Sexual Occidentation and Its Consequences in LGBT Rights Politics: Reverse Orientalism, Homonationalism and Postcolonial Homophobia

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ABSTRACT

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In the current global clash over the rights of sexual minorities, what is often shared by both sides, homoprotectionist western politicians and activists and “homophobic” non-western government leaders is the association of sexual freedom/decadence with the West (sexual occidentation). In colonial discourses, however, societies outside Europe were often imagined to be the site of unrepressed sexuality, including homosexuality. Western travelers and scholars often reported widespread “deviant” forms of sexuality sometimes with disgust and sometimes with amazement, and missionaries and colonial officials promoted laws to regulate them as part of their civilizing mission. This paradoxical contrast between colonial and contemporary sociolegal discourses of sexuality suggest that sexuality is as politically malleable concept as the notions of freedom and rights themselves. Hence political homophobia and the effectiveness of the legal campaigns to combat it cannot be assessed without considering social and political contexts that legitimize the exclusion of sexual minorities.
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INTRODUCTION – FROM CIVIL RIGHTS TO HUMAN RIGHTS

The colonial context… is characterized by the dichotomy it inflicts on the world.

— Frantz Fanon (2004 [1961], 10)

Sexuality is not the most intractable element in power relations, but rather one of those endowed with the greatest instrumentality: useful for the greatest number of maneuvers and capable of serving as a point of support, as a linchpin, for the most varied strategies.

— Michel Foucault (1990, 103)

On December 6, 2011, international human rights day, Secretary of State Hilary Clinton declared that “gay rights are human rights” (Clinton 2011). She emphasized the universality of gay rights by stating that “being gay is not a Western invention” but “a human reality” like “being a woman” or “being a racial, religious, tribal, or ethnic minority.” Recently, as Clinton confirms, discrimination and violence against sexual minorities1 have been increasingly seen as human rights concerns. Many politicians,

1 I generally use “sexual minorities” to refer to people with sexual orientation and gender identity different from the majority, including lesbians, gays, bisexuals and transgenders who are often collectively called “LGBT.” I use this acronym “LGBT” to refer to the rights of sexual minorities (as LGBT rights) rather than much longer versions in queer “alphabet soup” (Stryker 2008, 21) such as LGBTIQQA, not in any way with an intention to exclude those who do not neatly fit into these four categories, but just for the sake of convenience and because of the fact that, whether it is appropriate or not, it has been the most commonly used version in human rights discourse. Also, I sometimes use the word “gay” in several quotations because some people, both academics and non-academics, quite confusingly, use it as an umbrella for sexual minorities in general including trans people. Relatedly, while I am keenly aware of and deeply concerned about trans people’s unique needs (see e.g. Stryker 2008, Spade 2011, West 2014), my analysis here does not particularly distinguish their rights from the ones of sexual orientation minorities because they are in many cases treated collectively in dominant human rights discourse. If, then, my analysis fails to represent trans concerns that probably reflects the bias of contemporary human rights politics itself.
activists and organizations have begun to work transnationally to defend LGBT (lesbian, gay, bisexual and transgender) rights as human rights. Domestic issues concerning sexual minorities soon gather global attention. As a Human Rights Watch official said, “It’s a very shrunk world for gay-rights activists” (quoted in Bob 2012, 107). The LGBT rights movement, which is sometimes referred to as the “New Civil Rights Movement” in the United States, is evolving into a new human rights movement.

This newly emerging activism, however, has provoked resistance and backlash, especially from non-western countries. Conservative political leaders in Africa, Middle East, Asia, and other non-western societies have often characterized transnational LGBT advocacy as neo-imperialistic attempts to impose “western” and therefore un-African, un-Asian, un-Islamic etc values on unwilling nations. Most recently, for instance, after signing into law the bill to aggravate punishment for homosexual conduct, which had long been under international criticism (Kaoma 2013), the Ugandan President Yoweri Museveni stated, “There’s now an attempt at social imperialism, to impose social values” (Biryabarema 2014).

The claim that the protection of sexual minorities is something “western,” however, is not radically different from the rhetoric deployed by some western politicians. As Keating (2013) observes, declaring adherence to the protection of sexual minorities, “homoprotectionism,” can serve to “legitimate political authority both on a

2 Throughout the thesis, I use terms such as the West and the Rest, and western and nonwestern, not to refer to certain geographical areas — because there is no monolithic West or non-West — but rather to address geographical imaginaries. In other words, I refer to the West as, à la Edward Said, “an ideological fiction” (1994, 347), or à la Stuart Hall, “a historical, not a geographical, construct” (1996, 186). Such imaginaries, as both Said and Hall have pointed out, have real effects in political discourses.
national and transnational scale” (246). In other words, the protection of sexual minorities can converge with national interests. Vice President Joe Biden’s speech given at an event of the Human Rights Campaign in May 2014 clearly illustrates this point. In the speech, while confirming Clinton’s statement on the universality of LGBT rights, he also associates the protection of the rights of sexual minorities with “American” values, reinterprets the recent development of LGBT rights as a success story of an “American dream,” and declares that the United States is looked up to as a “champion of LGBT rights everywhere” (Biden 2014). This convergence can amount to the problematic (re)production of hierarchal relationships among “nations” or “cultures” that some call “homonationalism” (Puar 2007) or “gay imperialism” (Haritaworn, Tauqir and Erdem). In this problematic version of homoprotectionism, its critics argue, the protection of sexual minorities are presented as a symbol of moral superiority, which gives rise to a “West knows best” approach (Hélie 2012, 304) to export LGBT rights to other countries ignoring their specific social, political, cultural contexts.

The underlying assumption shared by both sides of the contemporary confrontation between homoprotectionist western discourse and homophobic non-western discourse is that people in the West enjoy more “liberated” sexuality, for better or for worse. To argue that this dichotomous understanding of western and non-western sexualities, which I hypothetically call “sexual occidentaion” is historically inaccurate and politically ineffective, I will analyze both historical and contemporary discourses

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3 See Stychin (1998) for early examples of this phenomenon. Also, the relationship between the domestic protection of civil rights and diplomatic advantages in international politics has already been pointed out by critical race theorists as an aspect of “interest convergence.” See Bell (1980) and Dudziak (2011).
concerning sexual minorities with interdisciplinary sources, theories and analytical frameworks from various fields such as political science, legal studies, gender studies, cultural studies, postcolonial studies, sociology, history, anthropology and queer theory.

The first chapter of this thesis will briefly summarize the history of transnational LGBT rights advocacy to address how its inclusion into human rights discourse was not self-evident and is still challenged. I will also examine queer critiques of LGBT identity politics. The second chapter will analyze how colonial, Orientalist legal and political discourse in which western observers condemned and also romanticized sexual freedom and diversity outside Europe in contrast to supposedly repressed or disciplined western sexualities, despite the ways they are oppositely categorized in contemporary geographical imaginaries. The third and fourth chapters will examine how sexual occidentation affects discourses concerning sexual minorities respectively in the West and the Rest.
CHAPTER 1: SEXUAL CLASH OF CIVILIZATIONS? GLOBAL “CULTURE WARS” OVER THE RIGHTS OF SEXUAL MINORITIES

Dans cette hypothèse, la France deviendrait à son tour l'un des champs de bataille du front ‘homonationaliste.’ Chacune et chacun serait alors sommé de choisir entre deux camps: celui des homophobes et celui des xénophobes. Car telle est bien l'alternative infernale où nous enfermerait ce que certains nomment déjà le clash sexuel des civilisations. — Jean Birnbaum, Le Monde, June 28, 2012

[In this hypothesis, France would in turn become one of the battlefields of the homonationalist front. Everyone would then be compelled to choose between two sides: between homophobes and xenophobes. For such is the infernal alternative that trapped us, which some already call the sexual clash of civilizations.]

Human Rights and LGBT Rights: History of a “False Distinction”

Barack and I believe that the rights of LGBT people is an inseparable part of America’s promotion of human rights around the world. It is not… distinguishable. It’s a false distinction made in the past. — Joe Biden (2014)

There is nothing inherently scandalous in Clinton’s statement that “gay rights are human rights, and human rights are gay rights.” She simply confirmed the fact that sexual minorities too are humans and thus entitled to human rights, which are, by definition, “the rights that one has simply because one is human” (Donnelly 2013b, 19), or the rights that derive from “the inherent dignity” of a human being, to use the official phrasing of
the international human bill of human rights. The latter part of the statement, that “human rights are gay rights,” may seem a little odd because obviously not all humans are gay, but it is a confirmation of the principle that each human right, whether it concerns a specific group of people or human beings more broadly, is interdependent and indivisible. If having sexual orientation or gender identity different from the majority is a part of the inherent dignity of being human, then the right to be gay and the right to be human are not separable: human rights are gay rights, as they are the rights of women, children and racial and religious minorities.

Then, for those who believe, as Clinton does (and as I personally do myself), that being gay is not different from “being a woman” or “being a racial, religious, tribal, or ethnic minority,” it may seem surprising that the contemporary international human rights regime had long been silent on the issues of sexual minorities. As one commentator notes with seeming bewilderment, one may be puzzled “why an explicit reference to sexual orientation or gender identity is missing in the International Bill of Human Rights” (Braun 2014, 878). The Universal Declaration of Human Rights (UDHR) adopted in 1948, for instance, does not explicitly prohibit discrimination based on sexual orientation or gender identity.

4 The international bill of human rights is generally understood to refer to the Universal Declaration of Human Rights (UDHR), which itself is not legally binding, and the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), two legally binding treaties that codified the rights stated in the Declaration with modest revision and modification. UDHR states that the “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world” (Preamble), and both of the Covenants recognize that “these rights derive from the inherent dignity of the human person” (Preamble).

5 For instance, the Vienna Declaration and Programme of Action adopted at the 1993 World Human Rights Conference states that “[a]ll human rights are universal, indivisible and interdependent and interrelated” (Part 1, Paragraph 5).
Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty (Article 2).

The International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR) drafted later in 1966 have similar clauses listing impermissible grounds for discrimination, but neither of them mention sexual orientation, gender identity or other statuses that can be interpreted as explicitly protecting sexual minorities.

Each State Party to the present Covenant undertakes to respect and to ensure to all individuals… the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex\(^6\), language, religion, political or other opinion, national or social origin, property, birth or other status. (ICCPR, Article 2.1) The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. (ICESCR, Article 2.2)

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\(^6\) As we will see later, in *Toonen v. Australia*, the monitoring body of ICCPR, Human Rights Committee expressed its view that this reference to sex includes “sexual orientation.” But this interpretation of “sexual discrimination” has not been supported by other treaty-based judicial and quasi-judicial human rights bodies. See Donnelly (2013a) for a critical analysis of *Toonen*. 
These lists, of course, are not exhaustive, and the absence of explicit reference does not prevent the protection of sexual minority under “other status.” Considering the historical context, however, it is totally ahistorical to interpret this silence as a matter of mere ignorance, oversight, or mistake. At the time of drafting of these foundational human rights documents, the right to be gay, lesbian, bisexual or transgender was clearly not recognized as a part of “the inherent dignity” of a human being. Jack Donnelly, for instance, speculates that “had the drafters of the Declaration (and the Covenants) been asked, they almost certainly would have said that sexual orientation was not an impermissible grounds for discrimination—and certainly the governments who voted for the Universal Declaration would have agreed” (Donnelly 2013b, 51). An assessment of today’s transnational advocacy of LGBT rights as human rights cannot be complete without an acknowledgment of this uncomfortable fact and a careful analysis of how sexual minorities were excluded from human rights promotion, or, to borrow from Joe Biden, why this “false distinction” was made in the first place and how various attempts to overcome it have succeeded and failed. As Samuel Moyn, historian of human rights, writes, "if historians miss how different rights were in the past, they will fail even to recognize what it would take to explain rights in the present" (Moyn 2014, 8).

The current international human rights regime is generally understood to have its roots in moral reaction against atrocities during the World War II, especially those by the Nazis including Holocaust, which have been described as “crimes against humanity,” while some connect it to earlier historical moments such as the American and French revolutions and some others argue that more recent events have more decisive influences
in shaping today’s international human rights advocacy. This supposed origin of universal human rights is potentially relevant for LGBT rights because, as recent studies have revealed, the “Nazi atrocities” included the persecution of those who were considered to be homosexuals (Grau 1995; Plant 1986). Several scholars who have analyzed the historical development of the protection of human rights of sexual minorities have noted this seeming paradox as to why, if the Nazi atrocities gave rise to the international human rights regime, it remained silent on one of their victims. Debra DeLaet (1997), for instance, has observed that “[i]nterestingly, while the horrors of the Holocaust gave impetus to the development of international human rights law after World War II, the fact that thousands of homosexuals were persecuted by the Nazis and that thousands of gay men died in concentration camps, did not generate similar support for including protections for homosexuals in the emerging international human rights regime” (DeLaet 1997, 32, footnote). Kerstin Braun, in an article responding to DeLaet’s analysis, concurs that “the lack of specific reference to sexual orientation is particularly surprising when considering that the Universal Declaration was drafted shortly after World War II, when human rights violations were likely still on the drafters’ minds” (Braun 2014, 879).

This paradoxical silence may have been due to the fact that the Nazi persecution of homosexuals was largely unknown to the public, even to gay communities until the 1970s (Jensen 2002), but a more plausible and fundamental explanation is that it was not

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7 For an example of the former, see Hunt (2007). Samuel Moyn (2010) harshly criticizes the widely held view that the holocaust gave birth to human rights and argues instead that human rights activism as we know it emerged in the 1970s. Also, for his critique of Hunt, see Moyn (2013).
regarded as a Nazi “crime against humanity.” The Allies did not suspend Paragraph 175 of the German Criminal Code, which was expanded by the Nazi regime in 1935 and used to persecute homosexuals, despite demanding the abolishment of all laws that expressed “Rassenlehre” (racial teaching) of National Socialism. The Nazi version of the law remained until 1969 in the Federal Republic of Germany (West Germany), with the Federal Constitutional Court ruling it constitutional and consistent with democratic principles in 1957 (Moeller 2010). The German Democratic Republic (East Germany) reinstated the pre-1935 version of the law, but did not decriminalized sexual conduct between consenting adult men until 1968 (Evans 2010). Neither the Nuremberg trials nor later trials of war criminals and medical doctors in West and East Germany addressed crimes committed against homosexual men as such (Grau 1998, 339), and homosexuals were not covered by the Reparations Act of 1956 (Lautmann 1998, 357). Rüdiger Lautmann argues that these policies reflect the fact that "the tightening of the laws under fascism was viewed as being "not typical of National Socialism" (Lautmann 1998, 357).

This view examined in its own historical context sounds very reasonable because the policies in other countries at the time equally hostile to sexual minorities. Many countries including Britain, the United States and the Soviet Union still retained its laws criminalizing same-sex activity at the time. The persecution of Magnus Hirschfeld, pioneering sexologist who actively advocated for repealing Paragraph 175, was not

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8 In the German Democratic Republic (East Germany), the Berlin Court of Appeals reinstated the pre-1935 version of the law but did not decriminalized sexual conduct between consenting adult men until 1968 (Evans 2010).
9 Few exceptions are France and other countries with criminal laws deriving from the Napoleonic Code, such as the Netherlands, and few other countries such as Denmark, Switzerland, and Sweden, that had repealed laws criminalizing same-sex conduct by the end of the World War II (see Sanders 1996).
treated as discrimination against a sexual minority in the United States: his obituary on New York Times "did not name his partner, cite the groundbreaking work he performed related to same-sex sexuality, or acknowledge that his Jewish heritage was only a partial explanation for the mistreatment he received from the Nazis" (Burgess 2011, 16). The Soviet Union under Stalin attributed homosexuality (not homophobia) to fascism and Nazism (Healey 2001), and Maxim Gorkii’s article on Pravda and Izvestya stated, “Destroy homosexuality and fascism will disappear!” (Gorkii 1934). The United States soon after the war associated it in turn to communism, and homosexuals as well as members of the Communist Party were purged from public services under McCarthyism (Johnson 2004) as President Eisenhower, who had served as the Supreme Commander of the Allied Forces in Europe during the war, signed an executive order barring “sexual perverts” from federal employment in 1953 (Hirshman 2012, 47). In Britain, where “gross indecency between men” was criminalized under the Criminal Law Amendment Act 1885, sexual minorities were subjected to criminal prosecution and medical treatment. One of the most well known examples of this is the conviction of Alan Turing, who pioneered in computer science and also contributed to the victory of the Allies by breaking German ciphers. After being forced to take chemical castration as an alternative to imprisonment and suffering from resulting mental and physical disturbances, Turing committed suicide in 1954 at the age of forty-one. The persecution of sexual minorities was indeed "not typical of National Socialism," and therefore was not part of the “Crimes Against Humanity” on the drafters’ minds. For them, having non-dominant sexual
orientation or gender identity did not constitute “the inherent dignity” of a human being, but an abnormality to be punished by law or “cured” by medical treatment.

If not World War II, what was a catalyst for the transnational advocacy of the rights of sexual minorities? There seems to be a clear answer to this question among LGBT rights/human rights activists and scholars: the Stonewall Riots. On 27 June 1969, police raided a gay bar called Stonewall Inn in Greenwich Village, New York. While this kind of harassment against sexual minorities by police officers was not uncommon in the United States in the 1960s, this night, they met with resistance, which evolved into a full riot by the members of the gay community and radical activism called “gay liberation.”

Unlike previous political movements by sexual minorities, according to Dennis Altman’s now classical study of the movement, gay liberation was based on “a new sense of identity, one based on pride in being gay” (Altman 1972, 109). The Gay Liberation Front\(^\text{10}\) was formed in New York soon after the event, and similar organizations were set up across the nation (D’Emilio 1983, 232-233), and subsequently in Britain and other countries in Europe (Rose 1994, 5). The special riot edition of the New York Mattachine Society’s newsletter described the event as “The Hairpin Drop Heard Round the World”\(^\text{11}\) (D’Emilio 1983, 232-233). Although this origin myth of LGBT rights has been under

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\(^{10}\) This name is presumably inspired by Marxist-Leninist, anti-imperialist “National Liberation Front,” especially that of South Vietnam, which was active amid the Vietnamese War at the time, implying the movement’s connection to other forms of radical, anti-establishment activism in the 1960s (See e.g. Altman 1972; Hirshman 2012).

\(^{11}\) It was also similarly described as “the shot heard round the homosexual world” (Margaret Cruikshank quoted in Jagose 1996, 30) or “The Raid Heard Around the World” (New York Times quoted in Burgess 2011, 13). This analogy to the American Revolutionary War, which Ralph Waldo Emerson called "the shot heard round the world" (Burgess 2011, 13), is particularly interesting because of the role it plays in origin myths of human rights at large.
criticism\textsuperscript{12} (part of which I will consider later in this chapter) as with that of human rights at large, it is to date annually commemorated in Pride Parades around the world and enshrined as the “significant if mythological” (Jagose 1996, 30) birthplace of the LGBT rights movement\textsuperscript{13}: Stonewall, Martin Duberman argues, “has become an empowering symbol of global proportions” (Duberman 1994, xvii), and, as John D’Emilio puts it, “no one but fool would dispute [its] historical significance” (D’Emilio 2002, 148).

The 1970s and 1980s saw several developments both at domestic and international levels, they did not result in putting the rights of sexual minorities on the mainstream international human rights agenda. In 1977, with its new provincial Charter of Rights and Freedoms, Quebec became the first jurisdiction in the world larger than a city or county to make “sexual orientation” a legally prohibited basis of discrimination

\textsuperscript{12} Terence Kissack suggests that “almost the entire corpus of gay and lesbian history can be read as an attempt to deconstruct the Stonewall narrative.” (Kissack 1995, 105). Domestically, for instance, George Chauncey argues in a 1994 \textit{New York Times} article titled "A Gay World, Vibrant and Forgotten," that the narrative tends to ignore the richness of gay and lesbian communities before the 1960s which in the long run made the Riots possible (Chauncey reprinted in Burgess 2011, 24). Kissack himself criticizes post-Stonewall LGBT movements in the United States for ignoring the unique contributions of anarchist sex radicals such as Emma Goldman and Alexander Berkman at the turn of the 20th century. Fred Fejes (2008) argues that the countermovement against Save Our Children in the 1970s had more decisive influences in mobilizing gay and lesbian communities and organizations as we know today. Some radical queer scholars and activists distinguish radical activism of gay liberation from more assimilationist approaches taken by LGBT civil rights organizations in later years (see e.g. Spade 2011). More globally, the narrative has been criticized as US-centric (see Manalansan 1997). Dennis Altman points out that it tends to ignore “the existence of earlier groups in countries such as Germany, the Netherlands, Switzerland, and France, and the radical gay groups which grew out of the 1968 student movements in both France and Italy” (Altman 2001, 87). Paola Bacchetta similarly argues that the “from-Stonewall-diffusion-fantasy” forgets the historicity and forms of queer resistance elsewhere” (Bacchetta 2002, 952). Laurie Essig (1999) and Robert Kulpa and Joanna Mizielinska (2011) question its applicability to societies that did not share the immediate post-Stonewall political atmosphere such as countries in the former Communist Bloc, despite some LGBT activists’ attempts to install it as their own origin myths in those countries.

\textsuperscript{13} For an analysis of why and how Stonewall came to be particularly remembered by LGBT activists while other similar events in the 1960s didn’t, see Armstrong and Crage (2005).
(Stychin 1998, 89), and similar efforts were made in several US cities and counties but they sparked massive counter-movements by religious conservatives (see Fejes 2008; Fetner 2008), suggesting that “gay activism could stir foes internationally” (Bob 2012, 40). The International Lesbian and Gay Association was formed in 1978 but its membership were limited to activists working locally, especially in Europe. In the same year, in response to LGBT rights advocates, Amnesty International stated that it would include those who were imprisoned for advocating homosexuality as its definition of “prisoners of consciousness,” but not for those imprisoned for engaging in same-sex sexual conduct, denying that laws criminalizing it as such constitute a human rights violation (see Mertus 2009). Given indifferent or sometimes even hostile attitudes from the mainstream international human rights regime, LGBT rights activists began to frame discrimination and violence they face in narrow terms to link them to issues that are already accepted as the official human rights agenda. This strategy proved successful especially in Europe (see Stychin 1998; Swiebel 2009). In 1981, the European Court of Human Rights, treaty body of the European Convention on Human Rights (ECHR), ruled that Northern Ireland’s law criminalizing “gross indecency” between men violated the right to private life guaranteed in Article 8 of the convention\footnote{14 “1. Everyone has the right to respect for his private and family life, his home and his correspondence. 
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.” (ECHR, Article 8)} \textit{(Dudgeon v. United Kingdom)}. While framing homosexuality as a matter of “private life” could possibly legitimize the exclusion of sexual minorities from freedom of expression and the right to
“family life” (Johnson 2013), this case “remains the watershed event in international human rights law for lesbian women and gay men” (Sanders 1996). The HIV/AIDS crisis in the late 1980s helped frame the protection of gay men in terms of health-related issues at World Health Organization meetings (Bob 2012, 40).

