rights of all people who are subject to discrimination on the basis of their actual or perceived sexual orientation—for the *bijra* in India who has no right to housing, for the *meti* in Nepal who is repeatedly abused by the police and arbitrarily arrested and detained, for the *travesti* in Argentina who faces daily discrimination in the workplace, for the *bakla* in the Philippines who does not have access to accurate health information, for the butch woman in Guatemala who is targeted for rape, and for the transgender person in the US who is thrown into jail because she is assumed to be a prostitute or denied a passport because her gender expression does not match the sex on her identity documents.

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#### **Endnotes**

1 See footnote 13 and the text surrounding it for an explanation of our reference to "alphabet soup."

2 The mission of IGLHRC is to secure the full enjoyment of the human rights of all people and communities subject to discrimination or abuse on the basis of sexual orientation or expression, gender identity or expression, and/or HIV status. A US-based non-profit, non-governmental organization (NGO), IGLHRC effects this mission through advocacy, documentation, coalition building, public education, and technical assistance.

3 IGLHRC Action Alerts are sent via e-mail so as to alert member-activists for cases and patterns of discrimination and abuse, and mobilise pressure and scrutiny in order to end discriminatory and abusive laws, policies, and practices as well as advocate for progressive changes in laws, policies, and practices by states and non-state actors.

4 Fried, S.; Miller, A.; & Rothschild, C. Lesbians, Gender and Human Rights Violations. Retrieved April 29, 2005 at the Amnesty International website <http://www.amnestysusa.org/women/lesbians.html>

5 See *Written Out: How Sexuality Is Used to Attack Women's Organizing (2005)* for an analysis and discussion of lesbian-baiting available at [www.iglhrc.org](http://www.iglhrc.org)

6 IGLHRC's headquarters are in New York City, USA, with offices in Buenos Aires, Argentina and San Francisco, USA.

7 Chandra Mohanty argues that it is not racial identity but the "common context of struggle" that makes "women of color" cohere as a group. Here we use this "common context" more generally to make a broad distinction between identity-based organising and organising that is based on a "context of struggle."

8 For a discussion of this tension, see Gamson, J. (1995). "Must Identity Movements Self-Destruct? A Queer Dilemma," *Social Problems* 42(3): 390-407.

9 See Miller, A.M. (2003). "Sexual but Not Reproductive: Exploring the Junction and Disjunction of Sexual and Reproductive Rights." In *Health and Human Rights: An International Journal*, 4(2).

10 For the most part, we are referring to consensual sexual conduct among adults. The discussion is more complicated with children and adolescents, although we still advocate for a realm of young people's decision-making, calibrated to the evolving capacity of the child (as noted in the Convention on the Rights of the Child) and, wherever possible, in consultation with parents, guardians and other trusted adults. Such rights include the right to age-appropriate sexuality education and the right to access to information.

11 By "heteronormativity," we mean the normative social construction of gender, based on the pairing of male/female, man/women, husband/wife, among the series of oppositions taken to be "normal" and "natural." As the former UN Special Rapporteur on Violence Against Women commented in her report to the UN Commission on Human Rights in 2002 [E/CN.4/2002/83], the cost of transgressing these opposites can be severe, noting: "Gender-based violence is rooted in the social construct of what it means to be either male or female. When a person deviates from what is considered 'normal' behaviour they are targeted for violence." We also believe that gender is always constituted through a particular social, cultural, historical and geographical lens. It is, therefore, inextricable from other categories of "difference," such as race, class, caste, (im)migrant status, and health status, among other categories.

12 Lesbian, Gay, Bisexual, Transgender, Intersex, Queer, Two-Spirit, Queer-Friendly

13 See, for example, Kaytal, S. (2002). "Exporting Identity." *Yale Journal of Law and Feminism*, 14. Also Massad, J. (Spring 2002). "Re-orienting Desire: The Gay International Movement and the Arab World." *Public Culture*, 14(2).

14 See World Health Organization, "Technical Consultation on Sexual Health: Working Definitions," at [http://www.who.int/reproductive-health/gender/sexual\\_health.html](http://www.who.int/reproductive-health/gender/sexual_health.html) Retrieved April 25, 2005.

15 Gender binary is a system that defines and makes room for two and only two distinct, natural, and opposite genders (male and female). These two genders are defined in opposition to each other, such that masculinity and femininity are seen as mutually exclusive. In this system, there is no room for any ambiguity or intermingling of gender traits. <http://www.soan.org>