Ten Fundamental Ideas about SOGIE for Parliamentarians

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Protecting Human Rights, Combating Discrimination and Addressing HIV/AIDS in Persons with Diverse Sexual Orientation and Gender Identities

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1. IT TAKES MORE THAN 10 MINUTES
2. IT ALL STARTS WITH SEX

Sexual differentiation is the basis of reproduction, and thereby species diversity, in humans and several other living creatures.

Sex *(the activity)* is a biochemically-driven, culturally regulated social activity that results in some instances in reproduction.

Sex *(the category)* is a biologically-rooted (chromosomal, anatomical) difference that forms a fundamental basis of social organization.
THOUGH SEX ISN’T ALWAYS THAT SIMPLE

- MALE

- FEMALE

- INTERSEX
  (hermaphrodite, guevedoce)
3. BUT IT’S ALL ABOUT GENDER

a set of cultural meanings, expectations, opportunities and value associated with sexual differences
MEN
• are aggressive and like sports
• are masculine
• have sex with women
• are intelligent

WOMEN
• are soft & nurturing
• wear dresses & makeup
• make better politicians
• have sex with men
• are intelligent

MEN
• are aggressive and like sports
• should be priests
• are dogs
• are masculine
• have sex with women
• are intelligent
4. AND THE LOGICAL FALLACY

GENDER ←——— SEX ←———→ SEXUALITY
masculine ←——— MALE ←———→ women
feminine ←——— FEMALE ←———→ men
Sex (the activity) is a biochemically-driven, culturally regulated social activity that results in some instances in reproduction.

Gender is a fundamental form of social organization based on sex (the category). Gender regulates sex (the activity).

Sexual orientation is a biochemically-driven arousal and emotional attraction for one or both sexes, much of which is shaped before birth. One’s experience and expression of sexual desire, however, are highly regulated by gender systems.
Same-sex desire appears naturally, like left-handedness, as a minority trait in different populations over time and culture.

Same-sex desire can be experienced predominantly (homosexual orientation), or alongside opposite-sex desire (bisexual orientation). One can be attracted to more than one person and form stable relationships; one can be attracted to more than one sex and do so as well.

People are attracted to both sex and gender, e.g. men can be attracted to feminine men.
“Sexual preference”? We don’t choose who we’re attracted to. Although how that attraction gets recognized and acted on is not biological.

Sexuality is also developmental. People develop new self-awareness about their sexual desires with experience and over time. But clinical efforts to change sexual orientation have not been proven to extinguish same-sex sexual desire.

Sexual trauma and violence, especially in childhood, do shape people’s sexuality, but these are not primary shapers of sexual orientation. On the contrary, young people perceived to be lesbian or gay are often targets for sexual abuse.
Sexual orientation and expression, like gender, ethnicity and religion, can form a part of a person’s core social identity (e.g. as gay, lesbian or several other terms of choice).

In some cultures, the same systems and ideologies that create gender inequality and patriarchy also create environments where expression of same-sex desire leads to stigmatization and discrimination, including violence, and impunity for offenders. Many persons who experience same-sex desire avoid or hide same-sex behaviour and identification. For others, their sexual orientation or practices are not a part of their self-identification.
Hence the use of terms like “men who have sex with men”, particularly in the HIV field, to capture such persons, along with those for whom sexuality is a part of identity and community.

You don’t have to be homosexual or identify as one to be bullied or attacked based on perceptions of your sexual orientation. People’s sexual identification also varies widely culturally and personally. Hence the importance in policy of treating with sexual orientation and gender identity/expression and with sexual rights broadly, and not only with LGBTI-identified persons.
6. CULTURE SHAPES WHAT IS NATURAL

- We are a complex mixture of biology (nature, God) & society (nurture, dogma)
- Not all biological (or sexual) differences are given social meaning
- What we think is normal changes with place and time. It was normal to own slaves and kill Christians.
- We are all a part of society, so we all have a hand in setting the cultural rules. We can make them fairer.
Gender defines a set of expectations for both sexuality and expressive behaviour based on one’s sex. There are binary notions that men are expected to be masculine and women feminine, e.g. in dress, expression and activity.

But your gender is also a profound and personal part of who you are. For many persons, their gender is consistent with their sexual biology (cisgender). However, their gender expression may not be traditional. Men can do “feminine” things, women can be dominant or “ag”. This can be counter-cultural, transgressive or “gender non-conforming” in other ways.
For a visible minority in many cultures, gender identity is not defined by sexual biology. They are transgender men (persons whose birth sex may be female but whose gender identity is as men) and transgender women (birth men whose gender identity is as women).

Some cultures, including Amerindian ones, have traditional “third gender” roles (with their own gender strictures). In addition to appearance, expressive behaviour and livelihood, modern technology provides opportunities for transgender persons to make medical and surgical changes to their bodies (hormone therapy, sex realignment surgeries). The process is often an incremental one called “transitioning”. Transsexual persons have completed such procedures.
A distinct group of transgender persons experience a sense of “dysphoria” with their birth sex and expected gender roles. Gender dysphoria is also a medical diagnosis that can facilitate transitioning and its costs, which create significant access issues.

Transgender persons may have no desire for surgery or other medical technologies. For many gender expression is quite fluid.

Transgender is a category that has also been used to include persons who crossdress for various purposes, sexual pleasure, performance and as a part of gender expression in gay or lesbian culture.
Transgender persons face vulnerability when the gender identity in which they are living conflicts with the sex on their identity documents.

Intersex persons whose gender identity is not consistent with the sex they were assigned face similar challenges.

Intersexuality is not a sexual orientation or gender identity. Transgender experience is not a sexual orientation. Transgender persons may be heterosexual, homosexual or bisexual.
8. IT’S ABOUT FREE BODIES
   Enslavement
   Colonialism
   Religious practice
   Cultural expression
   Labour rights
   Reproductive safety
   Gender-based violence
   Trafficking
   Crime & citizen security
   Freedom of movement
   Corporal punishment
   Sexual autonomy
9. IT’S ABOUT LOVE
BUT IT’S NOT ONLY ABOUT LOVE
Marla Thompson
Sex: M

PASSPORT

ENTRANT
10. It’s about growing up
   It’s about inclusion in civil society
   It’s about violence
   It’s about equal protection and restorative justice
   It’s about prevention and public education
   It’s about family law
   It’s about homelessness
   It’s about gender-sensitive health care
   It’s about representation in Parliament
   It’s about the nations we want to build