Since the mid-1990s, with growing domestic support in Europe and the Americas, international human rights organizations and UN institutions and conferences began to focus more inclusively on the rights of sexual minorities. In 1994, Amnesty International USA published a pamphlet titled “Breaking the Silence” and became the first mainstream human rights organization to widely circulate a publication dedicated solely to gay and lesbian issues (Mertus 2009, 56). The front cover of the pamphlet featured a “pink triangle,” which was used in Nazi concentration camps to mark homosexual inmates forty years ago, indicating their much belated acceptance by the transnational human rights regime. In the same year, Human Rights Watch issued a statement that it opposes “state-sponsored and state-tolerated violence, detention, and prosecution of individuals because of their sexual identity, sexual orientation, or private sexual practices” (Mertus 2009, 59). In 1998, Amnesty International launched the “gay rights are human rights” campaign (see Gross 2013). At the UN, three LGBT organizations participated a meeting for the first time at the Vienna World Conference on Human Rights in June 1993.

15 Amnesty International USA was not the first to use a pink triangle as a symbol of gay rights. It has been used by gay communities since the 1970s, primarily to symbolize discrimination against homosexuals in the past and its continuity to the present (Jensen 2002). For instance, an article in a West German gay magazine in 1975 declared “Show what happened to gays under fascism! Discrimination is still going on! Wear the pink triangle” (quoted in Jensen 2002, 326-327). In US, most notably, the members of ACT-UP (AIDS Coalition to Unleash Power) adopted the upside-down pink triangle with the slogan “SILENCE = DEATH” as their symbol to signify their determination to speak out against government inaction and survive the AIDS crisis when some religious conservatives indeed suggested to incarcerate HIV-positives (Jensen 2002, 332).
ILGA received consultative status at the Economic and Social Council (ECOSOC) in the next month. In 1994, the UN Human Rights Committee, treaty body monitoring ICCPR, responded to an individual complaint made by an Australian gay activist by holding that Tasmania’s law criminalizing same-sex conduct violated the right of privacy guaranteed under Article 17 of ICCPR, and additionally expressed its “view” that reference to “sex” in Article 2(1) must be read as including sexual orientation (*Toonen v. Australia*). In the next year, at the 1995 UN Women’s Conference in Beijing, international human rights organizations lobbied the participants to include references to “lesbian” or “sexual orientation” in its statement on sexual rights of women. Although neither of them was included in the final version of the Conference’s Declaration and Platform for Action that stated, “the human rights of women include the right to have control over and decide freely and responsibly on matters related to their sexuality,” the notion of “sexual rights” created “additional language that could be used in support of LGBT advocacy” (Mertus 2009, 66).

Given these efforts by advocates, several states began to actively support LGBT rights. In 2003, Brazil introduced a binding solution on “Human Rights and Sexual Orientation” at the UN Commission on Human Rights (UNCHR). Although ultimately withdrawn, according to one commentator, the resolution “raise[d] States’ awareness of the issues, and mobilised NGOs from all regions to engage in UN processes” (O’Flaherty and Fisher 2008, 230). At the 2005 session of UNCHR, for instance, New Zealand released a joint statement on sexual orientation on behalf of thirty-two other states and by

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16 For background to this complaint and subsequent actions by Australian and Tasmanian lawmakers, see Chapter 6 of Stychin (1998).
the next year, support for a similar statement by Norway, which included “gender identity” for the first time in a UN statement, increased to fifty-four states (O’Flaherty and Fisher 2008, 230). In July 2006, human rights scholars and activists gathered at the International Conference on LGBT Human Rights adopted the Declaration of Montreal, demanding the strict application of UDHR to LGBT issues and suggesting human rights lawyers and organizations to study which rights of sexual minorities are covered by existing human rights treaties. This suggestion was achieved by the Yogyakarta Principles, drafted and issued November by international law experts of International Service for Human Rights and International Commission of Jurists. Listing human rights law provisions from existing international treaties binding for ratifying countries, the Principles claimed to offer “a universal guide to human rights which affirm binding international legal standards with which all States must comply.” 17 Given these pressures, in June 2011, for the first time as a UN body, Human Rights Council supported by countries from all of the five UN regional groups passed a resolution requesting Office of the United Nations High Commissioner for Human Rights to study human rights abuses based on sexual orientation and gender identity (A/HRC/RES/17/19).

It was in the following December that Hilary Clinton defined gay rights as human rights. By doing so, therefore, she was merely following these developments. Now with the official support from the United States, it seems plausible that the separation of LGBT issues from universal human rights is becoming “a false distinction made in the past.”

17 From the official website of the Principles (http://www.yogyakartaprininciples.org/) [accessed on 31 March 2015]
“Rights Talk” and “Culture Talk”: Either Homophobia or Imperialism

I’ve had it up here with cultural norms. — Joe Biden (2014)

That, however, is only part of the story. The transnational advocacy of LGBT rights has faced fierce resistances and setbacks. At the Vienna Conference, where LGBT rights organizations participated in a UN conference for the first time, Singapore issued a statement titled “The Real World of Human Rights” opposing sexual freedom as a part of human rights:

Singaporeans, and people in many other parts of the world do not agree, for instance, that pornography is an acceptable manifestation of free expression or that homosexual relationships is just a matter of lifestyle choice. Most of us will also maintain that the right to marry is confined to those of the opposite sex.

(quoted in Sanders 1996, 89)

The consultative status of ILGA at ECOSOC granted at 1993 was soon suspended the next year following severe attacks on the network’s inclusion of a pedophile organization, the North American Man Boy Love Association (NAMBLA), made by opponents led by U.S. Senator Jesse Helms. ILGA’s reapplication was rejected five years later when it had already expelled NAMBLA and other similar organizations along with applications from other LGBT rights organizations such as IGLHRC. At the 1995 Beijing Conference, opponents rejected all proposed references to “lesbian” or “sexual orientation.” President Moi of Kenya said, “The government rejects the immoral culture
of homosexuality and lesbianism raised during the … women’s conference.” (quoted in Long 2005, 2). Brazil had to withdraw its 2003 resolution given fierce resistance. Pakistan, on behalf of Organisation of Islamic Cooperation, stated that “[i]ts adoption would be considered as a direct insult to the 1.2 billion Muslims around the world” (quoted in Long 2005, 15).

“Successes” cited by advocates and sympathetic scholars have been limited to rather obscure “niches” of the UN (Swiebel 2009, 19). This reflects strategic incrementalism adopted by LGBT rights activists, but opponents condemned it as a maneuver to “by-pass ratification and avoid… confrontations” with “contrary… national culture[s] and religious values” (Women for Faith and Family quoted in Bob 2012, 61). The Human Rights Committee’s view in *Toonen* that ICCPR’s reference to “sex” in Article 2 includes “sexual orientation,” often cited as a groundbreaking “case” in international human rights law, technically does not have binding force, and it has not been supported by other international judicial and quasi-judicial institutions. The European Court of Justice in *Grant v. South-West Trains* (1998), for instance, criticized it as not reflecting “the interpretation so far generally accepted of the concept of discrimination based on sex which appears in various international instruments concerning the protection of fundamental rights.” Similarly, the Yogyakarta Principles, despite the drafters’ claim that they are legally binding, have been attacked as having no

18 First of all, participation in individual complaint procedures, established by the First Optional Protocol to ICCPR, is voluntary and only about two thirds of the state parties have ratified the protocol. Besides, the Protocol does not specify the state’s obligation to respond to the Committee’s “views.” (Donnelly 2013b, 85)
19 The European Court of Justice is the highest court of European Union monitoring the application of EU laws in EU member states. It is not related to the European Court of Human rights established by the European Convention on Human Rights.
legal values. In response to Universal Periodic Review of the UN Human Rights Council suggesting the Principles as a guide for policy making, Malta rejected on the grounds that “these principles were discussed and adopted by a number of experts acting on their own behalf” (quoted in Braun 2014, 887). The 2011 Human Rights Council resolution was also non-binding, and the fact that it was marginally approved by the 23-19 vote suggests that the protection of LGBT rights is still far from a global consensus.

Clifford Bob (2012) points out that activists and researchers personally sympathetic to liberal or “progressive” causes tend to dismiss oppositional movements and not take their aims and mobilizing forces seriously. As for LGBT rights, he argues that advocates and sympathetic scholars’ attempts to present LGBT rights using the language of human rights have succeeded “only among the like-minded” (60):

To have focused only on the gay network’s affirmative efforts would have missed all this [counter-movement by anti-LGBT rights activists], and might even have suggested that a new norm was emerging. That is a fine hope, but the reality is bleaker. (71)

For him, LGBT rights supporters are only trying to persuade reluctant states to join a “nonexistent consensus” (62).

The human rights scholar Jack Donnelly agrees with this view. He argues that the promotion of LGBT rights has not achieved “near universal acceptance” essential for international law as a legal system without clear enforcement mechanism to properly and effectively function (Donnelly 2013a, 285-286). He particularly criticizes Human Rights
Watch’s active work on LGBT issues for provoking opponents’ (not il)legitimate reactions that it imposes values they did not endorse (Donnelly 2013b, 154-155).

As Donnelly warns, opposition to LGBT rights has often took the form of claims of national and cultural sovereignty against “western imposition.” Clinton’s emphasis that “being gay is not a Western invention” only reflected the fact that it has often been perceived to be so. Many non-western government leaders have rejected homosexuality and transgenderism as western concepts essentially alien to their traditions and cultures, giving rise to what some call “postcolonial homophobia” (see e.g. Healey 2001, 256-257). They denounced transnational advocacy of LGBT rights itself as just another “neo-imperialist” attempt to impose “western values” on non-western societies. An anonymous flyer at the UN Beijing + 5 Conference in 2000 clearly exemplifies this view:

If the West would stop pushing homosexual and abortion ‘rights’ on unwilling countries, the document would be done. Don’t blame the developing countries with the courage to defend their values and their right to self-government!

(Quoted in Long 2005, 14)

More recently, when UK Prime Minister David Cameron allegedly threatened to cut funding to African countries that persecute LGBT persons at the Commonwealth Heads of Government Meeting in 2011, although he later explained he was misconstrued (Helie 2012, 304), African conservative leaders condemned homosexuality as “another imperialistic instrument that Western nations employ on Africa” (Kaoma 2013, 77). African newspapers reported this news with headlines such as “Ghana tells off UK over threat on gays” (Daily Nation, Ghana), “Is the West still colonizing [the] Continent”
In 2005 Human Rights Watch report called “Anatomy of Backlash,” Scott Long (2005) described this confrontation between proponents and opponents of LGBT rights as the opposition between “culture talk” and “rights talk,” and fundamentalism and sexual freedom. Some call it the “sexual clash of civilizations” (Fassin 2010). In this dialectical opposition between the logic of universal human rights and that of national/cultural sovereignty, we seemed to be at the “cul de sac of rights claims” between communitarian and cosmopolitan claims (Stychin 2003).

The rhetoric of “culture” is not new as counterargument against LGBT rights. US Supreme Court Justice Antonin Scalia (in)famously described debate over gay rights as “kulturkumpf” or “culture war” (Romer v. Evans, dissent) and denounced the US law profession’s “anti-anti-homosexual culture” (Lawrence v. Texas, dissent). Neither is the “clash” between the local/particular and the global/universal unprecedented in human rights claims. Global debates over human rights issues have often been characterized by the universalism-relativism debate, the “clash between maintaining global standards of social justice and respecting local cultural practices” (Merry 2006, 8), especially since the 1990s. Many scholars sympathetic to the goals of human rights promotion have sought to problematize this dichotomy itself. They have argued that both sides of the clash define “cultures” too narrowly as isolated, homogenous, fixed sets of values and practices and ignores their complex and dynamic nature: they are always contested both from within
and without and always open to change and also to political manipulation (see e.g. Benhabib 2002, 2004; Merry 2006; Sen 2006).

Several scholars and activists have begun to take similar approaches to examine the rights of sexual minorities. What is peculiar about the LGBT version of the universalism/relativism is the association of sexual freedom (or sexual decadence) with the “West” which is shared both by conservatives in non-western societies who claim that homosexuality and transgenderism are alien western influences to their traditions and western liberals who considers the current protection of LGBT rights is the unique achievement of western liberalism. As Rahul Rao (2014) points out, "Ironically, the imaginative geography of neo-Orientalist LGBT activists is shared by the very conservatives who are their chief antagonists: the claim that homosexuality is Western and therefore culturally inauthentic, is frequently at the centre of non-Western discourses of homophobia” (174). The rest of this thesis examines this association that might be called “sexual occidentation” in its historical specificity and embeddedness in current social, political dynamics, hoping to make a small contribution to the deconstruction of the deadly dichotomy between homophobia and xenophobia that a Le Monde article pessimistically presumed to be an inevitable consequence of “sexual clash of civilizations.”
Before moving on to this analysis, I need to address that conservatives opposing sexual freedom and diversity are not the only ones criticizing LGBT rights and their transnational promotion. Interestingly, the 1990s witnessed the rise of LGBT rights advocacy both domestically and transnationally as queer theory and activism began to critique its basic assumptions about identity and rights. Queer theorists questioned the “essentialist” notion that identities\textsuperscript{20} such as gay, lesbian, bisexual and transgender are defined by fixed, innate “sexual orientation” or “gender identity” (see e.g. Butler 1990; Butler 1993; Halperin 1990; Halperin 1995) and argued instead that, they are different across time and space “because same-sex sex acts have different cultural meanings in different historical contexts” (Jagose 1996, 9). This essentialism/constructionism debate began as several scholars began to critique gay and lesbian activists’ rhetorically and politically empowering claim that “we are everywhere; not just now, but throughout history, in all societies and all periods” (D’Emilio 1993, 467). They argue instead that the identity as a “homosexual” is “a unique creation of late nineteenth-century Western societies” (Chauncey, Duberman, and Vicinus 1989, 5). Michel Foucault in his influential *The History of Sexuality: Volume I*\textsuperscript{21} (1990) famously said that “the homosexual” became a “species” (43) with the explosion of medical and scientific discourses about sexuality in

\textsuperscript{20} For relevant discussion of identity politics and “essentialism” in other fields see e.g. Hall (1995) and Spivak (1987).

\textsuperscript{21} For an analysis of this book’s influence on queer theory and activism, see David Halperin’s book aptly titled *Saint Foucault* (1995).
the 19th century Europe. John D’Emilio (1993) similarly argued that homosexuality as we know today is a historical product of the development of capitalism.

Global LGBT rights have similarly been criticized for its essentialist and universalist reliance on the “Stonewall model” (Stynch 2004, 954) of sexuality, identity, and liberation that ignores the historicity and specificity of non-western forms of sexuality. Joke Swiebel, for instance, critiques the language of the Yogyakarta Principles:

In my view, the authors of the Yogyakarta Principles have begun at the wrong end of the problem. Their elaborate list of rights based on sexual orientation and gender identity tends to reify sexual preferences into solid, essentialist identities. They ignore the fact that in non-Western societies same-sex sexual activities exist outside a context of gay or lesbian identities…. [H]ow can such a long and elaborate list, detailed ad absurdum, ever work in a UN context, before we have a political vision and a programme with clear-cut priorities, priorities that focus on behaviour, and do not presuppose a Western ‘gay’ identity? (Swiebel 2009, 32)

Jack Halberstam similarly argues that ”global gay” discourses “transform contested categories and uneven political fields into stable identities and a politics of inclusion/exclusion” (2012, 75) and that sexual minorities in Asian countries such as Japan and Thailand “felt oppressed rather than liberated by the imposition of terms for gender and sexual variance that had been made popular in the United States and that were presumed to have universal applicability” (78). These critics, joined by many anthropologists studying non-western forms of sexuality22 (see Manalansan 1997; Katyal

22 For anthropologists, this inapplicability of western concepts in non-western societies is not a new concern. As Clifford Geertz summarizes, “The history of anthropology has in large part
follow Foucault’s and other constructionists’ thesis that LGBT identities are modern western concepts.

While I do agree that the contemporary understanding of “sexual orientation” and “gender identity” is a relatively new product of specific historical and cultural contexts, that various “indigenous” forms of non-heteronormative sexualities in non-western traditions do not neatly fit categories such as homosexuality and transgenderism, and that any temptation to offer one-size-fits-all solutions to sexual minorities everywhere must be resisted, I find this globalized version of Foucauldian thesis itself not unproblematic. If overemphasized, it tends to reproduce narrow understanding of culture characteristic to the universalism/relativism debate and sexual occidentation. As an observer points out, "by locating same-sex identification in modern Euro-America, one renders homosexuality external to other places, an alien concept for formation of desire in these other cultures, an argument fully used by homophobic cultural nativists who are happy to (al)locate homosexuality in the "West"” (Najmabadi 2005, 19).

By confining a certain form of sexuality to a specific locality, this view ignores how non-western sexual minorities today creatively adopt, rather than being merely “imposed,” western-born sexual categories. Tom Boellstorff’s (2005a) anthropological study in Indonesia suggests that many Indonesian “gays” and “lesbi” often know about “traditional” forms of “homosexuality” and “transgenderism” such as bissu or warok, if

consisted in the West ("religion," “family,” “class,” “state”), trying to apply them in non-Western contexts, finding that they fit there rather badly at best, laboring to rework them so that they fit rather better, and then discovering in the end that, however reworked, many of the problems they pose—the nature of belief, the foundations of obligation, the inequality of life chances, the legitimacy of domination—remain clearly recognizable, quite alive.” (Geertz 1990, 78).

23 “Lesbi” is the modern Indonesian word to describe female-to-female relationship or those who engage in it. See also Coda of this thesis.
at all, through western academic works. Boellstorff suggests that it is itself a western bias to seek a clear connection between contemporary sexual minorities in non-western societies and “indigenous” sexual subjectivities:

Although one does not assume that a Western man born in 1980 is first shaped by conceptions of homosexuality dominant in the 1920s before calling himself “gay” in 2001, this response suggests that gay and lesbian non-Westerners are first and foremost products of indigenous locality…. It makes it difficult to understand how a *lesbi* woman in northern Bali could say “I don’t know of any cases in the past where there were actually women having sex with each other” and not find this a cause for concern. (36)

This fetishization of indigenous categories is not only analytically inappropriate, but politically problematic because it can consolidate the notion that “without an unbroken historical timeline one must view gay and lesbian non-Westerners as derivative, converging on a single global conception” (40), which as Najmabadi is convenient for conservative cultural nativists. In other words, despite their initial aspirations to critique essentialism and normativity, critics of “global gay” can essentialize and normalize non-western sexualities, by overemphasizing their differences from “us.”

In order to deconstruct the binaries of “import-export” and “authentic-inauthentic” which is central to current critiques of “America’s global gay export” (Katyal 2002, 98), Boellstorff

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24 And, as Boellstorff points out, this logic tacitly assumes “us” as uncontested, contrary to their constructionist claims to deconstruct western sexual subjectivities: "Claiming" that concepts like "homosexual," "sexuality," and "gender" fail to explain non-Western realities misleadingly implies that the concepts are adequate in the West” (2005a, 9).
(2005a) introduces the metaphor of “dubbing,” instead of translation, to describe a new kind of cultural formation in the globalized world:

In a metaphorical sense, one could say that gay and lesbi Indonesians dub Western sexual subject positions: they overwrite the deterministic “voice of the West,” yet they cannot compose any script they please; their bricolage remains shaped by a discourse originating in the West and filtered through a nationalistic lens. This process of dubbing allows gay and lesbi individuals to see themselves as part of a global community, but also as authentically Indonesian. (85)

The Foucaultdian thesis on the origin of “modern homosexual,” especially that of Foucault himself and D’Emilio is also problematic because it examines the western historical development of scientific discourse, or capitalism, as an isolated event and does not consider the western world’s dynamic (often colonial) interactions with the other worlds. Foucault’s concern in History of Sexuality: Volume I was “the discourse on human sexuality in our part of the world” (Foucault 1990, 11, emphasis). As Ann Stoler points out, the Europe’s eighteenth- and nineteenth-century discourses on sexuality cannot be separated from the world outside Europe (Stoler 1995, 7), given the fact that

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25 This metaphor is important because the fact that English terms such as “gay” and “queer” have been borrowed into many other languages and replacing indigenous expressions is often cited as an undesirable effect of the “global gay.” But these borrowings are often not merely the perfect copies of the original. For instance, Mark McLelland’s study (2005) suggests that in post-War Japan, the word “gay,” introduced during the U.S. occupation, developed first as a transgender category referring to drag performers rather than masculine, homosexual men, probably because of its association with the Japanese homophone “gei” meaning art and performance and of the traditionally established presence of cross-dressing performers in the Japanese entertainment world. McLelland also notes that the expression became so popular in the Japanese media in the 1950s, even before it was widely used in the US outside gay communities that one Japanese commentator in 1958 believed (erroneously, of course) that “gay” as a euphemism for homosexuality was “absolutely a Japanese interpretation” of the word, which was later “re-exported” to the English speaking world (104). For an analysis of similar “glocalization” of the word “queer” in Taiwan, see Lim (2008).
colonies served as “laboratories of modernity” (see Rabinow 1989) and contributed to the development of modern medical and legal discourses Foucault analyzed as uniquely modern and western *scientia sexualis* (“science of sexuality”) (see also Comarroff 2001). Similarly, Andrew Lyon and Harriet Lyon notes that Foucault’s analysis ignores scientific discourse on sexuality among “savages” in early ethnography and anthropology. As for D’Emilio’s analysis of capitalism and homosexuality, if, as several postcolonial scholars argue, “it would be historically grossly inadequate to consider the development of capitalism without also taking into account the history of western imperialism” (Benhabib 2004, 100), then it would be equally inappropriate to consider the development of “homosexuality” in capitalist societies without looking at colonial dynamics. We will come back to this topic at the end of Chapter 2.

Queer theorists not only criticized the essentialist understanding of identity but also the assimilationism and pragmatism of mainstream rights politics itself for co-opting radical, transformative potentials of the movement and conforming with the status quo and its deeply rooted prejudice and discrimination against sexual and other minorities. Urvashi Vaid (1995), for instance, stated:

A mainstreaming civil rights strategy cannot deliver genuine freedom or full equality for one fundamental reason: the goal of winning mainstream tolerance… differs from the goal of winning liberation or changing social institutions in lasting, long-term ways. The latter was once the goal of the gay and lesbian movement; we explicitly identified ourselves as a liberation movement…. How the pursuit of fundamental change mutates (and is muted) into the more limited
goal of tolerance or mainstream integration is a story common to many historic movements that have threatened the status quo. In many ways, the triumph of mainstream civil rights over liberation is the victory of pragmatic politics over moral politics (3-4). More recently, several scholars and activist, have criticized mainstream LGBT rights organizations’ focus on issues such as same-sex marriage, Don’t Ask, Don’t Tell, and hate crime laws, which some call “The Holy Trinity of mainstream gay and lesbian politics” (Daring, Rogue, Volcano, and Shannon 2012) on the grounds that they consolidate rather than challenge the inherit problems of state institutions such as marital privilege, militarism, and law enforcement system. Their basic assumption is that you cannot change the status quo from within: that wrapping it in rainbow flag does not redeem it (Spade 2013, 98; we will come back to this topic in Chapter 3).

This assumption is shared in critiques of the “myth of rights” (Scheingold 2004) from law and society scholars and critical legal theorists. They have argued that “rights” are implicated in existing power relations and thus are not necessarily effective vehicles of social change. Generally, my analysis of transnational LGBT rights advocacy in this thesis is indebted to their arguments that the declaration of rights is only “the prelude to a political struggle” (Scheingold 2004, 123) and that it can even cause severe backlash (Rosenberg 2008; Klarman 2004; Klarman 2005) as we have already seen earlier in this chapter; that liberal concepts such as rights and freedom can be appropriated for illiberal ends (Brown 1995; see Chapter 3); that rights talk tends to individualize and privatize

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26 See also Phelan (2001) and Warner (1999).
27 See Keck (2009) for a critique of their negative analyses of the social consequences of LGBT rights litigation.
problems (Glendon 1991); and that, most importantly, there is no “forward march” for social change (Fredette 2014, 70).

These critiques, however, have also been attacked in turn by several people of color and feminists who argue that rights are still important and potentially beneficial for marginalized populations (Ford 2011, 11). One lesson learned from this dialogue is, as Richard Thompson Ford summarizes, that "general and sweeping critiques of rights are probably mistaken, but that a rights-based approach may well be ineffective or counterproductive in some circumstances" (Ford 2011, 12).

I believe that many radical queer theorists and activists critical of rights would agree with this. Michel Foucault, for instance, acknowledged in an interview that human rights claims by sexual minorities are important and must be supported while suggesting that “the battle for gay rights [should not be considered] as an episode that cannot be the final stage” (1997, 157 and 164). Judith Butler, who, despite her well-known role in pioneering queer theory, once served as the chair of IGLHRC (Butler 2004a), writes that “we must follow a double path in politics: we must use this language to assert an entitlement to conditions of life in ways that affirm the constitutive role of sexuality and gender in political life and we must also subject our very categories to critical scrutiny” (Butler 2004b, 37-38). My aspiration in this thesis is to follow this double path and critically examine how global LGBT rights discourses are functioning in contemporary political contexts drawing from critical queer and sociolegal theorists, while not entirely rejecting their potential, pragmatic importance.
CHAPTER 2: ORIENTALISM AND SEXUALITY: THE COLONIAL MAPPING OF THE “VICES”

Comme tous les peuples de l’Orient, l’Arabe est sodomiste.

[Like all peoples of the Orient, Arabs are sodomites.]

—— A. Kocher, *De la criminalité chez les Arabes* 1886

(quoted in Bleys 1995, 164)

No luxury in civilisation can be equal to the relief from the tyranny of custom.

— Henry Morton Stanley (quoted in Aldrich 2003, 53)

The Colonial Legacy of Heteronormative Laws

In almost 80 countries, today, it’s a crime, more than half countries in the UN, it’s a crime to be gay…. and in many more places LGBT people face violence, harassment, unequal treatment in the courts, mistreatment by the police, denial of health care, social isolation, always in the name of culture. (Biden 2014)

Despite transnational advocacy of LGBT rights as human rights, as Vice President Biden points out, many non-western countries still have laws that criminalize same-sex (or sometimes cross-dressing) practices. As I have reviewed in the first chapter, western politicians and activists often criticize these discriminatory laws in the name of human rights and, true to Vice President Biden’s somewhat blunt summary, non-western conservatives defend them often in the name of cultural authenticity. Historically, however, heteronormative criminalization of deviant forms of sexuality in many of these
countries has its origin in colonial legislation. That is, what is now perceived as a bulwark against western moral imperialism was itself a colonial imposition.

Alok Gupta and Scott Long in *This Alien Legacy* (2008), a Human Rights Watch report specifically dedicated to the topic, suggest that more than half of those countries have such laws because of the British colonial rule.28 According to Gupta and Long, the Indian Penal Code, which included the prohibition of “carnal intercourse against the order of nature with any man, woman or animal” in Section 377,29 became “the first comprehensive codified criminal law produced anywhere in the British Empire” and the model for the penal codes in other British colonies (21). Hence the unnatural offence clause was also exported to other African and Asian-Pacific regions that shared with India few social/cultural values but the same British colonial rule.30 The unnatural offence in the Indian Penal Code also influenced a “modernized” prohibition of “abominable crime of buggery” back in Britain itself in the Offences Against the Person Act (1861). The anti-sodomy laws around former British colonies were “England’s least lovely criminal law export” (Kirby 2013).

The colonial provisions remained (and still remain in some cases) after the end of colonial rule because same-sex sex between consenting adults was first decriminalized in

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28 See also, Sanders (2009) and Kirby (2013), also Epprecht (2013) for the cases of African countries.
29 This clause remains at the time of writing. It was once declared unconstitutional by the Delhi High Court in 2009 (*Naz Foundation v. Govt. of NCT of Delhi*), but later the Supreme Court of India overturned the ruling in December 2013 and denied the section any “constitutional infirmity” (*Suresh Kumar Kaushal v. Naz Foundation*).
30 Even the section number 377 is kept in the current laws in India, Pakistan, Bangladesh, Myanmar (Burma), Singapore, Malaysia and Brunei (Sanders 2009, 1).
Britain in 1967, that is, after most of British colonies gained independence in the 1950s and 1960s. They represent “the strange afterlife of a colonial legacy” (Gupta and Long 2008, 5). As opponents of Section 377 stated on the sixty-first anniversary of India’s independence in 2008: “India had got its independence from the British on this date in 1947, [but] queer Indians were still bound by a British Raj law” (quoted in Gupta and Long 2008, 2).

The legacy of heteronormative colonial legal systems also remains in former colonies where same-sex practices are no longer criminalized and shapes contemporary legal debates. In a Hong Kong legal case concerning a transgender woman’s right to marry her biologically male boyfriend (*W v. Registrar of Marriage*), the judge of the Court of First in 2010 rejected the woman’s claim by referring to the “natural heterosexual intercourse” criteria in the 1970 ruling in UK (*Corbett v. Corbett*) which was overturned by the European Court of Human Rights in 2002 (*Goodwin v. United Kingdom*) considered to be outdated. The judge held that the right of a transgender person to marry was not supported by Hong Kong law and did not enjoy “social consensus.” But in fact his decision was based on Hong Kong’s heteronormative marriage law that

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31 In England and Wales, followed by Scotland in 1980, and finally Northern Ireland in 1980, following the ruling of the European Court of Human Rights (*Dudgeon v United Kingdom*). Other colonial powers, which decriminalized it much earlier (e.g. France in 1791, and the Netherlands in 1809 with Napoleon’s invasion) had relatively small, but still equally significant impact on contemporary legal prohibitions of same-sex acts in former colonies. For instance, the penal codes of Zimbabwe and Namibia which to this day criminalize sodomy were originally inherited from the Netherlands’s “Roman-Dutch” common law via South Africa, which was taken over by Britain in 1806, three years before the decriminalization of sodomy in the Netherlands and retained the Roman-Dutch offence until 1998 (Gupta and Long 2008, 6).

32 Despite decriminalization of same-sex sexual conduct between consenting adults in the United Kingdom by 1982, Hong Kong retained its “buggery” offense clause until 1990.
reflected the dogma of the former colonizer’s church and the outdated ruling of the former colonizer’s court (see Erni 2014).

I analyze the historical background of this legacy by contextualizing colonial regulations of non-normative sexualities in what Rubi Bleys (1995) calls the “geography of perversion and desire,” an association of sexual deviance with geographical locations outside Europe, and in so doing, point out that the ways western and non-western sexualities that were identified and represented in the colonial context were radically different from today’s sexual occidentation. Bley’s reference to the practice of geographical “mapping” or cartography is significant because of the dominant role it played in colonial discourse and practice (Ashcroft et al. 2000, 31-37). As McClintock (1995) notes, “Map-making became the servant of colonial plunder, for the knowledge constituted by the map both preceded and legitimized the conquest of territory. The map is a technology of knowledge that professes to capture the truth about a place in pure, scientific form, operating under the guise of scientific exactitude and promising to retrieve and reproduce nature exactly as it is” (27-28). The sexualized image of the “other” (or the othered image of sexuality) was an important part of this “technology of place” (Schick 1999, 9)

33 It is relevant also because the practice of “mapping” and geographical imaginaries are essential components of contemporary debates over LGBT rights, too. The Yogyakarta Principles, according to its main drafter, was expected to constitute “a ‘mapping’ of the experiences of human rights violations experienced by people of diverse sexual orientations and gender identities” (O’Flaherty and Fisher 2008, 233). Jasbir Puar (2007) criticizes such “a geopolitical mapping of homophobia and where it is most virulent” (95) as constitutive of U.S. sexual exceptionalism. Rahul Rao (2014) points out, homoprotectionist and homophobic discourses both rest on “a spatial imaginary in which certain places are imagined as locations of homosexual freedom and others as locations of homophobia” (174).
In contemporary debate concerning the rights of sexual minorities, both western proponents and non-western opponents often associate the West with sexual freedom (or decadence) and the Non-West with sexual repression (or restraint) (see Chapter One). Dennis Altman (2001) once called such an association a reverse “orientalism.” He described it as “reverse” because in the colonial imagination of the West, the Orient was often cast as the source of sexual decadence. According to Edward Said in *Orientalism*, “the Orient was a place where one could look for sexual experience unobtainable in Europe.” He observes that some Orientalists “correctly” looked for “a different type of sexuality,” “more libertine and less guilt-ridden” in the Orient in order to escape from the increasing institutionalization and *embourgeoisement* of sexuality in Europe (Said 1979, 190). Stuart Hall also argues that sexuality imagined to be “open and unashamed – untroubled by the burden of European guilt” was an important part of western fantasy of non-western societies (Hall 1996, 210).

Although Said’s and Hall’s analyses are primarily focused on heterosexual sexuality, recent studies suggest that the alleged prevalence of homoeroticism and

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34 The adjective “reverse” may be inaccurate because the conventional, eroticized images of non-western societies have not been completely replaced by the new images of sexual repression. More importantly, this shift does not necessarily mean that the power relation between the West and the Rest too has been “reversed” as some critiques of “homonationalism” and “gay imperialism” have highlighted this new representation of repressed non-western sexualities as a new form of western domination. Jasbir Puar (2007), for instance, describes it as neo-Orientalism (169).

35 For a feminist’s critique of the sexualization of the Orient, see Lewis (1996, 2004) and Yeğenoğlu (1998).

36 Said writes that the images of “harems, princesses, princes, slaves, veils, dancing girls and boys, sherbets, ointments, and so on” (Said, 190, emphasis added) characterized the representation of Oriental sexuality, but, as critiqued by Bleys (1995) and Boone (1995, 2014), he does not specify what he means by “dancing boys” or a “different sexuality” and refuses to analyze the homoerotic aspect of Orientalism, while reproducing it by using Jean-Léon Gérôme’s painting of a naked boy (*The Snake Charmer*) on the cover of his book (Boone 2014, 54-55).
cross-dressing, which have long been regarded as a “sin” or “vice” in Christianity, in societies outside Europe played a significant role in the colonial Orientalist discourse (Aldrich 2003; Bernstein 2009; Bleys 1995; Boone 1995; Boone 2014; Chari 2001; Hyam 1992; Lane 1995). Richard Aldrich (2003) argues that, “[b]y the late nineteenth century, a widespread belief circulated in Europe that homosexuality (and other sexual deviance) was endemic in the non-European world” (5). Several colonial cities were imagined as new Sodom, Athens, or Eden. Sydney was condemned as “Sodom of the South Sea.” Guangzhou was called “the Chinese Athens” (Bleys 1995, 118). Bali was thought to be “a homosexual Eden” (Aldrich 2003, 215). A novel described Ceylon as “an equatorial Athens.” An observer in the late nineteenth century warned that “the vices of Sodom and Gomorrah [are] in full flower” in New Caledonia (quoted in Aldrich 2003, 16). This association of the “vice” with colonies was to such an extent that in French slang, as Aldrich (2003, 1) notes, “faire passer son brevet colonial” (literally, “to test someone for a colonial diploma”) means to initiate someone for male same-sex sex.

In sum, the existence of “Vices” served as a distinguishing mark of “colonial differences” (Mignolo 2000) between modern, civilized Europe and pre-modern savage others. Christian theologians, enlightenment philosophers, racialists, social evolution theorists and later, anthropologists, psychiatrists and sexologists differently observed and analyzed non-heterosexual sexuality in the non-west but they all regard the Orient, as was the case with other variations of Orientalist discourse,37 as “having things that ‘the West’

37 Said writes that “the Orient has helped to define Europe (or the West) as its contrasting image, idea, personality, experience” (Said 1979, 1-2). Many other scholars of postcolonial studies also have pointed out how a constructed image of non-Europeanness as antithesis contributed to the
itself is assumed to be lacking” (Ahmed 2005, 114). That is, Oriental sexualities were imagined as “erotic opposites” (Bernstein 2009, 77), dialectical antithesis to supposedly “repressed” European sexuality, under what Michel Foucault famously termed “The Repressive Hypothesis” (1990). Along with its ideological role in defining European identity, the association of sexual freedom with the non-West cultures, albeit not entirely negative, was often read as the sign of their moral inferiority and utilized to justify colonial rule. It also affected (and was affected by) domestic politics within Europe and in non-Western societies that were not directly colonized but sought “westernization” under the threats from Western powers.

The Cartography of Sexuality

In Christian theology, the same-sex (especially male) act was traditionally associated with the story of Sodom in Genesis. The “sin of Sodom” or “Sodomy” has long been a common term to euphemistically describe male same-sex practices in legal,
Several studies since John Boswell’s (1980) groundbreaking work on early Christianity’s attitudes toward homosexuality suggest that, while the Hebrew Bible harshly condemns cross-dressing and same-sex sexual conduct in other passages, it is rather ambiguous about what the sin of Sodom exactly was. Mark D. Jordan (1997) argues that “Sodomy” as a category to describe male same-sex practices was “invented” in the medieval era. Detailed analysis of the treatment of same-sex love in Christianity is beyond the scope of this thesis, but the historical context of this alleged “invention” is of particular interest here as it illustrates how “Sodomy” came into European social/political discourse, not merely to condemn a sin but to degrade a cultural other, a specific “enemy” of Christendom at the time, that would haunt Europe and contribute to its identity formation for the coming centuries, namely, Muslims.

According to Jordan, the earliest usage of the term “Sodomitic vices” dates back to the late tenth-century poet Hrotswitha of Ganderheim’s account of the martyrdom of St. Pelagius. Pelagius was a young Christian boy kept as a hostage in tenth-century

39 The first recorded mention of sodomy in English law dates back to 1290, during the reign of Edward I (Gupta and Long 2008, 13; Kirby 2013, 62)
40 See Kuefler (2004) for critical reviews of this work.
42 Sodomy as a legal category, which Foucault called “that utterly confused category” (1990, 101), encompassed non-reproductive sexual acts in general including bestiality and male-female anal intercourse, sometimes masturbation and oral sex and was not limited to what would later be called “homosexual” conduct. Commentators were often reluctant to mention the actual “act” they criminalized because it was regarded, as Sir William Blackstone famously noted, as a sin “amongst Christians not to be named” (quoted in Kirby 2013, 63). Despite its ambiguity, I use this term and similarly vague terms such as “buggery” the vice(s), perversion, etc, in part because it is inappropriate as the Foucauldian thesis shows (see Chapter 1) to attach contemporary labels to pre-modern forms sexuality and also because my concern here is to address the imaginative space it occupied in relation to other “normal” forms of sexuality, rather than to single out same-sex sexual conduct or cross dressing.
Cordoba then under the rule of the Moors. His beauty caught the eye of the Caliph Abd-ar-Rahman III, who reportedly desired to add him as new sexual attendant and offered Pelagius freedom in exchange for renouncing Christianity. According to an early account, Pelagius struck the Caliph and said, “Do you think me like one of yours, an effeminate (effeminatum43)?” (Quoted in Jordan 1997, 13). Enraged Caliph tortured and dismembered the boy. When retelling this story, Hrotswitha explicitly described the Caliph as “corrupted by Sodomitic vices” (Jordan 1997, 20). The martyrdom of Pelagius was popularized with the “vices” of the Caliph amid the anti-Muslim polemic during the Iberian Reconquista. In other words, the story of the Caliph’s Sodomic vices circulated as a part of the patriotic propaganda of the Christian kingdoms of northern Iberia against the Moors (22). With the retellings of Pelagius’s story, Jordan notes, homoerotic desire in the medieval Christian theology came to represent the enemies of Christianity, and became something “alien, repulsive, imposed from without” (27).

“Buggery”, another term that was commonly used to refer to (male) same-sex practices in British law also has its origin in a religious, cultural, geographical other (Bleys 1995, 19-20; Fone 2000, 152; Gupta and Long 2008, 14). Buggery derives from the French word bougres (which itself derived from Bulgare, Bulgaria), and originally...
referred to Bogomilism, a dualist sect that was supposed to have flourished in Bulgaria in the tenth century. Later, it came to be used to describe other heretics such as the Albigensians. “Bougres” gradually gained the connotations of bestiality, anal intercourse with a woman, and then male-to-male sexual practices in the late fourteenth century (because heretics were often accused of such “vices”) and lost its original geographical, religious meaning. The English form “buggery” was first adopted in British law in the 1533 Buggery Act, which punished it by hanging. As Byrne Fone summarizes, “[t]he term originally applied in Europe to doctrinal dissent was now used in England to indicate a sexual sin” (Fone 2000, 152). The association of same-sex sexuality with religious others, especially Muslims was later conscripted to justify Crusade (Fone 2000, 149; Boswell 1980, 282). In a letter to Count Robert of Flanders in around the late eleventh or early twelfth century, Alexis Comnenus reported how “the Christian Greece” was violated by Turks: “They have degraded by sodomizing them men of every age and rank—boys, adolescents, young men, old monks, and even—alas and for shame! which from the beginning of time has never been spoken or heard of—bishops!” (Translated

44 This law prohibiting the “detestable and abominable Vice of Buggery committed with mankind or beast” was enacted as part of Henry VIII’s reform to treat crimes previously judged in ecclesiastical courts secular courts (Kirby 2013, 62-63). The word “abominable” or its noun form “abomination” is also later used in two references to sexual conduct between male in Leviticus in King James Version: “You shall not lie with a male as with a woman. It is an abomination” (18:22); “If a man lies with a male as with a woman, both of them have committed an abomination; they shall be put to death, their blood is upon them” (20:13). The original Hebrew word translated as “abomination” is “toevah” which refers too something unclean and impure, and this particular section in Leviticus called the “Holiness Code” is specifically presented as the list of rules and practices that distinguish Israelites from other peoples: “After the doings of the land of Egypt, wherein ye dwelt, shall ye not do: and after the doings of the land of Canaan, whither I bring you, shall ye not do: neither shall ye walk in their ordinances” (18:3); “Defile not ye yourselves in any of these things for in all these the nations are defiled which I cast out before you” (18:24) (see Boswell 1980, 100; Sanders 2009, 2). This implies that condemnation of same-sex sexuality as something impure already served as a distinguishing mark of identity for the Jewish community at the time.
and reprinted in Boswell 1980, 368). The early thirteenth century French theologian Jacques de Vrity in *Oriental History* described Muhammad as “the enemy of nature, popularized the vice of sodomy among his people, who sexually abuse not only both genders [sexes] but even animals and have for the most part become like mindless horses or mules…” (quoted in Boswell 1980, 281). Bishop Guillaume Adam in *De modo sarracenos extirpandi* (ca. 1316-1317) claimed that it was common among “Saracen” men to live with other men as men and women lived in Europe:

According to the religion of the Saracens, *any sexual act whatever is not only allowed but approved and encouraged*, so that in addition to innumerable prostitutes, they have effeminate men in great number who shave their beards, paint their faces, put on women’s clothing, wear bracelets on their arms and legs and gold necklaces around their necks as women do, and adorn their chests with jewels. Thus selling themselves into sin, they degrade and expose their bodies; “men with men working that which is unseemly, [Rom. 1:27] ” they receive “in themselves” the recompense of their and error. The Saracens, oblivious of human dignity, freely resort to these effeminates or live with them as among us men and women live together openly. (Quoted in Boswell 1980, 282; also in Greenberg 1988, 176 in a different translation, emphasis added)

Possibly reflecting these images of Muslims as sodomites, according to Boswell (1980, 281), the early crusade kingdom of Jerusalem enacted the earliest and harshest law against same-sex practices at the time, predating similar legislations in Europe by more than a century.
Non-normative sexuality remained a common feature of European observers’
description of Muslims in later centuries. After the fall of Constantinople by the Ottoman
Sultan Mehmet the Conqueror, a Byzantine Greek who witnessed the conquest accused
the Sultan of attempting to seduce a young Greek boy (this account is strikingly akin to
the story of Pelagius). Martin Luther wrote of the Turk’s “illicit sexual practices” that
know no bounds (quoted in Bernstein 2009, 76). The sixteenth century Flemish
ambassador to the Ottoman Empire reported about “the strange passion” of a woman who
disguised as a man and performed a male role (Bleys 1995, 21). In *Voyage du Levant*
(1643), Vincent Stochove also described cross-dressers in Egypt:

The inhabitants of this country are generally devoted to lasciviousness and, more
awfully, Sodomy reigns in such a degree that men despise women,… [Women]
also despise men and sleep with one another, committing these horrible and
bastard acts of love more frequently than natural, honourable and legitimate ones.
(quoted in Bleys 1995, 21-22)

Monsieur de Thevenot, another traveller who visited the Levant in 1668 commented that
sodomy is an “ordinary Vice” in the region and that their “Songs [poems] are upon no
other Subject, but upon that Infamous Love or [upon] Wine” (quoted in Boone 2014,
54)

45 According to this account, upon entering Constantinople, Mehmet offered Notaras, Grand
Duke of Constantinople, whose fame had reached the Ottomans, a position as the leader of the
Greek community in the city. But Notaras refused, because in exchange Mehmet demanded
Notaras’s youngest son, probably to add to his sexual attendants. Notaras was executed with his
older son and son-in-law. (Andrews and Kaplaklı 2005, 2)

46 And this description was to some extent true. Poems in praise of beautiful young men
(*ghilmān*) constituted a genre of lyric known as *ghazal* and was popular in Persia, Mamluk Egypt,
and Caliphate Spain, and later across the Ottoman empire (Boone 2014, 54). Also, poems in
The association of sexual deviation with Muslims may have contributed to Christian hostility toward same-sex and cross-dressing practices and lead missionaries in the colonial era to launch consistent campaigns to eliminate them as some have pointed out (for example, Hyam 1992, 186). But more importantly, it influenced how people in the West saw sexual practices of “others.” In the age of exploration, following Medieval Crusaders’ portrayal Muslim “Vices,” western observers reported similar “pagan” practices in the newly “discovered” regions the Sub-Saharan Africa, India, Far East, and the Americas (Bleys 1995, 17). That is, reference to deviant sexuality as a means to differentiate the Islamic world, which constituted cultural outside for early modern Europe, was later applied in the depiction of newly “discovered” territories, which would represent modern, colonial “non-European other” in successive centuries. ⁴⁷

As in the case of Crusade, reported sexual deviance was often utilized to legitimate colonization. One of the earliest examples of this is the Spanish conquest of America. Many observers reported “sinful” sexual customs of American Indians along with other “horrific” customs such as human sacrifice and cannibalism, as to dehumanize them and rationalize their harsh treatment under the colonial rule. For example, Pedro Cieza de León’s *Crónica del Perú* in 1553 noted, “As they were bad and vicious, and despite the fact that there were many among them there were plenty of women around, some even beautiful, I was assured that many among them engaged publicly and openly in the nefarious sin of sodomy, and they were even proud of it” (quoted in Bleys 1995, praise of wine, known as *khamriyya*, often described a young, male, beautiful cup-bearer (*saqi*) as the object of desire (ibid, 54-55).

⁴⁷ For the historical shift of the images of Europe’s primary other from Muslims to other groups, see Hesse (2007, 647-648).
24, emphasis added). Bernal Diaz del Castillo also wrote in 1605, after reporting human sacrifice and cannibalism, that “[m]ost of them moreover were sodomites, especially those who lived in the coastal and warm areas. Boys walked about dressed like women and engaging in this diabolic and abominable activity” (quoted in Bleys 1995, 24). Sometimes Conquistadors themselves spoke of the sin. Hernán Cortés insisted that “all [were] sodomites and engaged in this abominable sin” (quoted in Bleys 1995, 23). An “Anonymous Conquistador” recalled in his memoir that “most of them are sodomites…and they all drink an awful lot” (quoted in Bleys 1995, 23). The political character of these reports is illustrated by the fact that deviant sexuality was not stressed when describing an ethnic group that cooperated with the Spanish colonisers to combat a joint army (Bleys 1995, 25).

The issue of sodomy was also raised in the famous debate between Las Casas and Sepúlveda on the treatment of American Indians in Spanish colonies. Sepúlveda used the reports about the “abominable sin” to argue that they should be punished and reduced to slavery. Las Casas, who defended the “Indian soul” opposed this, not by denying the use of sexual deviation as the justification of maltreatment, but rather by doubting the credibility of the report. That is, neither of them “suggested that some of the reported behaviors might be indeed exist and that there might be nothing intrinsically wrong with them” (Lyon and Lyon 2004, 26). Like Las Casas, many other Spanish missionaries who criticized the treatment of American Indians did so on the ground that they too could be corrected (Bleys 1995, 27). For missionaries in the Americas and elsewhere, the elimination of the “abominable sin” became one object of Christianization. Their efforts,
however, often encountered local resistance. Francis Xavier in the sixteenth Japan found that the “sins abhorred by nature” were widespread among Buddhist monks and emphasised in his preaching to stop sodomy but with little success. He reported how people in the streets would ridicule him, saying “these are the men who think sodomy is wrong!” (Hyam 1992, 186). Father Jean-Antoine Dubois in the early nineteenth century India described the failure of Christianisation in his report. He recalled that at one time when he expressed his astonishment with male prostitutes, a brahmin simply replied that there was no accounting for taste (Bleys 1995, 74).

The reaction against Christian prohibition on sodomy took the most violent form in the late nineteenth century Buganda (present-day Uganda), which resulted in the executions of more than forty Christian converts (known as the Uganda Martyrs). According to Ronald Hyam (1992), Mwanga, who ruled Buganda as the Kabaka (king) at the time, preferred male pages to a conventional harem. He was attracted to Christianity and received instruction but once he learned its harsh prohibition on male same-sex practices, “in angry disbelief, declared it was asking the impossible.” (Hyam 1992, 187). Many of his pages, however, converted to Christianity and began to refuse his summon, under the influence of a Christian officer in his court, who was later executed and replaced by a Muslim. Christianisation, however, continued and the conversion of Mwaga’s favourite became the last straw that drove him to order the persecution of Christians (188).

The religious mission to correct sexual deviation was also given a scientific explanation with the development of social Darwinism in the nineteenth century.
Reported sexual deviation was increasingly interpreted as a part of what scholars at the time called “primitive promiscuity,” and the “oversexed” character of peoples at lower stages of civilization (see Lyons and Lyons 2004; and Bleys 1995, 160-161). “Savages” engaging in deviant sexual practices here became “contemporary, living witnesses of humanity’s pristine moral state” (Bleys 1995, 161). This social evolutionist conceptualization reveals how the colonial project of mapping was temporal as well as spatial. As the anthropologist Johannes Fabian (2002) argued, "geopolitics has its ideological foundations in chronopolitics" (144), because cultural distance was defined both in terms of time and space, and they were often confused. Edmund Burke once wrote in a letter that “We need no longer go to History to trace (human Nature) in all its stages and periods… now the Great Map of Mankind is unRolld at once… Now not only natural space but also historical time could be collected, assembled and mapped onto a global science of the surface” (quoted in McClintock 1995, 36). In this chronopolitical cartography that places the Orient as a “living souvenir of the West’s pre-history” (Koskenniemi 2002, 105), western restrained (hetero)sexuality was associated with modernity, and non-western “savage” sexuality with some pre-modern state. Here regulation of deviant sexual practices became a concern of the “civilizing mission” that regards bringing modernity to societies and cultures that are “locked" in the past as “the right and obligation of European powers” (Ashcroft et al 2000, 145).

Sally Engle Merry’s study of law and colonialism in Hawaii (2000) illustrates how Hawaiian elites responded to this western association of sexual licentiousness with social backwardness. Laws regulating sexual acts outside heterosexual, monogamous
marriage including male same-sex practice called moe aikāne, were part of the larger project to modernize the kingdom’s legal and political system to meet the standard of civilization\textsuperscript{48} and maintain its sovereignty. As Merry summarizes, “The fight over sexuality was really about the disciplining of the body in the name of civilization, decency, and decorum” (231).

From the late nineteenth to the early twentieth century, similar movements to regulate “backward” forms of sexuality as a part of civilization and modernization were launched in Iran (Najmabadi 2005, Afary 2009; Yaghoobi 2012; Korycki and Nasirzadeh 2013) and Japan. In Tokugawa Japan, several “Dutch learning” scholars surprisingly reported how male homoeroticism was severely punished in western countries\textsuperscript{49}. Later during the “Civilization and Enlightenment” movement of the Meiji restoration, previously male-male sexual conduct and male-to-female cross-dressing were increasingly marked as “barbarous” or “feudal” in medical, legal, and political discourses (Pflugfelder 1999; McLelland 2005). Similarly debates over modernity and same-sex sexual conduct occurred also in late Qajar Iran, male homoeroticism was often depicted as a symbol of cultural backwardness in modernist discourse along with sex segregation and veiling of women (Najmabadi 2005; Afary 2009; Korycki and Nasirzadeh 2013).

\textsuperscript{48} See Gong (1984), Koskenniemi (2002), and Anghie (2004).
\textsuperscript{49} Morishima Churyo, for instance, wrote in Komo Zatsuwa (European Miscellany) published in 1787: “In their countries nanshoku [male homoeroticism] is ferociously prohibited. They say it is counter to human ethics. There was someone found guilty of it then [time unspecified] who was burned at the stake, and the youth was drowned in the sea. Apparently, this is still done.” (quoted in Screech 1999, 287-288). Yamamura Saisuka’s Setiyō zakki (Various Accounts from the West) published in 1848 included “a lengthy account of the biblical cites of Sodom and Gomorrah” (Pflugfelder 1999, 66)
Containing Oriental Influences

Despite its potentially racialist distinctions between us and them, the familiar and the strange, the superior and the inferior, the geography of perversion was not necessarily essentialist. The reported pervasiveness of “Vices” was often attributed to local cultures or geographical environments, not races. Missionaries saw it as resulting from the lack of (Christian) morality. Since Enlightenment, “scientific” observers often associated warm, tropical climates with sexual excess and deviation (Aldrich 2003, 31; Lyon and Lyon 2004, 43). Perhaps the most well-known example of this is Sir Richard Francis Burton’s theory of “Sotadic Zone.” In “Terminal Essay” (Burton 1885-1887) included in the last volume of his translation of *A Thousand and One Nights*, he considers what he calls “Pederasty” in details and argues that there exists a “Sotadic Zone” where “the Vice” is popular and endemic (207). According to Burton, this zone includes the northern and southern shores of the Mediterranean (i.e. southern part of France, the Iberian Peninsula, Italy, Greece and Maghreb), and extends eastward to embrace “Asia Minor,” Mesopotamia, Afghanistan, the Islamic part of the Indian subcontinent, Turkistan, China and Japan, Pacific islands and the “New World.”

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50 His description of the “Vice” is far from “gay-friendly”: he consider it to be “a blending of the masculine and feminine temperaments” (208) and hence a “neuropathy,” “abnormal distribution and condition of the nerves” (209). But, at this time, it was an unprecedentedly nonjudgemental account and contributed to “naturalizing rather than demonizing same-sex sexual relations” (Lyon and Lyon 2004, 71) and inspired early defenders of homosexuality like John Addington Symonds. Burton and his wife feared that they might be persecuted for publishing the essay (Lyon and Lyon 2004, 53).
As Burton puts it, in the colonial mapping of perversion, sexual deviance was understood as ‘geographical and climatic, not racial’ (207). That is, the imagined “sites” in the non-West, not the peoples there, were regarded as the cause of perversion. This implied that Westerners could be influenced or infected if they went there. As Said notes, the problem of “contamination” was always a concern for Europeans who visited the Orient. They needed to protect themselves from “its unsettling influences,” namely, “its odd calendars, its exotic spatial configurations, its hopelessly strange languages, its seemingly perverse morality” (Said 1979, 166, emphasis added). Colonial officials in French North Africa often complained about how French soldiers were demoralised by Arabs. For example, the Marquis de Boissy reported the spread of moeurs arabes among French soldiers in Algeria in 1830 (Bleys 1995, 112). The Dutch admiral Johan Splinter Stavorinus wrote in his reports on Monghul Bengal:

> The sin of Sodom is not only in universal practices among them, but extends to a bestial communication with brutes, and in particular with sheep… I do not believe that there is any country upon the face of the globe, where lascivious intemperance, and every kind of unbridled lewdness, is so much indulged in, as in the lower provinces of the empire of Indostan… [This] extends likewise to the Europeans, who settle, or trade there. (quoted in Bleys 1995, 74)

Along with religious or quasi-religious aspiration to civilize “natives,” a more practical need to protect European officials from moral contamination also another justification for the colonial rulers to regulate unrestrained “native” sexualities. Gupta and Long (2008)
argues that the need to protect Christians from corruption was one motivation behind the codification of the Indian Penal Code (14-16).

The Oriental influence rhetoric extended to the protection of some non-westerners. While some of them were regarded as innocent *bon sauvage*, who do not know the Vices, some others were accused of corrupting them. One example of the former is sub-Saharan Africans. Marc Epprecht’s *Heterosexual Africa?* (2008) investigates the historical construction of Africa as an exceptionally heterosexual place in the western imagination. According to Epprecht, same-sex practices that actually existed and were observed by western observers in Africa were often either ignored or interpreted as imported from outsiders such as Muslims. Bleys (1995) also points out that they were often considered to be an “Arab import.” Oskar Baumann in 1899 wrote that “contrary sexuality” in Africa was common only among people in the eastern coastal area:

Contrary sexuality, both congenital and acquired, is relatively common among the black population of Zanzibar while congenital contrariness is rather rare among the tribes of the African interior. The higher incidence in Zanzibar undoubtedly is due to the influence of Arabs who constitute the main contingent of acquired contraries along the people from the Comore Islands and Swahili halfbloods. (Quoted in Bleys 1995, 167)
This notion of “sexually innocent, non-Sotadic Africans” being corrupted by others, Epprecht argues, “almost directly served the paternalistic vision of colonial and missionary interventions to protect Africa from those outsiders” (44).

Along with Muslims, equally notorious for exporting the Vices were Chinese people, who Burton described as “the chosen people of debauchery” (Burton 1885-1887, 238). An early example of this was recorded in the Spanish Philippines in the late sixteenth century. What they perceived as the corrupted morality of the Chinese was a concern among missionaries in Luzon, as a bishop complained in his letter to King Philippe II about how Chinese people were “physically and spiritually harmful to the natives” (Chan 1978, 70). They argued that before Chinese people came, the natives did not know of the “sin” against nature, but Chinese people seduced the natives “both men and women” to commit sodomy. A letter addressed to the King in 1588 shows that at one time fourteen to fifteen Chinese were arrested for engaging in sodomy and two of them were burned at stake while others were flogged (Chan 1978, 70). Chinese people reportedly protested by insisting that the practice was common in China. Male same-sex desire, often euphemistically described as “the passion of the cut sleeve“ or “the love of the shared peach” after the legendary stories of the love between ancient Emperors and their male favorites, had already established a tradition in China at the time, especially in the southern part such as Fujian, which was home to many migrants (see Hinsch 1990).

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51 Epprecht points out that this heterosexualized image of Africa that once served colonization is now employed by African politicians and intellectuals themselves to argue that homosexuality is alien to African societies (see Epprecht 2008 and 2013).

52 According to Hinsch (1990) Fujian people at the time had a marriage-like system for two males, in which the younger one moves into the older’s house to live together and treated as son-in-law by his parents (132). This relationship usually ended with heterosexual marriage, but not
A Chinese record on the incident illustrates the gap between the Chinese and Spanish perception of the matter. The author of 《東西洋考 (On the Eastern and Western Oceans)》 in 1617 reported that “pederasty” was severely forbidden in Luzon, and that Chinese offenders were burned at stake for being “against the Heaven” (Book XII), but, according to Chan (1978), his tone “seems rather casual, as if someone had been making a fuss about a trifle” (71).

The same-sex practices among Chinese migrants were suppressed in other regions in other times. Bleys (1995) points out that Chinese workers in Dutch Indonesia in the nineteenth century were suspected of engaging in same-sex practices and this contributed to the movement to replace them with workers of other ethnic groups (176). Hyam (1992) notes that an investigation was held in 1906 in the Witwatersrand in South Africa in response to the report that Chinese laborers were spreading “Vice” among blacks, although no clear evidence was found (99).

Homefront: Savages Within

Reports on “different” sexualities not only affected laws in colonies themselves but sometimes were exported back to legal and political debate within Europe. Andrew and Harriet Lyons in Irregular Connections (2004) investigate this process they call “conscription,” in which “data about sexual discourses and practices among ‘Others’” always without conflict. The enduring love between two males facing the pressure of heterosexual marriage was featured in literature at the time. In a story included in A Cap and a Hairpin (Biàn ér chāi), the protagonist tells his lover that he considers refusing the marriage offer, the lover laughs and says, “In all history when has there ever been a precedent for two men to live out their lives together?” (McMahon 1988, 77)
were deployed within the metropolitan cultures where “anthropological texts have predominantly been read and produced” (18). Conscription could be positive: enlightenment thinkers such as Voltaire, Rousseau, Diderot, and Beccaria utilized the reported spread of sodomy in non-European societies to criticize the Church’s policy on morality. Voltaire wrote in 1764, “How is it possible that a vice destructive of the human race is so widely spread, that an infamous act against nature is nevertheless so natural?” (quoted in Bleys 1995, 65). Diderot criticized the Church for having “attached labels of ‘vice’ and ‘virtue’ to actions that are completely Independent of morality” (Bleys 1995, 65). Their arguments influenced the decriminalization of sodomy by Revolutionary France in 1791 (Bleys 1995, 68). The opponents of penal law reform interpreted and “conscripted” the same reports negatively. Edward Gibbon in *The Rise and Fall of the Roman Empire*, for instance, attributed moral decay among Romans including spread of sodomy as one cause of their fall and compared it to China, India, and pre-Columbian America (Bleys 1995, 70).

During the Victorian moral panic over alleged sexual degeneration among the working class, “savage” sexualities outside were “conscripted” as a metaphor for working class sexuality. As industrialization and urbanization destabilized the traditional social order, the ruling classes felt the need to distinguish their morality from that of newly emerging working class, “cases” of primitive sexualities outside Europe were convenient to frame the regulation of immorality at home as a matter of the civilizing mission within (Bleys 1995, 151). As Foucault (1990) argued, the Victorian moral panic led to the expansion of discourses on sexuality; however, Foucault’s analysis of marginalized
sexualities missed the role of “the differently sexed savages” (Lyons and Lyons 2004, 101), whose images were increasingly brought to Europe by anthropologists. The equation of outside societies and marginalized classes within Europe was not rare in Orientalist discourse. Said writes that the Oriental was often “linked to elements in Western society” such as the delinquent, the insane, women, and the poor (1970, 207). As Joseph Massad (2007) observes, “Said could have easily added the “sexual deviant’ to his list” (11).

There were also “sexual deviants” in Europe who romanticized, as Said noted, “a different type of sexuality” in non-European societies. Robert Aldrich’s study (2003) points out that many of the well-known European men associated with colonialism and imperialism, such as Cecil Rhodes, Henry Morton Stanley, Lawrence of Arabia, Arthur Rimbaud, and Andre Gide were attracted to other men. Aldrich argues, “The colonies provided many possibilities of homoeroticism, homosociality and homosexuality – a variety of perspectives and experiences by which men expressed attraction to other men (or male youths)” (Aldrich 2003, 3). Henry Morton Stanley, who was often accompanied by young males when he travelled, wrote in his autobiography, “No luxury in civilisation can be equal to the relief from the tyranny of custom” (quoted in Aldrich 2003, 53).

Some of them sought physical as well as imaginary refuge in colonies from prosecution under new anti-sodomy laws of the era such as the Offence Against the Person Act (1861) and the Criminal Law Amendment Act (1885) in Britain, and the Paragraph 175 of the German Criminal Code (1871). For instance, Lord Arthur Somerset, who had frequented a male brothel in Cleveland Street in London that was raided and
scandalized in 1888 as the Cleveland Street Affair, first flew to the continent when he heard that the police was about to issue a warrant for his arrest, saying he wanted to “get either to Russia or ever further East” (quoted in Aldrich 2003, 185). He also considered “Asia or Africa” as comparable options to Lake Garda in Italy (Aldrich 2003, 185).

This romanticization of homoeroticism in non-western societies may seem to be another aspect of colonial sexual exploitation. Many travellers and colonial officials may have indeed exploited their privileged status to seek pleasure unobtainable at home. However, some gender non-conformists in Europe also became harsh critics of imperialism and colonialism. Aldrich (2003), for instance, lists Roger Casement and André Gide, who criticized the exploitation of African and Brazilian laborers, E. M. Foster, who condemned Britain’s reaction to the nationalist movement in India, Alain Daniélou, who argued against westernization of India and “modernization” of Hinduism, and Daniel Guérin, who denounced the massacre of Algerian nationalist and supported the Front Libération Nationale, to name a few (367-392). It is not hard to imagine why these sexual deviants, who felt comfortable being away from the tyranny of European custom, opposed the attempt to spread it in the name of civilization.

Early psychiatrists, anthropologists and sexologists who defended sexual freedom and diversity in the late nineteenth to early twentieth century also relied on ethnographic “evidence” from non-Western societies. As Jeffrey Weeks (1985) observes, “By the nineteenth century the finest products of oriental sexual wisdom and techniques were circulating amongst the knowledgeable, imported by travellers...
and pioneering anthropologists, destined to be essential partners in the sexological venture” (65).

Freud associated Western European civilization with sexual repression. In *Civilization and Its Discontents*, he wrote ”A high-water mark in such a development [to restrict sexual life] has been reached in our Western European civilization…. the choice of an object is restricted to the opposite sex, and most extra-genital satisfactions are forbidden as perversions” (Freud 1961 [1929], 51). He also utilized actual oriental materials in his psychoanalysis: according to Fuss (2004), his office and consulting room were decorated with many Oriental objects such as Egyptian mummies, Chinese Buddhas, and Persian rugs. These exotic images of the non-West made the famous couch “the point from which the world of psychoanalysis unfolds” (Ahmed 2006, 149).

Ruth Benedict, who was said to have been in a romantic relationship with her student and colleague Margaret Mead (Lapsley 1999), argued against the pathologisation and stigmatization of “homosexuality” in western society, citing same-sex/cross-gender practices in some American Indian societies then known as *berdache*. She wrote:

Western civilization tends to regard even a mild homosexual as an abnormal. The clinical picture of homosexuality stresses the neuroses and psychoses to which it gives rise, and emphasizes almost equally the inadequate functioning of the invert and his behaviour. We have only to turn to other cultures, however, to realize that homosexuals have by no means been uniformly
inadequate to the social situation. They have not always failed to function. In some societies they have even been especially acclaimed. (Benedict 1961 [1934], 262)

Other early advocates of homosexuality also referred to sexual practices in non-western societies. John Addington Symonds, “the first modern historian of homosexuality” (Chauncey, Duberman and Vicinus 1989, 1), who made a radical defense of “homosexuals” in A Problem in Modern Ethics and introduced the term to English speaking audience, praised Richard Burton’s translation of A Thousand and One Nights as “rare insight into Oriental modes of thought” (Lyons and Lyons 2004, 71). Edward Carpenter included ethnographic accounts of “hermaphrodisim” in his Intermediate Types Among Primitive Folk. Havelock Ellis also included ethnographic data in his work to argue that homosexuality was common where and when it was not prohibited (Lyons and Lyons 2004, 127).

Contemporary categories of various forms of non-normative sexuality including homosexuality and transgender may have been the products of western sexology. However, images of sexual practices in non-western societies contributed to its early development as alternative to supposedly restrained western sexuality. As Ruth Benedict put it, “primitive cultures” offered “a laboratory” in which they could study “the diversity of human institutions.“ Or, as Jeffrey Weeks (1985) summarizes, “From Rousseau to the pioneers of sexology, from Freud to Kinsey and beyond” reported sexual practices in other cultures “have provided a test-bed and a
comparative standard for speculations about the nature of sex and the reasons for its variations” (99).

Conclusion

The cases I have reviewed here are largely based on western representations of non-western sexualities. As is often the case with Orientalist discourses at large, western observers may have generalized some specific practices by specific people, and they may have often ignored different rules and taboos that regulated non-western sexual customs. As Havelock Ellis, an early critic of the primitive promiscuity theory, wrote:

Travelers, and too often would-be scientific writers, have been so much impressed by the absence among savages of the civilized ideal of chastity, and by the frequent freedom of sexual intercourse, that they have not paused to inquire more carefully into the phenomena, or to put themselves at the primitive point of view, but have assumed that freedom here means all that it would mean in a European population (Ellis 1936, 267).

Although recent archaeological, historical and anthropological research suggests that non-heteronormative sexual practices in many societies outside Europe were not entirely Orientalist myths, I have no intention to claim that these representations illustrate
authentic non-western sexual traditions that should be reconstructed, or to romanticize traditional forms of sexuality as truly free and diverse, ignoring different regulations in play often along the axes of class and gender.

At least, for the aim of this paper it is significant enough to point out that historically, non-western societies have not always been represented as “homophobic,” and the West itself has not always been homoprotectionist. Rather, in the colonial context, non-western societies were often represented by western observers as a site of sexual freedom and diversity. If there was anything that can be called a “western influence” on sexuality at the time, it was heteronormative regulation of supposedly perverted, uncivilized sexual practices, which sometimes “natives” resisted it, in the name of “custom and tradition” (as most obviously in the case of Chinese immigrants in Luzon), or voluntarily adopted in order to make their societies look “respectable,” “modern,” and “civilized” to the eyes of westerners (as in Hawaii, Iran and Japan).

The western representation of the Orient, according to Said, helped define the identity of Europe as its contrasting image. What was reflected, then, in the colonial depiction of the Oriental sexual “Vices” was the image of repressed western sexuality, as praised by some and later criticized by the proponents of sexual freedom. In other words, the geography of perversion, the representation of the non-West as the site of sexual licentiousness and deviance served as constitutive outside of the European repressive hypothesis. How has this relation changed in the context of contemporary western
homonationalism, when the West oppositely identifies itself with sexual freedom? This is the question of the next chapter.

CHAPTER 3. MODELS OF THEIR FUTURE: THE OPEN SOCIETY AND ITS NEW HOMOPHOBIC ENEMIES

If sex is repressed, that is, condemned to prohibition, nonexistence, and silence, then the mere fact that one is speaking about it has the appearance of a deliberate transgression. A person who holds forth in such language places himself to a certain extent outside the reach of power; he upsets established law; he somehow anticipates the coming freedom.

— Michel Foucault (1990, 6)

In the previous chapter, I have reviewed how uncivilized non-western societies were associated with sexual deviance and licentiousness in colonial discourses, as the constitutive other of the sexually restrained or repressed West. Under the current “reverse” Orientalism, however, as we have seen in the first chapter, the West is refashioned as the promoters of non-heteronormative sexual lifestyle, both from their supporters and the opponents. In Undercurrents: Queer Culture and and Postcolonial

53 By this I do not mean that this traditional Orientalist imagination has completely gone now. Several scholars have point out that it still plays a significant role in “gay tourism” (see Afary and Anderson 2005; McCormick 2011; Puar 2001). Also, Altman (1996) cautions against “Western romanticism about the apparent tolerance of homoeroticism in many non-Western cultures” which often dismisses “the reality of persecution, discrimination, and violence, which sometimes occurs in unfamiliar forms” (80). Besides, several western conservatives continue to pose heteronormative “western influence” on other societies. Clifford Bob’s research (2012) suggests that American religious activists and conservative cause lawyers contribute to the global network of anti-LGBT rights politics (for the specific case of Uganda, see Kaoma 2013). Indeed, a consequence of sexual occidentation is that this ongoing anti-LGBT influence becomes less visible. As Bosia and Weiss (2013) point out, "It seems the all-too-rosy glow of Western leadership in exporting LGBT rights has rendered the West's equally prominent role in the diffusion of homophobia nearly invisible" (6).
Hong Kong, Helen Hok-Sze Leung reports her experience at the 2001 Lesbian and Gay Film Festival in San Francisco that well illustrates this new phenomenon. After she spoke at a panel on Asian films, she was asked by an interviewer how gay and lesbian Hong Kong filmmakers would feel about San Francisco. The interviewer, she recalls, then confidently added, “They see us as a model of their own future, don’t they?” (Leung 2008, 1)

She interprets this remark as a manifestation of “a belief in the universality and linear progression of gay and lesbian liberation” (ibid) as well as the interviewer’s pride in the city’s liberated culture. Queer theorists have often questioned the universal applicability of gay and lesbian identities that have developed under specific political dynamics. Leung, too, cites this experience to address how gay and lesbian as a category of analysis turned out to be inappropriate for her study of queer films in Hong Kong. But for the sake of the argument of this thesis, what is more interesting is the fact that Hong Kong is here represented as a “backward” society that should aspire to be like liberated and progressive San Francisco for its supposed lack of sexual freedom and diversity, the very character that western observers once associated with South China and saw as a source of its backwardness (see Chapter 2). In other words, its representation is “reversed” in terms of sexual freedom, but it nonetheless remains “backward.”

It is the contention of this thesis that this interviewer’s ethnocentric comment is merely a reflection of broader social attitudes under the current reverse Orientalism and sexual occidentation wherein the protection of sexual minorities is represented as the nation or culture’s superiority. One example can be drawn again from Joe Biden’s HRC
speech (Biden 2014). In this speech, Biden reinterprets the recent development of LGBT rights as a success story of an “American dream.” He states, in front of HRC members, that “[a]ll of you spoke out and stepped up and came forward, you came out and you marched, you demanded to be recognized, demanded your constitutional rights, demanded a basic American dream,” and that “‘your tenacity, your integrity, and yes your physical courage, and your pride, bent the moral arch of this nation, and it’s finally moving in the right direction’ (ibid). Since American political and cultural value is now associated with the protection of LGBT rights, in his narrative, the United States is attributed a special status in its transnational promotion. He proudly declares that in most countries he has travelled to, people are “looking to us as an example, as a champion of LGBT rights everywhere” (ibid). Thus, he concludes, the United States must lead to this mission to “change hearts and minds and laws all around the world” and combat those who justify “bigotry and hatred” in the name of cultural norms (ibid).

Along with its obvious amnesiac erasure and simplification of the nation’s more complicated relationship with sexual minorities, what is notable about this narrative is how it seems to adopt the rhetoric of civilization which in the time of colonialism deployed to promote the opposite cause. He describes anti-LGBT laws that remain in US states as “close to barbaric” (ibid). Mentioning the practice of so-called “corrective rape” against lesbian women in Jamaica, he rhetorically asks, “How can a country that speaks in those terms be remotely considered to be a civil society?” (ibid). Discrimination and violence against sexual minorities are here redefined as a sign of barbaric and uncivil societies that must catch up with the standard of civilization.
In this chapter, I investigate this new homoprotectionist civilizing mission that some have critiqued as “homonationalism” or “gay imperialism.”

LGBT Pride as the American Pride

One of the most remarkable characteristic of Biden’s narrative is his confident association of LGBT rights with American values. He described the recent LGBT rights movement and its achievements as a matter of demanding “constitutional rights” and “a basic American dream” (Biden 2014). This association is rather surprising and even ahistorical given that homosexuality and other non-normative forms of sexuality had been dominantly considered to be “un-American” and a “threat”\(^{54}\) to the core American values until very recent years in the U.S. history (See Stychin 1998). More importantly, it reveals a contradiction in global LGBT rights discourse and the sexual clash of civilizations framework. The clash between LGBT rights claims and their opponents, as with controversies over human rights in general (see e.g. Merry 2006), have often been described as one between global/universal/cosmopolitan values and local/particular/communitarian values (see Grewal and Kaplan 2001; Stychin 2004 and Chapter 1 of this thesis), as a global tag of war between homoprotectionist countries, who represent universal human rights, and homophobic countries who represent particular cultures and traditions. In Biden’s narrative, however, the protection of LGBT rights is

\(^{54}\) Sometimes this homosexuals-as-threat analogy was more than metaphorical or rhetorical. For example, on in 1952, the New York Times reported Charilise H. Humelsine, Deputy Under Secretary for Administration at the time, as saying, "There is no doubt in our minds that homosexuals are security risks." (New York Times reprinted in Burgess 2011, 26)
presented simultaneously as universal values (basic human rights) and American values (a basic American dream). In other words, allegedly “universal” and “global” values are here incorporated into local and national values.

The equation of universal values with American values leads Biden to claim the US’s status as a “champion of LGBT rights.” In line with the concept of “soft power” developed by Joseph Nye, he says that the promotion of LGBT rights must be integrated into “how we do American foreign policy in the twenty-first century,” because, “America’s strength, does not lie in the exercise of its power…. It lies in the exercise of its values.”

In every aspect, in every aspect of American foreign policy, we should have as the focus in our policy that we lead not merely by the example of our power, but by the power of our example. That’s what makes us different. That’s what makes us strong. (Biden 2014)

Jasbir Puar (2007) explains this seemingly paradoxical equation of the particular and the universal as a character of U.S. exceptionalism. By naturalizing the conjunction of singularity (the unique status of being an “exception”) and universality (the teleological narrative of being “exceptional”), according to Puar, it enables unique,

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55 The incorporation of allegedly universal values into national values is central to Nye’s concept of soft power. He writes, “When a country’s culture includes universal values and its policies promote values and interests that others share, it increases the probability of obtaining its desired outcomes because of the relationships of attraction and duty that it creates. Narrow values and parochial cultures are less likely to produce soft power. The United States benefits from a universalistic culture.” (Nye 2004, 11) He also mentions “open sexuality” as one example of U.S. soft power, although it is unclear whether he means only “heterosexual sexuality” or not, given the fact that he lists it with feminism and individual choices.
exceptional American values to be paradoxically normalized as a regulatory ideal\(^{56}\) (8). She coined the term “homonationalism” to describe (homo)sexual aspects of this U.S. exceptionalism, in which the protection of some forms of non-heteronormative sexuality is mobilized as a means of ensuring the nation’s status as the exceptional. The framework she introduces here is useful and I believe effective as an analytical tool in examining how integration of sexual minorities into its national identity\(^{57}\) affect the nation’s policies, and I owe her much of my own analyses in this thesis, as will be shown later in this chapter. However, her critique of homonationalism is itself not unproblematic.

Homonationalism, according to Puar, is the contraction of “homonormative nationalism.” Homonormativity is a concept introduced by Lisa Duggan, as “a politics that does not contest dominant heteronormative assumptions and institutions but upholds and sustains them” (Duggan 2003, 50) while promising gay friendliness. This approach is based on persistent rejection of mainstream venues of politics as corrupting the true causes of a minority movement, shared also by other radical queer critics and the field of Critical Legal Studies in general (see Chapter 1). Its basic notion is that “wrapping those things [neoliberalist state institutions]... in rainbow flags redeems them” (Spade 2013, 98) but ending up with “rainbow-flavored neoliberalism” (Conrad 2012, 23), or that, as Jack Halberstam says of marriage, “before you change it, it changes you” (Halberstam 2012, 97).

\(^{56}\) She draws this analysis from Giorgio Agamben’s work on the state of exception. (see Agamben 1998 and 2005)

\(^{57}\) Her work was groundbreaking because it challenged the assumption that had been shared both by liberal and radical branches of LGBT scholars that the nation is inherently heteronormative and hostile to sexual minorities.
While they may be right in warning that state sanctioned rights can be co-opted into different, potentially problematic causes, their persistent and almost puristic rejection and condemnation of homonormativity, gives the impression that it is inevitable and unchangeable, which leaves no room for the agency of marginalized people (sexually or otherwise) whom they purport to defend in the first place. In doing so, more problematically, they tend to fall into their own ethnocentrism and classism. By presenting homonormativity as always white and elitist, and as a matter of rich, dominantly white societies, first, they often do not consider how normalization of sexual minorities can function in other social settings with different racial and economic dynamics, and second, how it can possibly benefit marginalized populations however limited that may be. Yau Ching (2010), for instance, in her introduction to a collection of essays on sexual minorities in Chinese societies (which is rather sarcastically titled As Normal as Possible), argues that “normativity as a relative ideal might not be accessible for many people in most parts of the world” (3). That the critique of rights, despite its self-claimed anti-classism and anti-racism, tends to be “a luxury of white males in elite law schools whose own rights are secure” (Calavita 2010, 133) with its total rejection of positive aspects of rights, has already been discussed in Critical Legal Studies in general. As Martha Minow (1987) points out, it can often feel like “those who have, telling those who do not, ‘you do not need it, you should not want it’” (1910).

Nationalization of LGBT rights, or inclusion of sexual minorities into the national community, which radical queers tend to regard merely as a decoy of neoliberal conspiracy, itself is not necessarily problematic. The process of suturing supposedly
universal human rights knowledge and local/national values, which Sally Engle Merry (Merry 2006) calls the vernacularization of human rights, has been rather strategically effective, or to some extent necessary, in many non-western societies where those two claims often conflict. Carl Stychin (2004) suggests that this strategy of integrating making international legal standards as “the essence of a people” has been successful in LGBT rights politics. One specific strategy that Stychin points out is to reclaim history of sexual minorities against the myth that homosexuality is something new and alien that is polluting a sexually pure culture. Such an attempt can often be historically and anthropologically dubious but rhetorically powerful (ibid, 958).

“Homonationalism” in the United States can be interpreted as one variant of the vernacularization of human rights. For instance, the Supreme Court’s ruling in *Lawrence v. Texas*, which Puar interprets as a prima example of the nation’s project to sanction homonormative subjects, can be read as an attempt to reclaim and reinterpret the national history. In the ruling, Justice Kennedy, despite the Court’s tradition of “legal insularity,”\(^\text{58}\) refers to the fact that many other western nations have decriminalized homosexual conducts and begun to recognize their civil rights and argues that “[t]he right the petitioners seek in this case has been accepted as an integral part of human freedom in

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\(^{58}\) In *Rights Talk* (1991), for instance, Mary Ann Glendon criticized *Bower v. Hardwick* (1986), which upheld a Georgia sodomy law and would be overruled by *Lawrence*, for their seeming lack of any reference to or even interest in *Dudgeon v. The United Kingdom*, which was decided by the European Court of Human Rights five years earlier and ruled against the criminalization of private same-sex sex between consenting adults. This is not unique to *Dudgeon*, “U.S. courts have long rejected foreign law as precedent. Until the 2000s, it was unusual for them even to cite such law as supportive of a decision” (Bob 2012, 75). *Lawrence* was a manifestation of a recent shift to refer to overseas practices as “instructive for its interpretation” of American law (*Roper v. Simmons*, 2005).
many other countries” (transnational values), but also frames the issue as the matter of the right of privacy which has been, according to Justice Kennedy, protected throughout the history of the United States, despite the criminalization of sodomy on paper. In doing so, the ruling radically reinterprets the history of sexual minorities in the United States and refutes the previous assumption presented in *Bower v. Hardwick* (1986) that the criminalization of homosexuality has “deep roots in our nation's history.” Such reinterpretation is not greatly different, as Aleardo Zanghellini suggests, from what “contemporary Muslim practitioners of LGBT Islamic hermeneutics… are doing in order to pursue the project of an LGBT affirmative Islam” (Zanghellini 2012, 370).

The framework of homonormative nationalism does not clearly address, as Robert Kulpa “What is so necessarily wrong with the willingness to be recognised as a part of the national community, to build one’s own identification in relation to other nationals and not be left aside as encapsulated and self-contained, ab/sub/ob/ject?” (2011, 56) while it correctly problematizes potential dangers that the incorporation of sexual minorities can slip into a “manifestation of ‘moral superiority’ of those capable of ‘helping’ [sexual minorities]”, and a “hegemonic and ‘orientalising’ manifestation of power relations between the ‘West’ and ‘the rest of the world’” (Kulpa 2011, 46).

My contention here is that investigation of problematic aspects of mainstream human rights/LGBT rights politics must be more nuanced and contextualized, and that the overarching concept of homonormativity is too broad, judgmental and deterministic for that purpose. I find Keating’s concept of homoprotectionism, which directly addresses the translation of the protection of sexual minorities into the legitimization of political
authority pointed out by Robert Kulpa, more precise and effective in examining how national identity as the protector of sexual minorities can affect its policies on the global political arena. Thus, in the following critique of the incorporation of sexual minorities into national identity by U.S. and other western nations and its global consequences, I use the term homonationalism and borrow Puar’s (and other radical queer theorists) theories, but in a narrower sense than in the original usage, namely, not as “homonormative nationalism” but rather as “homoprotectionist nationalism.”

In the Name of Love: The Emotional Politics of Homoprotectionism

Joe Biden’s HRC speech is remarkable not only for its integration of LGBT rights to civil rights and human rights, of which, according to his narrative, the United States has served as a global promoter, but also for the fact that it describes global LGBT issues as a matter of emotion, as well as law. He confronted “the right to decide who you love,” which he considers to be “the single most basic of all human rights” with hatred defended in the name of culture norms and thus addressed the “hearts and minds” as well as laws of people all around the world. Sexuality, of course, by definition concerns affection and cannot be separated from it, and Biden is by no means alone in deploying emotional rhetoric in promoting LGBT rights.

To give one example, Ryan Conrad (2012) points out that mainstream US gay and lesbian organizations have deployed the “highly affective and emotionally charged”
appeal to heartstrings in tandem with more analytic, rights-based rhetoric of equality in their campaigns for same-sex marriage. As a queer anarchist opposing state-sanctioned marriage be it same-sex or not, he makes this point to critique the equation of love with marriage, which he regards, following Emma Goldman, merely as a violent and unequal state institution that has historically more to do with the coercion of traditional gender roles than emotional relationships. Although the specific question of same-sex marriage is beyond the scope of this thesis, the mobilization of the notion of love illustrates how homoprotectionism functions, and how it can lead to problematic consequences in the global political arena.

In *From Disgust to Humanity*, Martha Nussbaum (2010) theorized recent legal and political changes concerning sexual minorities in the U.S. as the shift from “politics of disgust” to “politics of humanity.” The former, according to Nussbaum, turns a negative emotional reaction against people who one finds disgusting into a reason to treat them as “social pariah.” Nussbaum problematizes the way the politics of disgust attributes something they find disgusting to the representation of a certain social group (i.e. sexual minorities). In this way, she argues, disgust is “extended from object to object in ways that could hardly bear rational scrutiny” (15). Because of this effect of stigmatizing others with imaginary association, “the emotion’s normative irrationality” (20), she concludes, disgust is an “unreliable emotion” and should not be a basis for any legal regulation.

The latter, in contrast, is based on respect for and sympathy with the experiences of sexual minorities, instead of seeing them through stigmatized images. This capacity to
imagine others as equal human beings, made possible by coming out of many gays and
lesbians, is essential to “equal respect for the human dignity and natural rights of all
persons,” which, Nussbaum contends, is a fundamental American value (35). She
considers a shift in imagination from disgust to humanity to be the basis of the recent
move to protect the rights of sexual minorities in the United States.

President Obama’s speech in this June (Obama 2014) well illustrates how this
politics of humanity is practised. Like Biden, he considers the LGBT rights issue as a
matter of “hearts and minds” as well as law.

[D]espite the great work of some incredibly talented and courageous lawyers, it is
important to understand it’s not just the laws that are changing -- it’s hearts and
minds…/[W]hat’s been remarkable is the way Americans of all age groups are
increasingly embracing marriage equality. They understand love is love. And for
many people whose minds have changed, it was love that did it -- love for the
child or the grandchild, or the friend or the coworker who sat down one day and
held their hands and took a deep breath and said, I’m gay. (ibid)

He continues to explain recent legal changes in terms of changes in emotion.
Don’t Ask, Don’t Tell policy was repealed, because “no one should have to hide who you
love to serve the country we love.” The Matthew Shepard Act was enacted because
“hate-driven violence has taken the lives of too many in this country.” The prohibition on
people with HIV from travelling to the U.S. was lifted and discrimination in federally
funded hospitals and housing was banned, “because stigma and fear have no place in our
laws” (ibid).
What is shared by Nussbaum, Obama, and Biden is the narrative that depicts homoprotectionist legal reforms as a matter of changing feelings toward sexual minorities, from bad emotions such as hate, fear, disgust to good emotions such as pride and love. This kind of narrative may be comfortable, and rhetorically strong, but ignores political and social dynamics behind those changes. Sara Schulman, in her insider’s account of ACT-UP (AIDS Coalition to Unleash Power) (Schulman 2012), recalls when she heard a radio program that historicized the AIDS epidemic, which she found as problematically clear-cut and simplified. She writes:

*Oh no, I think. Now this. Now after all this death and all this pain and all this unbearable truth about persecution, suffering, and the indifference of the protected, Now, they’re going to pretend that naturally, normally things just happened to get better. That’s the way we nice Americans naturally are. We come around when it’s the right thing to do. We’re so nice. Everything just happens the way it should…. We cannot let the committed battle of thousands of people, many to their deaths, be falsely naturalized into America “coming around.” No one with power in America “come around.” They always have to be forced into positive change. (3)*

She uses the analogy of “gentrification” to describe the process in which complex realities are replaced with simplistic ones (36), and actual struggles behind political and social changes are erased as they are retold merely as a matter of people naturally changing their attitudes in the right direction.
Critical race theorists, who denounce “the comforting belief that time and the generosity of its people will eventually solve America's racial problem” (Bell 1992, 13), would also disagree with this “gentrified” narrative from hate to love. Derrick Bell, for instance, introduced one of the guiding principles of Critical Race Theory called interest convergence or material determinism (Delgado and Stefancic 2012) in his 1980 article on *Brown v. Board of Education*, in which he argues that racism or racial reform is connected to material interests of the dominant white class, and that while he one agrees upon racial segregation on a “normative level” may not necessarily do so on a “positivistic level” (Bell 1980, 523). He proposes that the *Brown* decision, for instance, “helped to provide immediate credibility to America’s struggle with Communist countries” (524). Following this point, Mary Dudziak in *Cold War Civil Rights* (2011) analyzes the process in which racial reform served the U.S. national interest in the Cold War context, by restoring its international image as the promoter of justice and freedom... The convergence of the protection of LGBT rights and national interests is not tacitly concealed in Biden’s account, in which homoprotectionism is directly connected to “America’s strength” (Biden 2014).

Moreover, in U.S. history, the notion of love has also been mobilized by homophobic forces to achieve exclusive and discriminatory ends. Patriotism or love of country which Obama associated with the repeal of Don’t Ask, Don’t Tell policy, once led to the purge of a number of homosexuals from the federal government during the era of McCarthyism (Johnson 2004). It was in the name of love of children when, in the late 1970s, the opponents of the inclusion of sexual minorities to anti-discrimination law
organized under the slogan “Save Our Children.” Anita Bryant, singer who became the icon of the movement, refuted the claim that the protesters “came in anger and hate,” saying, “I know in my heart that it was not out of hate, it was out of love —not only love for God's commandment and His word, but love for my children and yours. Yes, and even love for all sinners—even homosexuals” (quoted in Fejes 2008, 95).

The mobilization of love by “hate groups,” according to Sara Ahmed’s The Cultural Politics of Emotion, is not uncommon. She specifically analyzes the website of the Aryan Nations, white supremacist organization, which states that the group is motivated not by hate of “a mixed racial couple,” “another child-molester or rapist,” or “the boatload of aliens”, but love of those who are “victimized” by them (Ahmed 2004, 42). These conversions of hate into love allow those groups to associate themselves with good feeling and positive value (123). Here, Ahmed does not argue that such reframing renders their racist and discriminatory claims justifiable or more acceptable, but she merely points out that the ways the notion of love, or an act in the name of love are more elusive and slippery than commonly understood, as expressed by Nussbaum, Obama and Biden’s equation of love with good politics. Ahmed investigates how seemingly inclusive multiculturalism — love of diversity — can turn into another form of exclusive nationalism. In United Kingdom, for instance, she argues that being plural, diverse, loving and welcoming to others has become a national ideal. When multicultural love of differences is fetishized as the sameness that binds the imagined community, “others” such as immigrants, ethnic minorities and white working-class that multiculturalism originally purports to protect can be repositioned as a threat to that ideal, as not
appreciating the love of differences. In other words, associating love or other “good” emotions with “good” politics too easily, or to use Ahmed’s own phrasing, “speak[ing] too quickly in the name of love” (140) conceals the fact that, however inclusive and altruistic it seems, love of an ideal is often paradoxically supported by, and can be a justification for, hatred toward those who “fail” to achieve it.
A similar parallel can be observed in homoprotectionist love, in which failure is unmistakably represented by homophobia. Homophobia, failure to love and accept sexual minorities, is interestingly associated with “others” in Biden and Obama’s narrative, as the United States is rebranded as the champion of LGBT rights. Joe Biden, for instance, does not hesitate to express his disgust over “culture norms,” which he regards, correctly, as justification for homophobia. Obama’s speech reveals the way the success of state homoprotectionism is translated into failure of others, and more problematically, into the United States’s duty to help them. After listing aforementioned legal changes in favor of sexual minorities, Obama acknowledges that they should not be “complacent,” by mentioning a few countermovements against LGBT rights in the U.S.. His subject, then, suddenly and naturally shifts to “people around the world”:

And most of all, There are still Americans out there who are vulnerable and alone, and still need our support. So we can’t stop. We’ve got to keep fighting. We’ve got to keep fighting for the human rights of people around the world — to those who face violence and intimidation every single day, and who live under governments that have made the existence of anybody who’s LGBT [lesbian, gay, bisexual or transgender] illegal. We need to send a message to those folks. I want them to hear from the President of the United States: We believe in your dignity and your equality, and the United States stands with you. (Obama 2014, emphasis added)
This remark seems to capture the moment domestic legal developments concerning LGBT rights are connected to global human rights issues and how a newly gained identity as a homoprotectionist state is accompanied by reference to others who fail to protect LGBT rights.

Critics of homonationalism and “gay imperialism” have pointed out that western homonationalist identity constructs “homophobic culture” as its Other, as non-western licentiousness was contrasted to western repressiveness. Jasbir Puar, for example, calls this new power dynamics “a contemporary version of Foucault’s repressive hypothesis” (Puar 2008, 53), in which the sexually “liberated” West now gains what Foucault called the “speaker’s benefit” (Puar 2007, 94-95). Foucault argued that the myth of repressed and silenced sexuality gives someone who speaks about it the position as a pioneer who “somehow anticipates the coming freedom” (Foucault 1990, 6). What is significantly problematic about this new homoprotectionist repressive hypothesis is that it tends to reinstall the colonial orientalist representation of non-western, uncivilized societies as monolithic “other.”

In this new dynamics, Islam is often ironically represented as essentially homophobic, contrary to the homoerotic images attributed to it in classic Orientalist discourses (see Chapter 2), as some have pointed out (Haritaworn, Tauqir and Erdem 2008, Helie 2012). One example is Dutch open gay politician Pim Fortuyn’s anti-immigration, specifically anti-Islam policies (see Lunsing 2003). In a controversial newspaper interview59 in February 2012, he called Islam a “backward culture” for the

59 This interview lead him to be dismissed from the political party Leefbaar Nederland (Livable Netherlands). He later formed his own party Lijst Pim Fortuyn (Pim Fortuyn List).
treatment of women" and gays and said, “If I can legally manage it, I would say: no Muslim comes in[to this country] any more” (Lunsing 2003, 20). His rare presence as an openly gay politician at the time, especially among the far right, as one observer suggests, signified the uniqueness of the Dutch culture he advocated to defend, notably from “Islam” (Bracke 2012). His success suggests that homoprotectionism, an argument for gay inclusiveness, can be used to promote exclusive, discriminatory policies. In other words, as one puts it, he showed that “the right-wing populism can very well be gay” (Furuhashi 2004, 9).

Jasbir Puar’s (2007) analysis of (homo)sexualized torture of Iraqi terrorist suspects at Abu Ghraib in the War on Terror offers another example of the association of homophobia and “Islam” or “Arab.” She argues that the torture was based on the (neo)orientalist construction of Arab/Muslim sexuality as culturally, essentially, phobic and sensitive to sex in general, and homosexuality in particular. Seymour Hersh’s (2004) article, “The Gray Zone” in The New Yorker, pointed out that Raphael Patai’s The Arab Mind, which argues that sex in the Arabic culture is regarded as a taboo and a shame and hence depressed, became “the bible of the neocons on Arab behavior,” and accordingly

60 Postcolonial feminists have critiqued how discourses in favor of women have contributed to the representation of a culture or society (often in the Third World) as inherently oppressive against women, which justifies foreign (often “western”) intervention as a form of rescue, a pattern Gayatri Spivak described as “white men saving brown women from brown men” (Spivak 1988). See also Mohanty (2003), and Bhattacharyya (2008). See Bracke (2012) for its connection to homoprotectionism in the Dutch context. Hélie (2012) also argues that homoprotectionist attacks on homophobia in “Islamic societies” is often accompanied with attacks on misogyny in Islam. One example she gives is the Israeli Prime Minister Benjamin Netanyahu’s statement in 2011, which defined Middle East as “a region where women are stoned, gays are hanged, Christians are persecuted” (quoted in Hélie 2012, 297).

61 This comment, of course, was not an isolated event and had its own context. Lusing (2003) suggests that one year prior to this, in May 2001, the Moroccan-born imam El Moumni’s television interview, in which he described homosexuality as a “contagious disease” threatening Dutch society, led many gays to, in turn, regard Islam as a threat (20).
the “notion that Arabs are particularly vulnerable to sexual humiliation became a talking point” among them before the invasion of Iraq. Whether this background story is true or not, Puar suggests that the liberal media coverage of the torture repeated this kind of “cultural” explanation that its (homo)sexual aspect was extremely and uniquely humiliating for the Arab, Muslim detainees. Gregg Easterbrook commented that “Male homosexuality is deeply shameful in Arab culture; to force naked Arab prisoners to simulate gay sex, taking pictures you could threaten to show, would be far worse than being them” (quoted in Puar 2007, 90). Patrick Moore, similarly claimed that the sexualized torture techniques are “particularly effective because of Islam’s troubled relationship with homosexuality,” and that naming Muslim men as homosexuals is “a far greater degradation to them” than physical abuse (quoted in Puar 2007, 93). In these comments, albeit sympathetic to the tortured detainees, the monolithic notion of the Arab/Muslim sexuality is reproduced and tacitly framed the torture as a matter of psychological sexual humiliation, which is unique to their culture (Puar 2007, 97), rather than extreme physical pain, and reinforced the “projection of homophobia onto other spaces” (95) to consolidate the U.S. sexual exceptionalism.

“Africa” is also represented as a site of homophobia. Rahul Rao (2014) argues that the “mapping” of homophobia by transnational LGBT rights organizations reproduces the image of Africa as the “dark continent” with Uganda as a “gay heart of darkness” (172). Marc Epprecht (2013) also suggests that such representation reproduces the age-long stereotypes of “Darkest Africa,” “homophobic, violent, irrational, childlike
in their vulnerability to manipulation by foreigners, fundamentalists and evil-doers in
general” (7).

Such monolithic representation of “Islam” or “Africa” as inherently homophobic
is, first of all, oblivious to the fact that colonial discourses had associated Islam with
same-sex practices, and to the fact that it was colonial governments that installed many
homophobic laws in Africa in the first place (see Chapter 2). And as critics of
“homonationalism” and “Gay Imperialism” suggests, it contributes to the reproduction of
colonial discourses of the “liberated” West and the repressed Rest, which confirms the
West’s superiority as the model for other societies and ultimately its role or even “duty”
to liberate them. What is more problematic, however, is that such monolithic depiction of
a region, culture, or population as “homophobic” on one hand and association of the West
with homoprotectionism on the other can be exploited by conservative leaders who
legitimate their heteronormative policies as fight against cultural imperialism. We turn to
this pattern in the next chapter, and examine how it is embedded in particular local
political and social interests, rather than as an atavistic return to traditional values as both
sides of the argument tend to see it.

Conclusion

It is one thing to nationalize LGBT rights as “new civil rights” but it is quite
another to export them as new human rights. Bringing one’s own principles into a
different context come with different responsibilities for its ramifications especially in the
current “sexual clash of civilizations” where “one state’s ‘progress’ is another’s ‘moral
decay’” (Rao 2014, 170) or, more specifically, “any advancement toward full equality in
the United States is depicted as evidence of a growing homosexual threat to the world.”
(Kaoma 2013, 78). Of course, merely the fact that they are exploited by “homophobic”
leaders elsewhere to counterproductive causes does not necessarily discredit the
achievements of the American “New Civil Rights Movement,” which are, I believe,
worth celebrating. But we nonetheless need particular caution and prudence when we
attempt to transplant those newly gained “victories” 62 at home in other places where they
are not necessarily celebrated, at least not in the same way. As Anissa Hélie points out,
“well-intentioned Western leaders… must cautiously assess their ability to promote
gender equality norms abroad, and the potentially negative impact of their strategies”
(2012, 305). That is the price of leaving home, and, as Clifford Geertz once said, “If we
wanted home truths, we should have stayed at home” (Geertz 1984, 276).

62 Also, in examining “homoprotectionism” in the “West,” I in no way mean to suggest as if the
“western” countries are now entirely homoprotectionist, and there is no discrimination against
sexual minorities. That is exactly the kind of argument I want to problematizing as a by-product
of state homoprotectionist discourse, which tends to depict homophobia as something only
“others” have, as indicated in both Obama’s and Biden’s speeches. I concur with radical queer
theorists who argue that current legal reforms as insufficient (see for example, Spade 2011, and
the articles collected in Conrad 2014). I believe that examining the mainstream LGBT rights
protection in light of state interests and identities in international relations will contribute to their
analyses by revealing one aspect of the power dynamics they call “homonormativity.”
CHAPTER 4. WE DON’T HAVE THAT IN OUR COUNTRY: POSTCOLONIAL AMNESIA AND SEXUAL MORAL PANIC

In Iran we don’t have homosexuals like in your country.

— Mahmoud Ahmadinejad, then the President of Iran, in 2007 (Pink News 2007)

Postcolonial Homophobia and Postcolonial Amnesia

In Chapter 2, I reviewed how classical Orientalist discourses often associated homoeroticism and transgenderism with non-western societies. In postcolonial societies, however, in turn sexual deviance has often been attributed to white colonizers, giving rise to what might be called “postcolonial homophobia” (Healey 2001, 257). One early example is Frantz Fanon’s association of homosexuality with “negrophobia.” In Black Skin, White Mask (2008 [1952]), Fanon considered homosexuality (especially male passive homosexuality) to be caused by white men’s negrophobic obsession with black men’s sexual superiority, and stated that “the negrophobic man is a repressed homosexual” (135). He also claimed that “the overt presence of homosexuality” was not observed in Martinique, despite the fact that there were “men dressed as women” called makoumè, whom he merely regarded as playing “homosexual” as an “expedient” (157-158).
“Homosexual scandals” among colonial officials⁶³ were also utilized by anti-colonialists to delegitimize the colonial authority. For instance, Kieran Rose (1994) suggests that in the late nineteenth century Ireland, Irish officials attacked homosexual scandals among colonial officials “as a means of undermining certain highly-placed officials in the colonial administration in Dublin, one of whom was said to bear ‘the odium of contaminating the running stream of Irish moral purity by stirring up the stink of pollution placed by foreign hands’” (6). Ironically, this association of homosexuality with British officials in Ireland coincided with the time Britain itself was tightening its restrictions on homosexuality (See Chapter 2). Sometimes “homosexual scandals” haunted postcolonial politicians themselves. Marc Epprecht (2013), for instance, suggests that Cameroon’s brand-new law prohibiting male same-sex sex in 1970 was possibly invoked in part by the fact that the nation’s first president Ahmadou Ahijo was rumored to have had sex with the last French governor and he felt the urgent need to refute his connection with both homosexuality and the colonial regime (129).

Postcolonial homophobia is often supported by the logic of “colonial contamination” (Stychin 1998), in which pre-colonial societies are imagined to be purely heterosexual, and homosexuality and other forms of sexual deviance are attributed to the western (neo)colonialism, as obviously expressed in claims that homosexuality is un-African, un-Islamic, or un-Asian. This logic is oblivious to the fact that, as we have seen in chapter 2, the colonial regimes often installed laws regulating same-sex conduct, some of which remain today. Moreover, recent historical and anthropological studies suggest that non heteronormative sexual practices western observers reported from many

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⁶³ See Aldrich (2003) for some examples of such scandals.
parts of the world outside Europe were not entirely Orientalist myths. The logic of colonial contamination, however, erases those practices from the realm of tradition to construct it as a purely heteronormative one, currently under attack from alien, western sexualities. Saskia Wieringa names this process “postcolonial amnesia,” in which a culture is naturalized as “always-already” patriarchal and heterosexual. Although she particularly looks at the case of Indonesia under Suharto’s New Order regime, studies in other regions suggest similar phenomena.

By “amnesia” Wieringa does not mean a passive memory loss or mere ignorance of historical facts, but she rather sees it as an active political process in “certain aspects of a past” are selectively memorized while others inconvenient to the “hegemonic vision of society” are ignored and denied (208). In other words, she suggests that sexual traditions, as well as many others, are often “invented” ones, arising out of particular political contexts. That is, what appears to be a moral or cultural question, is actually a political one as well. In this chapter I examine “postcolonial amnesia” in Russia, Iran, and Japan. My choice of these three non-western countries that were not directly colonized by western powers, is partly because I agree with Wieringa that sexual ideologies of the western powers in the colonial era influenced on countries that “didn’t fall under direct colonial rule” (213) and also because these cases highlight non-western societies’ own agency in constructing contemporary sexual norms. Moreover, their experiences of “modernization” illustrate the complicated relation between sexual modernity and tradition.

64 See Hobsbawm and Ranger (1983) for the analyses of various “invented traditions.”
In May 2014, the Austrian drag singer Conchita Wurst, also known as “the bearded lady,” won the Eurovision Song Contest. Her victory provoked a controversy in Russia, where it was perceived (correctly, I believe), as a political message to the country’s recent anti-LGBT policies that came under international attention with the Sochi Olympic Winter Games and the annexation of Crimea earlier that year. Some Russian netizens shocked by this result reacted by posting pictures of themselves shaving beards on social media, in one of which one man stated, “the day before yesterday was the last day beard made you more manly.” Amid this anti-beard uproar on “Runet,” one joke was posted on a website collecting Russian anekdot:

They say history repeats itself. But it does so only in somewhat antagonistic ways. While, for instance, Peter the Great cut off the beards of boyars in order to be like Europe, now whole Russian population shave themselves in order not to. This anekdot obviously satirizes the Tsar’s (in)famous policy on beard and Russia’s ambivalent attitudes toward Europe, which has historically been characterized as

65 See White (2014) for a summary.

67 My rough translation from Russian: ”История, как известно, развивается по спирали, вот только повторения иногда бывают какими-то антагонистическими: если, к примеру, Пётр I брил бороды боярам, чтобы быть похожими на Европу... а сейчас, всë население России бреется, чтобы не быть...”
the debate between “Slavophiles” and “Westernizers.” 68 But one more irony of history, which someone who posted this anekdot may or may not have been aware of, is that Peter the Great, who is known for his efforts to reform the Russian society based on Western models, 69 including a tax on beards among the boyars, is also the first Russian emperor to enact secular laws regulating male same-sex. His military statutes in 1706 and 1716 prohibited muzhelozhstvo (men lying with men) among soldiers (Karlinsky 1989, 348-349; Kon 1993, 89; Essig 1999, 4). These can arguably be part of his project of westernization, given that they were modelled after the Swedish military code, and drafted by German military advisors (Karlinsky 1989, 349), although the word muzchelozhstvo, taken from the first Russian translation of the Epistle of Peter also had a religious, Orthodoxy connotation (Kondakov 2013b, 406).

This, of course, does not necessarily suggest that male same-sex practices were not stigmatized before Peter’s reform. The Russian Orthodox Church addressed the issue of “the sin of Sodom,” and Ivan the terrible ordered the clergymen to refrain 71 from “sodomsky blud” (the sin of Sodom). Igor Kon and other historians of sexuality in Russia, however, suggest that the subject of same-sex relationship was not “unmentionable,” and the punishment was less harsh than in the Western Europe of the same era (Karlinsky 1989; Kon 1993; Healey 2001). According to Kon, it was often the subject of frank

68 See, for example, Bowring (2013) for these two strands of Russian national discourse.
69 For these he provoked popular resentment and was described as “tyrant,” “Anti-Christ,” “iconoclast” and “Latiniser” (Tazmini 2012, 46)
70 And, as another twist to the history of Russo-European relationship, Dan Healey (2001) notes that Peter the Great was rumored to have experienced sodomy himself while on his visit to western Europe (79)
71 “So I command you to pray and to grieve to remedy sinful vices in order that God will send His mercy on His slaves; and more so, I command you to prohibit adultery and the evil sin of Sodom. So confirm this strictly.” (quoted in Kondakov 2013b, 405)
conversation and jokes (89), as noted by surprised European visitors during the sixteenth and seventeenth centuries. A Croatian Catholic priest, Juraj Krizhanitch who stayed in Russia from 1659 to 1677, for instance, wrote:

Here in Russia, this repulsive crime is treated simply as a joke. Nothing is more frequently discussed in humorous public conversations. One man brags of having committed this sin, another man reproaches someone about it, while a third man invites you to sin. The only thing lacking is for them to commit this crime in public. (quoted in Karlinsky 1989, 553f3)

Summarizing Juraj’s and others’ memoirs, the nineteenth-century Russian historian Sergei Soloviov, noted that “[n]owhere, either in the Orient or in the West, was this vile, unnatural sin taken as lightly as in Russia” (quoted in Karlinsky 1989, 553f3).

Peter’s prohibition of muzhelozhstvo was expanded to the general population with Article 995 of the Criminal Code enacted one century later by Nicolas I (Karlinsky 1989, 349; Kon 1993, 90), which remained until abolished by the Soviet government in 1917. Despite criminalization, same-sex relationships continued to exist among the upper class in the Tsarist Russia from the nineteenth to the beginning of the twentieth century (Karlinsky 1989, Kon 1993) and literature featuring both male and female same-sex love flourished after the revolution of 1905, including Mikhail Kuzmin’s Wings published in

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72 The meaning of this decriminalization has been disputed. It was, for instance, interpreted by leftists outside Russia as evidence that communism is less hostile to homosexuality. Karlinsky (1989) criticizes that romantic interpretation and argues that it was merely an accidental byproduct of abolishing the entire “bourgeois” Criminal Code of the Russian Empire. Healey (2001) argues that Karlinsky’s account misses the two somewhat contradictory ideas concerning sexuality among Marxists at the time, namely, that the old bourgeois moral codes must be abolished on the one hand and that sex is a social act related to procreation, which must be socially regulated on the other.
1906, which Dan Healey (2001) calls “the first modern coming-out story with a happy ending in any language” (101).

The Soviet government under Stalin recriminalized *muzhelozhstvo* in Article 121 of the Criminal Code of 1934. Around this time, “homosexuals” were explicitly described as unpatriotic aliens (Essig 1999), and associated with the moral decay of bourgeoisie and fascists, most (in)famously expressed in Maksim Gorkii’s “Proletarian Humanitarianism” published in 1934 on *Pravda* and *Izvestya* (Gorkii 1934), which stated, “Destroy homosexuality and fascism will disappear!” The thaw and de-Stalinization did not lead to the decriminalization and destigmatization of homosexuality and discourse on homosexuality (and, to some extent, sexuality in general) continued to be silenced (Kon 1993, Kondakov 2013b), until glasnost and the repeal of Article 121 in 1993. As Brian Jams Baer (2009) observes, the new explosion of (homo)sexual discourse in post-Soviet Russia was confused as the “birth” of sexual diversity in Russia, which makes it easier to connect sexual minorities to increased western influence. The post-glasnost cliché that “there was no sex in the Soviet Union” only confirms the “collective amnesia about sexual and gender dissent” since Stalin, which “preserved and promoted the neotraditional myth of Russia’s “purity” between a diseased West and a depraved East.” (Healey 2001, 257, emphasis added).

Taken out of these historical contexts, recent “homophobic” policies in Putin’s Russia only seems just another example of Russia repeating its supposedly oppressive history. It is true that both Peter the Great and Putin introduced “anti-gay” laws and Putin’s well known adoration of the Tsar may make it easier to describe Putin as

73 On glasnost and the explosion of sexual discourse, see Gessen (1995).
following his predecessor’s footstep. But the background concerns of these two laws and the reforms lead by these two Russian leaders are very different. To borrow the *anekdot’s* tongue-in-cheek narration of Russian history, if Peter the Great banned sodomy in order to be like Europe, now Putin bans “gay propaganda” in order not to.

*Iran: We have that in Our Country Unlike in Your Country*

In 2007, during a speech at Columbia University, the Iranian President Ahmadinejad uttered a statement that would be remembered as one of the most well-known and oft-quoted homophobic comments made by government leaders: “In Iran we don’t have homosexuals like in your country.” The President added, “I don't know who's told you that we have it.” He may not have been aware that, almost a century ago, on September 25th, 1905, an Iranian author made almost the opposite claim: "In Iran, unlike [America], many men, instead of socializing with ignorant women, prefer to escape their wives and spend their time outside the home, engaged in *amradbazi* and other sinful activities" (quoted in Najmabadi 2005, 147).

In the late Qajar Iran, same-sex practices including those between adult men and young male (*amrad*), previously tolerated despite the prohibition of “sodomy” (*liwat* or *lavat*) in Qur’an, was increasingly portrayed as a symbol of Iran’s backwardness, a harness to “achieving modernity” along with other “traditions” such as veiling of women and gender segregation (Afary 2009; Korycki and Nasirzadeh 2012; Najamabadi 2005; Yaghoobi 2012). Contrary to Ahmadinejad’s claim that Iran does not have

_74 Literally “young male play”_
“homosexuality” while the United States does, the modernist discourse of this era associated same-sex practices with the Iranian/Islamic traditions, alien to America or Europe. Iraj Mirza, poet and a member of the Qajar royal family, criticized the practice of “pederasty [bachchahbazi]” in his blunt poem in 1921.

O Lord, what thing is this pedomania [bachchahbazi]
That plagues Aref and greater Tehrania?
Why is it only in this commonwealth
Does sodomy take place with little stealth?

The European with his lofty bearing
Knows not the ins and outs of garçon-tearing [bachchahbazi] ....//

Until our tribe is tied up in the veil,
This very queerness is bound to prevail
The draping of the girl with her throat divine
Will make the little boy our concubine

(translated and reprinted in Sprachman 1995, 82, emphasis added)

Conflicting claims of Ahmadinejad’s “we don’t have it” and Iraj Mirza’s “yes, alas, we do” as Joseph Allen Boone (2014) phrases them, illustrate “one of the great ironies in the history of relations between Christian Europe and Islamic Middle East” (257). They represent how the presence of same-sex practices in Iran were once acknowledged and perceived differently by Iranian intellectuals, how they were related to their (mis)understanding of modernity and the West as purely heterosexual, and how this
aspect of past can be erased and forgotten so easily, which makes the opposite claim possible.

In the Reign of Terror: The Apocalyptic Politics of Homophobia

[À]vec la souillure nous entrons au règne de la Terreur.

[With defilement we enter into the reign of terror.]

——— Paul Ricoeur (quoted in Douglas 1966, 1)

Rediscovering alternative histories from the forgotten past(s) is surely an important step in demystifying the logic of colonial contamination homosexuality and transgenderism are alien to a culture or society, but that does not by itself necessarily deconstruct it. It is crucial to identify what supports that narrative. In other words, its own historicity, its own social political contexts must also be investigated. However ridiculous it sounds to outsiders (and some inside dissenters), it is nonetheless “a real, sincere, genuinely held belief” having its own mobilizing effect (Zeidan 2013, 202). Despite the literal meaning of the word, homophobia is never a matter of “irrational” fear75. As John Boswell (1980) has rightly observed, ”Almost all prejudice purports to be a rational response to some threat or danger” (6).

The anthropologist Mary Douglas in her seminal work on the cultural function of taboo, Purity and Danger (1966), pointed out that western missionaries and travelers often described primitive religions as obsessed by irrational fear of defilement and

75 See Herek (2004) for a critical analysis of the origin of the word. See also Bosia and Weiss (2013) for a review of dominant mischaracterizations of homophobia as a pre- or apolitical phenomenon.
contamination, and that such fear was contrasted to hygiene in the civilized societies:

“Our practices solidly based on hygiene; theirs are symbolic: we kill germs, they ward off spirits” (32). She argued, however, that those two have similar cultural function in establishing a certain order or “unity of experience,” and proposed that “we should interpret primitive purification and prophylaxis in the same light” (35). I believe that we should approach the colonial contamination model and postcolonial homophobia it justifies in the same way, not merely because both dirt-analogy and hygiene have often been deployed by homophobic discourses,76 but because Douglas’s approach highlights why and how it can be appealing in a certain context. To understand the whole political context that legitimates such logic, to effectively combat it, it is essential to interpret it not as a “unique, isolated” manifestation of irrational “fear” indicating a lower stage of social development or mental weakness of some government leaders, but as a “creative movement” to establish a certain system.77 Social stigmatization of sexual minorities must be approached through the order it purports to maintain.78

76 See Nussbaum’s (2010) aforementioned analysis of the politics of disgust.
77 “In chasing dirt, in papering, decorating, tidying we are not governed by anxiety to escape disease, but are positively re-ordering our environment, making it conform to an idea. There is nothing fearful or unreasoning in our dirt-avoidance: it is a creative movement, an attempt to relate form to function, to make unity of experience. If this is so with our separating, tidying and purifying, we should interpret primitive purification and prophylaxis in the same light.” (Douglas 1966, 2)

78 For a relevant analysis of “anti-westernism,” see Andrew Ross’s article “Why They Don't’ Hate Us” (2010). Ross argues that “‘Anti-Americanism’ is one possible manifestation of local hopes, fears and grievances, but we risk missing the force of these affects if we assume from the outset they are all, equally, focused on a unified object” (9). See also Ross (2014) for his broader analysis of emotion in international politics.
Analyses of homophobia in western societies suggest that sexual minorities are not because excluded and “feared” merely because of their sexualities, but of what they come to represent. For instance, Fred Fejes (2008) analyses homophobia in the United States as moral panic,\(^ {79}\) in which “homosexuality was transformed into a metaphor of America’s larger anxieties” (9). During McCarthyism, it was associated with America’s weakness and the rise of Communism, and in the 1970s, it was regarded as a symbol of the sexual and cultural excesses of the 1960s, which supposedly damaged American wholesomeness represented by Anita Bryant. Similarly, Ricardo Llamas and Fefa Vila said in their analysis of Spain under Francisco Franco, “All sexual dissidence was defined as a symbolic space foreign to the values upon which the regime supported itself” (Llamas and Vila 1999, 216).\(^ {80}\)

The same is true of postcolonial homophobia in nonwestern countries in current “clash of sexual civilizations.” Sonia Katyal (2002) argues that lesbian and gay human rights are attacked “not necessarily because of the identities themselves, but because of their transnational circulation” (126). Joseph Massad (2002) similarly argues, in his analysis of the arrest of fifty-two gay men in Cairo, that it was not “same-sex sexual practices” themselves but rather “the sociopolitical identification of these practices with the Western identity of gayness” that were repressed by the Egyptian police (382). As Marc Epprecht says, “the political homophobia made sense to people under siege by

\(^ {79}\) This sociological concept was originally introduced by Stanley Cohen in his analysis of youth culture in post-war Britain (1972). He argued that a moral panic constructs “folk devils” who symbolize social changes and become “visible reminders of what we should not be” (10).

\(^ {80}\) George Chauncey et al. once described this association of “homosexuals” with other fearful objects as the “homosexual specter,” which, as of 1989, they considered to be a marked characteristic of “Western politics” (Chauncey, Duberman and Vicinus 1989, 13).
unseen forces, whether those forces were called ancestors, zombies, the West or global markets” (Epprecht 2013, 137). Epprecht also warns the reader not to ridicule the association of LGBT rights with “unseen forces” as a mere paranoia because, especially in the cases of African countries he examines, there is actual history of colonial experiences, in which rights claims have been used against African people (178). The assessment of current homophobia in Africa should not ignore the fact that, as Kapya J. Kaoma (2013) points out, “Africans are sensitive to neocolonialism” (97). The same can be said of other regions, although to different degrees and in different ways. The “imaginary” association of sexual minorities with other objects may seem irrational, as Martha Nussbaum (2010) puts it, as meaningless as ritual practices of purification in “primitive” societies seemed to western observers in the nineteenth century, but it is presented, and at least by some felt, as a real threat and danger to the system and order they purport to defend.

In the rest of the chapter, I examine two cases of homophobic moral panic and their social, political backgrounds: the Zimbabwean International Book Fair in 1995, and recent global controversy over Russia’s “gay propaganda” law.

_Zimbabwe: The Devil is Among Us_

If yesterday you hated me, today you cannot avoid the love that binds you to me and me to you. — Robert Mugabe, at the ceremony of independence of Zimbabwe, 1980 (Bourne 2011, 99)
The controversy over the exclusion of Gays and Lesbians of Zimbabwe (GALZ) from the Zimbabwean International Book Fair in 1995 has been well reported and almost no articles or books written on human rights of sexual minorities fails to mention the incident. Some suggest that it marked the creation of a transnational gay and lesbians rights movement (See Katyal 2002, 123). The fair, which was to feature “Human Rights and Justice,” was held in August 1995, and GALZ was initially granted a stand, but later denied participation from a letter from the government stating, “whilst acknowledging the dynamic nature of culture, the fact still remains that both the Zimbabwean Society and Government do not accept the public display of homosexual literature and material” (Aarmo 1999, 259). During the fair, GALZ’s empty stand became “like a shrine,” where other participants put up flyers with slogans such as “gay rights are human rights,” “human rights are indivisible” (259). What made this incident international concern was President Mugabe’s speech at the opening ceremony, in which he made a rather commonplace “slippery slope” argument that accepting the demands of “sodomists and sexual perverts” would lead to rights claims by drug addicts and those who engage in bestiality (Aarmo 1999, 259). He continued to attack gays and lesbians on other occasions, in one of which he declared that homosexuals “behave worse than dogs and pigs” (Katyal 2002, 124). His statements drew international condemnation. Amnesty International criticized Mugabe’s remarks as “a heavy handed attack upon the fundamental human right to freedom of expression” (Katyal 2002, 124), and seventy members of U.S. Congress sent a letter to Mugabe, referring to the new South African Constitution’s prohibition of discrimination based on sexual orientation (Katyal 2002,
Mugabe responded to these by stating, “Let them be gay in the U.S., Europe and elsewhere…. They shall be sad people here” (Aarmo 1999, 260).

This incident seems like an unmistakable manifestation of personal homophobia and anti-westernism of Robert Mugabe, but his regime was neither ostensibly homophobic nor anti-western from the beginning. At the ceremony of independence in 1980, attended by international figures such as Indira Gandhi from India, Malcolm Fraser from Australia, and the UN secretary general Kurt Waldheim, and the reggae singer Bob Marley, Mugabe promised the reconciliation between whites and blacks:

If yesterday you hated me, today you cannot avoid the love that binds you to me and me to you. Is it not folly, therefore, that in these circumstances anybody should seek to revive the wounds and grievances of the past? The ways of the past must now stand forgiven and forgotten. If ever we look to the past, let us do so for the lesson the past has taught us, namely that oppression and racism are inequities that must never again find scope in our political and social system (Bourne 2011, 99)

His government repealed racist and sexist laws of the previous Rhodesian regime, education and health systems were expanded to black population and life expectancy rose to one of the highest level on the continent (Epprecht 2013, 133). Zimbabwe was praised as “Africa’s jewel” (Bourne 2011, 268), and Mugabe became a model of African politicians, and one of the leaders in the struggle against the apartheid in South Africa (Epprecht 2013, 133). Marc Epprecht suggests that many South Africans

81 Common law criminalization of “sodomy,” inherited from Roman-Dutch laws, however, was not repealed. For same-sex practices in pre- and early colonial Zimbabwe, see Epprecht (1998).
including white gays and lesbians moved to Zimbabwe in the mid-eighties to enjoy the relative freedom of the country (Epprecht 2013, 133). It was against this background that white gay scene flourished in the country’s capital, Harare, which lead to the foundation of GALZ in 1989.

What was happening, then, around 1995, which gave rise to the outburst of homophobic remarks by Mugabe? Richard Bourne (2011) suggests that the end of apartheid in South Africa, and new international attention on Nelson Mandela, changed the reputation of Zimbabwe and Mugabe. With Mandela and his South Africa ascending to a new model for African countries, “Zimbabwe ceased to count for so much on the geopolitical chessboard” (Bourne 2011, 129), and around that time, there was “a sense that the history of Rhodesia and then Zimbabwe was simply a footnote to the larger, more exciting story of South Africa” (Bourne 2011, 130). And Mandela’s South Africa became the first country in the world, not merely in Africa to constitutionally explicitly ban discrimination based on sexual orientation with its post-apartheid interim constitution in 1994 (de Vos 2001, 198), as some members of US Congress would later point out in their letter to Mugabe.

Along with the geopolitical crisis, Zimbabwe faced a financial crisis. The Economic Structural Adjustment Program (ESAP) designed by the IMF and World Bank and installed in 1991, lead to widened gap between few elite blacks and the mass of poor black population. ESAP was jokingly rumored to stand for “Extreme Suffering for African People” (Bourne 2011, 127), or “Ehe, Satani Ari Pano” (Yes indeed, the devil is among us) (Epprecht 2013, 134). Economic destabilization gave rise to "a growing
dissatisfaction with the government and the ruling party” (267), and the opposition Party Movement for Democratic Change.

Against this background, by 1995, “Mugabe was keenly aware of his vulnerability” (Epprecht 2013, 136). Marc Epprecht considers his attacks on gays and lesbians to be “a diversion… calculated to stem the haemorrhaging of political support away from the president” (Epprecht 2013, 136), in which Africa is portrayed as victim, and gays and lesbians along with the “West” as victimizers. Margrete Aarmo (1999) also argues that gays and lesbians were scapegoated as a symbol of the national crises. She particularly focuses on the symbolizing effect of Mugabe’s Heroes Day speech on August 11, 1995, in which he described homosexuals as “worse than pigs and dogs.” The Heroes Day was a public holiday to commemorate the fighters in the Zimbabwean Liberation War. He gave a speech at the “Heroes Acre,” the burial ground for the fighters. By choosing this particular cite and particular day, Aarmo observes, Mugabe symbolically confronted “homosexuals” with those who fought and died for the nation. In this way, she contends, homosexuality was posed as an opposition to the “cultural backbone” of the falling nation:

In the Zimbabwean context homosexuality came to work as a symbol, I believe, because it was posed as a simple, binary opposition to the extended family, the heterosexual, patrilineal institution that constitutes the “cultural backbone” of the cultural tradition in Zimbabwe. (Aarmo 1999, 268)

It was in this context that homophobia was activated and the logic of colonial contamination was deployed to construct homosexuality as “un-African.”
Russia: “Foreign Agents” in the Fragile Empire

“I feel like I’m witnessing the birth of the Russian gay and lesbian movement.”

“More like the miscarriage...”

— Conversation between two American activists,

at a meeting of Moscow Triangle, April 1994 (quoted in Essig 1999, 67)

Russia has been under international criticism since the passage of so-called “gay propaganda” law in 2013. This international criticism seems to be a good example of what Keck and Sikkink (1998) called the “Boomerang pattern” of international advocacy networks, by which activists blocked by the local government can appeal to the international human rights networks and lead international actors to put pressure on the local government from the outside. In Russia, the attempts by local NGOs such as “GayRussia” to hold a Pride Parade in Moscow were repeatedly blocked by the city government. They took the issue to local courts, and then to the European Court of the Human Rights and won the case in 2011 (Alekseyev v. Russia). The federal government of Russia, however, did not lift the ban on Pride Parade and, in July 2013, passed a law to prohibit the “propaganda” of “untraditional sexual relations” among minors. Gay activists repeatedly held unsanctioned marches and got arrested. These events were highly publicized through international gay rights organizations such as International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) and International Gay and Lesbian Human Rights Commission (IGLHRC), and major international human rights
organizations such as Amnesty International and Human Rights Watch. Given pressures from those organizations, the government leaders of some countries in Europe and the Americas made public comments criticizing Moscow’s decisions and decided not to attend the opening ceremony of the Winter Olympic in Sochi. In a speech ahead of the Olympics, United Nations Secretary General Ban Ki Moon stated, “We must all raise our voices against attacks on lesbian, gay, bisexual, transgender or intersex people” (Gibson and Walker 2014).

According to Keck and Sikkink, the boomerang pattern of international advocacy networks function in four ways: information politics (exposure of problems and awareness raising), symbolic politics (symbolization of important events), leverage politics (mobilization of powerful actors), and accountability politics (the accused government’s action). In the case of sexual minorities in Russia, the first three effects have been obviously observed. First, local and international gay rights/human rights organizations publicized violence against sexual minorities in Russia (information politics), especially by utilizing social media to spread information and raise awareness among people outside Russia. Shortly before the Sochi Olympic Games, for instance, HRW posted a video documenting brutal physical attacks on gay Russians on Youtube.82 HRW and IGLHRC also appealed to Facebook users to change their profile pictures during the Olympic Games to show solidarity with sexual minorities in Russia.83

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82 https://www.youtube.com/watch?v=zMTbFSJ_Tr4 [accessed on 31 March 2015]
IGLHRC, “5 Actions to Support LGBT Russians”: https://iglhrc.org/content/5-actions-support-lgbt-russians [accessed on 31 March 2015]
the “gay propaganda” law and the Sochi Olympic Games were highly symbolized (symbolic politics). Media and activists often referred to the Sochi Olympic Games as “Putin’s Games,” in comparison to the Berlin Olympic Games in 1936 (Hitler’s Games). Garry Kasparov, Russian chess Grandmaster and human rights activist, wrote, after mentioning how the Sochi Olympic Games, against Putin’s intention, has drawn international attention to the problems of his government, that “the free world must unconditionally condemn the abuses of the Putin regime” to avoid the mistake of supporting Hitler’s Regime by supporting the Berlin Olympic Games (Gessen and Huff-Hannon eds 2014, 11). Third, this campaign symbolizing the “gay propaganda” law and the Olympic Games succeeded in gaining supports from powerful international actors (leverage politics). As noted earlier, several western government leaders declined to attend the opening ceremony, and UN Secretary General made a public comment on the issues of sexual minorities in Russia. Also, many private companies showed their support for the rights of sexual minorities in Russia. Google, for instance, changed its search page logo to feature rainbow-coloured illustrations athletes (Fitzpatrick 2014). The World Economic Forum was reported to feature two panels focusing on gay issues for the first time, one of which includes Masha Gessen, a Russian-American lesbian journalist known for her critiques of Putin’s regime (Brydum 2014).

Despite these international pressures, however, the fourth effect of “accountability politics” remains unclear. Keck and Sikkink, along with other scholars and activists, argue that mere exposure of problems (so-called “naming and shaming”), embarrass

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84 The politicization of Olympic Games to raise awareness of human rights issues is not unprecedented. During the Beijing Olympic Games in 2008, Tibetan independence activists utilised the international media coverage to promote their cause (Becker 2013).
many governments and lead them to take action to “save face” (Keck and Sikkink, 24). Some case studies, however, have suggested that naming and shaming, under certain circumstances, can be ineffective and even backfire (see Katzenstein 2013). Hafner-Burton’s study, for instance, (2008) suggests that “global publicity may also provide incentives for perpetrators to commit abuses” (692). Its effectiveness is even more dubious in when it concerns the rights of sexual minorities on which the world is still highly divided, and, “one state’s ‘progress’ is another’s ‘moral decay’” (Rao 2014, 170).

As Clifford Bob (2012) points out, where there are many contrary interpretations of international norms, “[s]electing one or the other as the real soft law is a political act, satisfying only those who believe in the chosen principle beforehand” (63) and “it becomes difficult to shame reluctant states into joining a purported but nonexistent consensus” (ibid, 62). Indeed, the Russian Supreme Court in its decision to uphold the ban on Pride Parade, contrary to ECtHR’s ruling in Alexeyev v. Russia, could claim its adherence to “international norms” as well as national traditions. As Masha Gessen observes, Russia has successfully presented itself as “the ‘family values’ capital of the world” (Gessen 2013) in the “sexual clash of civilizations.” It is, therefore, necessary to analyze how this “political act” is justified and legitimized in the Russian context.

As homosexuality and other forms of “sexual deviation” is presented as colonial contamination alien to pure local cultures in post-colonial contexts, several observers suggest that in contemporary Russia sexual minorities are othered as “foreign agents” threatening Russia’s cultural and political sovereignty (see Gessen and Huff-Hannon

85 “In accordance with national traditions and international norms, federal legislators do not include homosexual relations, bisexuality and transgenderism in family values” (The Russian Supreme Court quoted in Kondakov 2013a, 13)
To fully understand the mobilizing effects of this claim in the specific context of contemporary, post-Soviet Russia, here I especially focus on three interconnected aspects of Russia’s national identity that have influenced its diplomacy and its understanding of law and rights: Russia’s distinctiveness (samobytnost) as a Eurasian country, the notion that Russia is a “country under siege”, and the conservative interpretation of democracy as “sovereign democracy” (suveryennaya demokratiya) to protect Russia’s status as the independent, strong state (derzhavo).

Russia on the one hand has been understood as a European, Christian, “white” country: some observers indicate that that may explain why LGBT rights abuses in Russia gather more western media attention than those in African or Islamic countries (Gessen 2013; Moore 2014). Russia, on the other hand, has also been “unmistakably different” (Tsygankov 2012, 35) from other European nations. Russians, as Angela Stent put it, “have always been reluctant Europeans” (Stent 2014, 35), or Russia has been like “Pluto in the Western solar system” (Dmitri Trenin quoted in Mankoff 2009, 17). This identity as a unique player in the Western system influenced both Russian foreign policy and law. Mankoff points out that Russia as an Eurasian country has adopted a “multivector” foreign policy” and has maneuvered between the East and the West (Mankoff 2009, 17). Tsygankov (2012) similarly categorizes Russian foreign policies with the West into three patterns — cooperative, defensive, and assertive — and argues that Russia becomes cooperative with the West only when its distinctiveness is respected. As for law, Bowring (2013) suggests that Eurasianism, which has often taken the form of anti-westernism, has been a continuing central ideology of Russian legal philosophy from
the Tsarist era to Putin’s regime, and, as Stent (2014) points out, the values often associated with the West, such as individual rights, rule of law, due process, property rights, have been supported only by few liberal “intelligentsia” (35).

The supposedly distinctive values of Russia have often been perceived to be under threat from foreign influences, which have evoked lingering fear in the Russian popular imagination, partly due to its geographical vastness and openness. As Robert Service says, Russia’s vastness “was more a problem than an advantage” (Service 2009, 3), and historically it has been invaded by Mongols, Poland, Sweden, France, England and Germany (Engle 2013, 5). Lovell (2010) argues that Putin utilizes these collective memories of foreign invasions, especially that of the German invasion during the World War II, and made them “state-sponsored orthodoxy” (11). These memories are combined with the experiences of two collapses in the twentieth century — of the Tsar regime and of the Soviet Union — and together constitute the image of Russia among Russians as a “fragile empire” (Judah 2013) or “country under siege” (Gessen 2014): a country surrounded by enemies and always on the brink of collapse. Against this background, Masha Gessen (2014) observes that Putin presents himself as the only one who can protect Russia from collapsing. Fiona Hill and Clifford Gaddy (2013) suggest that terms such as raspad (collapse), razval (break-up), and raskol (schism) are “staples of Putin’s speeches” (56).

The notion of Russia as a “country under siege”, long since the age of Ivan the Terrible, has lead Russian people to want a strong, authoritarian government (Engle 2013; Hosking 2012; Mankoff 2009). The current interpretation of democracy as
“sovereign democracy” may be understood as its latest manifestation. As Hill and Gaddy (2013) observes, the notion “captures the singular importance and independence of the Russian state and its unique culture and history” (69). In terms of international law, proponents of Russian sovereign democracy often refuse the influence of international laws, especially the European Convention on Human Rights. For example, Valery Zorkin, chairman of the constitutional court wrote:

The principle of state sovereignty and the supremacy of the Constitution in the legal system of Russia lie at the foundation of its constitutional system. The Convention as an international treaty of Russia is a component part of its legal system, but it is not higher than the Constitution… Each decision of the European Court is not only a legal but a political act. When such as [sic] decision is taken in the interests of the protection of the rights and freedoms of the citizens and the development of our country, Russia will always precisely obey it. But when it or another decision of the Strasbourg court is doubtful from the point of view of the goal of the European Convention on Human Rights and moreover in a direct fashion concerns national sovereignty, and fundamental constitutional principles, Russia has the right to work out a defence mechanism against such decisions.

(quoted in Bowring 2013, 195)

Here, the decision of the European Court of Human Rights is called an “political act” and perceived as another form of western attempts to influence Russia. Similarly, western human rights NGOs are often portrayed by Kremlin as “yet another example of American
attempts to weaken Russia’s influence in its rightful sphere of influence” (Stent 2014, 101).

These three aspects of Russian national identity were politicized by the Putin’s regime, in the aftermath of the post-Soviet crisis in the 1990s, which is often perceived as another “smutnoye vremya—time of troubles” (Hill and Gaddy, 17). The crisis was associated with the alleged “artificial Westernization” (Mankoff 2009, 29).

In this context, sexual minorities who became visible after glasnost and the collapse of Soviet Union are perceived as an obvious example of “western influence” (Baer 2009, Wilkinson 2013, Engle 2013). They became the “folk devils” in the post-Soviet moral panic; they became “a sign of everything that is wrong both in Russia and elsewhere” (Wilkinson 2013, 6). Therefore, since not simply sexual values per se, but a particular political framing of them as western influences is at stake, western support may further consolidate such association and legitimate the Putin regime’s self-claimed status as the protector of the cultural and political sovereignty of Russia under siege.

When foreign pressure can consolidate human rights abuse, it is crucial to find ways to make it “less foreign” (Hafner-Burton 2014, 150). Supporting local organizations, however, is not likely to automatically achieve that goal in this particular case. As Zeiden (2013) points out, western LGBT activists, like other human rights activists, tend to support local organizations that adopt western-style identity and strategy. In the case of Russia, the activities of GayRussia has gathered unparalleled international attention. According to Alexander Kondakov (2013b), Moscow-based GayRussia is one of few LGBT organizations in Russia that highlight the rhetoric of
equality, not of tolerance common among other organizations, and prioritize Pride Parades, “marriage equality” and litigation. Francesca Stella (2013) argues that GayRussia gained international support despite its lack of domestic support from other grassroots LGBT rights organizations, because those strategies constitute “the familiar language of visibility, recognition, and human rights rooted in the western tradition of LGBT activism” (477). She warns that GayRussia’s reliance on international support might make their claim appear abstract and irrelevant to local realities, and ultimately fall “into the hands of authoritarian and sexually conservative nationalist discourses” (Stella 2013, 480) that portray the demand of gay activists as a foreign threat to traditional values.

Moreover, in the case of Russia, the unique, cosmopolitan character of Moscow must also be taken into account. Geographically, economically, and culturally, Moscow is often considered to be like “another country” both by conservatives and liberals including gays themselves. For example, a lesbian woman describes Moscow as “almost the same as abroad [pochti chto zagranitsu]”, and “more similar to Europe or America” (in Stella 2013, 465). Largely because of the severe economic inequality, Ben Judah’s study suggest that people in other regions are sometimes even hostile to Moscow. Judah argues that one reason anti-government movements cannot be successful in Russia is that it cannot spread beyond Moscow (Judah 2013, 253). He observes that, in that context, Putin is beginning to portray the opposition movement a phenomenon unique to Moscow, occupied by “a bunch of elitist sexual deviants, led by a Yale-educated American spy, a gaggle of mink-coat-wearing hipsters with criminal intent” (256). “Hipster Moscow fell
into a trap” (257), as he puts it. If his observation is right, international activists supporting Moscow-based LGBT rights organizations are likely to fall into the same trap.

Conclusion

The case of Russia illustrates how homophobia is supported by an appeal to “people under siege by unseen forces” as Epprecht (2013) puts it (137). Putin’s regime is, as Ben Judah observes, “apocalyptic” (2013, 329) because it gains power and legitimacy by inspiring the fear of total collapse, which is still in the vivid memory of many Russians, in which sexual minorities are depicted as one of the symbols of foreign threats. In this context, the boomerang pattern of international LGBT rights networks in this context can confirm such fear. I do not mean to suggest that western support is necessarily the cause of Russia’s homophobic policies: some scholars suggest that homophobic policies often precedes actual emergence of homoprotectivist movements (see e.g. Weiss 2013). Still, western supporters of LGBT rights in other contexts need to be aware of this dialectic relationship and sensitive to local contexts, so that they do not confirm those “anticipatory” threats and legitimate the claims they purport to attack. In this light, Marc Epprecht (2013) cautions western supporters of gay rights in Africa to be careful about how “they show their solidarity”:

When Westerners ridicule African leaders or threaten broad sanctions without first taking the time to understand the context or to consult African activists, they may also provoke a nationalist defensiveness among African people. A backlash
against perceived beneficiaries of Western support could then inadvertently make life worse for the very group that the critics claim to support (Epprecht 2013, 7).

Val Kalende, Ugandan LGBT activist, similarly argues:

It doesn’t help us when foreign journalists, bloggers, and allies present our struggle as “desperate” and come to Uganda simply to write about what is wrong with our country while ignoring our success stories. While the "desperate" narrative puts us in the international spotlight and does hold our leaders accountable, it also puts us against our fellow nationals. A balance of both narratives will bring the change we all need. (Kalende 2012)

Kalende’s claim that well-intended foreign support can put them against their “fellow nationals” illustrates the problem of “sexual occidentation”: the association of sexual freedom and diversity with the “West,” supported both by nationalist discourses in the West and the Rest, can make universal human rights of sexual minorities difficult to be localized into societies where anti-westernism has a valid mobilizing force. In other words, the message that “the United States stands with you” (Obama 2014, see chapter 3) does not sound very promising when LGBT rights’ supposed connection to the United States itself is a problem.
CONCLUSION – “PRIDE” COMES BEFORE A FALL? LGBT ACTIVISM BEYOND ORIENTALISM AND TRIUMPHANTISM

The more one is absorbed in fighting Evil, the less one is tempted to place the Good in question. —— Jean-Paul Sartre (1948, 44)

I have suggested in this paper that sexuality is a politically malleable concept that cannot be understood without analyzing background social concepts, like the notions of freedom and rights themselves. As David Halperin has observed, “There is no orgasm without ideology” (Halperin 1994, 34). What is really “clashing” are not cultures or civilizations themselves, but the ways they are articulated through discourse on sexual minorities in this particular historical, political context. The sexual clash of civilizations, then, is not an inevitable fate.

Still, that does not mean that it can be easily avoided. As Said (1979) warned of Orientalism, I do not think contemporary sexual occidentation, or more importantly postcolonial homophobia it supports is “a structure of lies or of myths which, were the truth about them to be told, would simply blow away” (6), although showing the truth has been the central strategy of LGBT activism from the very beginning. Sexual occidentation, like Orientalism, is supported by “the enabling socio-economic and political institutions” (ibid, 6). While it is without a doubt inappropriate to describe a

86 And, in turn, like Malek Alloula said, “There is no phantasm… without sex” (1986, 3).
87 Long before the politicization of coming out in Gay Liberation, Magnus Hirschfeld’s motto was “Per scientiam ad justitiam” (Justice Through Knowledge). He estimated that 90 percent of the German people would vote for the repeal of Paragraph 175 once they learned the truth about the “Third Sex” (Plant 1986, 28). What happened later to himself and other homosexuals in Germany proves that his estimation was hopelessly too optimistic.
certain region or culture as essentially homophobic, it is equally inappropriate to ridicule existing homophobia merely as a groundless, mythical misunderstanding of historical facts. It must be analyzed in light of its “enabling institutions” just as many scholars and activists patiently did and continue to do to overcome it, little by little, in countries now boasting its sexual diversity. To do so requires LGBT rights in those countries to first, their own triumphantism and ethnocentrism, in order not to consider homophobia in other places as something that “belongs to a social past we will soon overcome” (Bosia and Weiss 2013, 7). As Ruth Benedict once wrote of anthropological analysis of social institutions in general, we must “first to arrive at that degree of sophistication where we no longer set our own belief over against our neighbor’s superstition,” so that we can “recognize that those institutions which are based on the same premises, let us say the supernatural, must be considered together, our own among the rest” (Benedict 1961 [1934], 3-4). This is why we still need cultural relativism as a starting point. Another American anthropologist, Edward Hall’s warning half a century ago is still highly relevant for LGBT rights politics today:

As a country we are apt to be guilty of great ethnocentrism. In many of our foreign aid programs we employ a heavy-handed technique in dealing with local nationals. We insist that everyone else do things our way. Consequently we manage to convey the impression that we simply regard foreign nationals as ‘underdeveloped Americans.’ Most of our behavior does not spring from malice but from ignorance, which is as grievous a sin in international relations. We are not only almost totally ignorant of what is expected in other countries, we are
equally ignorant of what we are communicating to other people by our own
normal behavior. (Hall 1959, 13-14)

Ethnocentrism is not a flaw unique to narrow-minded nationalists and xenophobes; well-intended LGBT rights advocates can be ethnocentric, too. And if it is out of malice or ignorance, like Hall says, its consequence is often the same because good intentions do not guarantee good outcomes in politics. As Hans Morgenthau has observed, “There can be no political morality without prudence; that is, without consideration of the political consequences of seemingly moral action” (1978, 10-11).
CODA – PILGRIMAGE TO MODERNITY? SAME-SEX LOVE AMONG
INDONESIAN DOMESTIC WORKERS IN HONG KONG

In September 2001, five months after the Netherlands became the first state in the world to legalize same-sex marriage, a magazine article published in one of its former colonies reported a story of a “same-sex couple” and their unsuccessful attempt to get a marriage license. The article, published in Wanita Indonesia (Indonesian Woman), concerned two Indonesian women named Yani and Ike. Evelyn Blackwood (2010) summarizes it as follows. Yani and Ike were both live-in domestic workers in Hong Kong. They met each other there and fell in love. To avoid being forced to marry men, they threatened to commit suicide if their families would not allow their marriage. Fearing that they would lose their daughters and, perhaps more importantly, remittances they were sending home every month, both families agreed to the couple’s marriage. To get official permission to marriage, Yani’s father lied to officials and tried to pass Yani as a man. The deception, however, soon came to light and the authorities cancelled their wedding. Both families were quite disappointed, but, to their relief, Yani and Ike chose not to carry out their suicide threats. (51-52)

This story is surely remarkable and may be exceptional, but among Indonesian domestic workers in Hong Kong like Yeni and Ike, same-sex love itself is not very rare. As of January 2012, there are about 150,000 are about Indonesian domestic workers (Constable 2014) and most of them are from Muslim families in Java. One observer says that twenty percent of them are “homosexual” (Fenn 2010) and another says fifty percent
(Yu 2011). These numbers, of course, likely be exaggerated, but it is still true that “heteronormativity among them is not an unquestioned norm” (Sim 2010, 37).

Masculine-looking Indonesian women (or “tomboy” as they are called in Indonesian and Javanese) with baggy pants, large shirts and baseball hats hanging out with their girlfriends at weekends are becoming a “common sight” of Hong Kong today (ibid, 44).

This phenomenon has confused various observers from Hong Kong employers and fellow domestic workers to Indonesian officials and academic researchers. Many have sought to understand why these young women “turn to lesbianism.” One common explanation is that they are influenced by Hong Kong’s culture of freedom, free from conservative moral values back home. An account of a tomboy domestic worker called Agry is exemplary (Fenn 2010). She says that since she was little, her family always expected her to “act like a boy” because she was the firstborn child and needed to take care of her little brothers and sisters. When she arrived in Hong Kong, she saw many women dressing like men with other women and “finally felt free to become a boy” being away from home and having no one controlling her. Her first employer was a seventy-year-old “grandpa” and sometimes sexually harassed her. But her second, current employers are nice and do not seem to care about the fact that she dresses like a man and has a girlfriend.

This explanation is not unlike common coming-out narrative in other places. It is also consistent with the conventional view that migration is about an individual seeking a better life unattainable at home (Castles, Haas and Miller 2014). Transnational migration

88 Since Agry identifies as “tomboi,” “he” or a gender-neutral pronoun may be more appropriate, but I followed the usage in the original article. See Blackwood (2010, 27-28) for the difficulty of choosing English pronouns to describe tombois.
of sexual minorities to global cities itself is often likened to the process of coming out, as a story of “‘backward,’ often rural subjects flee their homes and/or patriarchal families or violent, abusive situations to come to the modern metropolis, where they can express their true nature as sexual identity in a state of freedom” (Grewal and Kaplan 2001, 670). This kind of narrative seems to reflect the dichotomy the rich, modern, LGBT-friendly “West” and the poor, traditional, homophobic “Rest” that we have examined in this thesis. And as conservative leaders have often exploited the same dichotomous understanding, Indonesian officials who consider homosexuality to be totally alien to their national and religious values seem happy with this explanation identifies Hong Kong’s free culture as the cause of domestic workers’ non-heteronormative sexual activities. Hari Budiarto, Indonesian consul in Hong Kong told China Daily (Fenn 2010) that many domestic workers come from the countryside and “have very little knowledge about the world,” and that, in Hong Kong, they easily “get influenced” by others and “become lesbian without knowing [that it is] wrong.” He also added that most of them would “heal” when they go back and “well treated and accepted by society” (Fenn 2010).

Obviously, as we have already seen in earlier in this thesis, Indonesia (as with other non-western locale) has its own “tradition” and history of non-heteronormative forms of sexuality. And close examination of Indonesian domestic workers’ experiences, sexual or not, reveals even more facts that do not necessarily fit the simplified narrative of rupture from traditional values at home.

89 For particular cases of Indonesia, see for example Blackwood (2010), Boelstorff (2005a), and Wieringa (1999).
First, these women-loving-women do not necessarily identify themselves as lesbian. Amy Sim’s research (2010) suggests that, the western lesbian political awareness of the “rights” of women to have romantic relations with other women is almost non-existent among them, while it has considerable influence on a small group of educated Hong Kong women’s identification as lesbians (41). The term lesbi, Indonesian translation of lesbian, is used only to refer to female same-sex relationships and never used to describe an individual identity (ibid, 38-39). They often use “tomboi” or “sentul” to describe masculinized women, and women who seek them is called “kantil” (39), and their relationships often retain principles of heteronormative gender roles of men and women and patriarchal male dominance, not totally unlike the ones promoted by the New Order government in Indonesia.91

Relatedly, some of their own explanations suggest that their same-sex sexual experiences also reflects adherence as well as resistance, to moral values of their home society. Amy Sim reports the case of a woman called Eli (48). She became pregnant when she was sixteen and underwent illegal abortion. With “intense shame, regret and a sense of failure towards her parents,” she promised herself to avoid intimate relationships with men before marriage, and also decided to be a migrant domestic worker to send

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90 “Tomboi” derives from the English term “tomboy.” “Sentul” literally refers to a kind of tree, and “kantil” to magnolia, and according to Sim (2010, 179n3), it is not clear why these are used in this context. See also Boellstorff (2005a, 9) for different terms used to describe these women in different parts of Indonesia. Anthropologists studying these “tombois” differently categorize them as lesbians, transgender, or neither: while Wieringa (1999) calls them butch lesbians, Boellstorff (2005a) describes them as women having men’s souls. Blackwood (2010) refuses to categorize them either as lesbians or transgenders.
91 For gender politics in New Order Indonesia, see Blackwood (1999, 2010), and Wee (2012)
money home and regain the status as a good daughter. 92 She avoids men because “all they want is money and to get the girls pregnant”, and date with other girls as a tomboi in Hong Kong, but considers her homosexuality as temporal aberration. And, similarly, despite popular imagination that Islam and homosexuality are “incommensurable” 93 and some scholars’ explanations that lesbianism is a manifestation of the difficulty following religious obligations as a Muslim in a non-Muslim society 94 (O’Connor 2012, 51; Ho 2013, 18), one Indonesian domestic woman considers same-sex relationships to be consistent with Islam’s teaching against pre-marital sexual relationships: “We want to make love, but Islam doesn’t allow [it], so [we] have somebody as a girlfriend” (Yu 2011).

Moreover, on the macro level, the relations between modernity and tradition, and the West and the Rest are more complicated in this setting because of Hong Kong’s own status as a postcolonial Asian city. Some researchers point out that stereotypes of domestic women are constructed in comparison to allegedly “westernized” Filipina women, their competitors in the global domestic labor market. Pei-Chia Lan (2006) points out that in Taiwan, Many domestic worker agency websites offer charts that compare their “characteristics,” in which Filipina workers are typically described as smart, individualistic and opinionated but difficult to manage (the Westernized other)

92 According to Conastable’s (2014) study on Indonesian domestic workers in Hong Kong and their (hetero)sexuality, this pattern, which she calls “the migratory cycle of atonement” is not uncommon.
93 See Boellstorff (2005b).
94 Following obligations, especially those regarding clothes, food, and prayer, are truly difficult for many domestic workers in Hong Kong, who are required by the immigration laws to live with employers most of whom are non-Muslim. Along with the books by O’Connor and Ho, see Deng (2012). See also Constable (2010), for more unconventional attitudes toward Islam among domestic workers.
while Indonesian workers are portrayed as “docile women trapped in rural villages with Muslim conversions” (217). Nicole Constable (2007) observes similar patterns in Hong Kong. According to Constable, while the westernized image of Filippina domestic workers was once perceived advantageously (i.e. their global working experiences and fluency in English), they generally came to be seen as excessively westernized, in terms of individualism and rights consciousness. An agency, 95 for instance, highlights the fact that the Philippines had been “governed by western countries” and that they are fluent in English, which is good for children’s language education, and that they are accustomed to “modern and advanced” lifestyle and that they can easily adopt to their life in Hong Kong, but also that they tend to be less submissive, “focusing too much on the contract terms” and picking and choosing employers. It does not even mention the fact that Indonesia too had been governed by a western country for a long time, merely describing Indonesian workers as more “submissive,” “simpleminded,” and “hardworking.” In this kind of classification of the Philippines as excessively western and modern and Indonesia as conservative and traditional, Hong Kong is tacitly presented as a moderately westernized and modernized subject. Given this background, it is not surprising that lesbianism among domestic workers has often been conceived as a form of Filipina excessiveness (See Constable 2000) and, accordingly, many Indonesians have blamed them for corrupting Indonesian domestic workers (Sim 2010, 37).

Their sexual experiences are also related to their status as live-in domestic workers. For instance, Amy Sim points out that many of them told that they had experienced same-sex relationships and their tomboi identity for the first time in the

95 http://www.sunlight.hk/employer4.asp [Chinese] [accessed on 31 March 2015]
training camps before leaving. Pei-Chia Lan (2006) also reports that the state-required training for migrant workers includes desexualization and defeminization of trainees, such as the prohibitions of make-up and long hair because such defeminized and desexualized style often preferred by female employers who tend to suspect domestic workers might seduce their husband or children. Thus, despite some point out “tomboyism” as a form of resistance to sexual exploitation by male employers (Chang and Ling 2011), it can often begin as involuntary submission to the expectations of jealous female employers. Also, their well-noted public presence in Hong Kong is not necessarily the result of voluntary “coming out” from the closet to the streets. As live-in domestic workers, they are contained in the private sphere of the employers’ house and hidden from public scrutiny when they are on duty, they in turn occupy and use public

96 Although, of course, the movement from rural villages to training centers is itself very close to migration and in it is the first experience for them to leave their families (Lan 2006).
97 Domestic workers are desexualized also by immigration policies of receiving societies. As Aihwa Ong rather bluntly summarizes, “During the two-year contract, the foreign maid is not permitted to have sex, or to marry a local citizen. To ensure that she will have no biological recourse to citizenship, the foreign domestic helper is tested every six months to check for HIV and pregnancy. Pregnancy results in the termination of the employment contract and expulsion from the country” (Ong 2009, 171). See also Constable (2014).
98 Lan (2006) notes that some of the domestic workers she met in Taiwan “saved the cut hair and mailed it back to their family for remembrance or to make a wig for their mothers (Lan 2006, 89).
99 For some cases of Filipina domestic workers in Hong Kong and comparable cases in other societies, see Constable (1997).
100 This, however, does not mean that female employers in Hong Kong are accepting towards lesbianism. Sim notes that “it is common that employers terminate contracts when they realize their domestic helpers are homosexual” (2010). According to Constable (2000), when some Filipina “T-birds” (as masculinized women are called in the Philippines) appeared on TV in Hong Kong, there was a sort of panic among Chinese employers. One wrote to the English newspaper, Eastern Express: “It is time for Hong Kong employers to be alerted to the threat posed to our children by Filipino T-birds or tomboys (as they are called). There are an alarming number of T-birds…. How can we tell our children about buggery? How can we explain the different women the maid brings home? And how can we reason about the trousers, rolled up sleeves, the hair cropped like a man, the men’s clothes? …. T-birds will bring to our homes and our children the danger of venereal and killer diseases…. We must monitor those who defend T-birds…. If we don’t, I’m afraid, soon Filipino maids’ groups will be demonstrating on the streets for the right to be lesbian and the right to work in our homes forever.” “quoted in Constable 2000, 238-239)
space\textsuperscript{101} such as Victoria Park in Causeway Bay for private purposes on days off.\textsuperscript{102} Their private associations, including intimate same-sex relationships, are thus inevitably “public.”

Finally, their sexuality is also affected by their legal status as temporary migrant workers. As we have seen, while contemporary LGBT identity politics assume lesbian (or other sexual) identity to be more or less permanent, not temporal, there seems to be no consensus on this matter among Indonesian “lesbians” in Hong Kong, and sometimes even among tombois. Some (like Argy, and Yani and Ike) see it as their true selves and the form of love they seek, finally realized in Hong Kong’s free culture. But some others (like Eli) see it more as an easier (and possibly, safer) way to build intimate relationships or to access male privileges in the all-female society of migrant domestic workers (O’Connor 2012, 51; Sim 2010, 47). In any case, no matter how they think of their sexuality, however, their stay in Hong Kong is equally not permanent.\textsuperscript{103} In Fenn (2010)’s \textit{China Daily} article, Agry says her girlfriend “will marry a boy because she is a girl,” but she herself will “will never like boys” and will not marry, asked what they

\textsuperscript{101} See Yeoh and Huang (1997) for a relevant analysis of domestic workers in Singapore.
\textsuperscript{102} According to a Jakarta Post article, “[O]n Sundays the park becomes an open-air classroom of free hijab-binding lessons, book sales, knitting classes and makeup workshops. It may be too overcrowded for pedestrians or tourists, but for Indonesians in Hong Kong, it is a jubilee gathering point on their only day off, and most importantly a unique space for some precious learning opportunities” (The Jakarta Post, 2011). A 2010 Indonesian film featuring migrant workers in Hong Kong was titled, “Minggu Pagi Di Victoria Park [Sunday Morning in Victoria Park]” (O’Connor 2012, 46)
\textsuperscript{103} According to Hong Kong’s Basic Law (constitution), foreigners who have been “ordinarily resided” in Hong Kong for seven years can apply for permanent residency (Article 24, Section 4), but foreign domestic workers are excluded from the definition of “ordinary resident.” This policy was challenged its constitutionality but upheld by the Court of Final Appeals in 2013 (Vallejos v Commissioner of Registration).
would do when they go back to Indonesia. But her girlfriend disagrees, saying, “She is also going to get married to a man… Now she says that [she will not marry], but when she goes back home, she will become a girl again. They all do.” And then they both start to laugh, “as if they had this disagreement many times in the past” (Fenn 2010).

Indonesian domestic workers’ migration to Asian economic capitals is described by one observer as “secular pilgrimage to modernity,” in which they are exposed to, and sometimes accustomed to, new modern lifestyle (Lan 2006, 49). That is probably true to a large extent. But the experiences of “lesbian” Indonesian domestic workers in Hong Kong also seem to suggest more entangled relationships between modern and traditional values, and more complicated ways racial, religious, economical, political, legal and various other social factors intersect with how one lives one’s sexuality in a globalizing world. As Tom Boellstorff (2005a) has noted in his anthropological study of Indonesian “gays” and “lesbis,” sexuality does not have an independent cultural logic, but rather exists “at the intersection of multiple discourses” (9). A more intersectional analysis of religious, legal and political discourses both in Hong Kong and Indonesia is needed to fully address how they, not merely as oppressed “lesbians” but as Indonesian, Muslim, female, lesbi migrant domestic workers experience suffering, grievance, hardship and pleasure.

As I was writing the draft for this chapter, the Indonesian President Joko Widodo announced that he would stop sending Indonesian women as domestic workers overseas (The Jakarta Post 2014). President Widodo is reported as saying that he had felt “ashamed” when he had discussed the matter of domestic workers in recent bilateral talks
with Malaysia, and that “we must have pride and dignity.” The report does not mention what exactly made President feel ashamed. Maybe it was the fact that a number of Indonesian domestic workers, especially those in Malaysia, are undocumented. Maybe because of their bad working conditions, or brutality of contracts imposed by Indonesian agencies, both of which have been named and shamed by human rights organizations as “new slavery” or “debt bondage.” Or maybe he felt that the fact that Indonesian women are working as “domestic servants” in neighboring countries could give the impression that the nation itself is somewhat inferior and subordinate to them. Or, finally, it was possibly their sexuality, including homosexuality, considering the fact that they are already notorious as “wanita tuna susila” (WTS; woman without morals; euphemism for female sex workers).

At the moment, however, I cannot know for sure how lesbianism among Indonesian domestic workers in Hong Kong could possibly affect President’s decision, and I am equally not sure how it will affect them in turn, if the policy will actually be put into practice. But one thing that this announcement illustrates is that Indonesian domestic workers are still at the center of political debate, and that their lives therefore cannot be understood apart from political dynamics.

REFERENCES


Moslem Men and a Terminal Essay upon the History of the Nights. Vol.10, 63-302. Printed by the Burton Club for private subscribers only.


Leung, Helen Hok-Sze. 2008. Undercurrents: Queer Culture and Postcolonial Hong Kong. Hong Kong: Hong Kong University Press.

New Brunswick, NJ: Rutgers University Press.


The Jakarta Post. 2015. “Jokowi to halt the sending of domestic workers abroad.”


Wilkinson, Cai. 2013. “Putting Traditional Values into Practice: Russia’s Anti-Gay Laws.” 


