

BERNSTEIN: So I'm Elizabeth Bernstein, and I'd like to welcome you to this afternoon's plenary session on the changing landscape of sexual politics. And I'd like to begin by thanking you for joining us during your lunch hour and tearing yourselves away from the slot machines. I'd also like to begin by thanking the four stellar panelists who have assembled today to engage in this very interesting discussion.

And most importantly, I'd like to thank ASA President Randy Collins for arguing strongly on behalf of the necessity of having a panel on sexual politics. And it's the first time that I know of that the ASA has foregrounded questions of sexuality at a plenary or presidential session, so this is a pretty special occasion. And I would also like to note that this decision was made even before the meetings were moved to Las Vegas.

Now, historically, it's, of course, not always been the case that sociologists have regarded sexuality as a domain worthy of serious empirical or theoretical inquiry. Instead, sexuality has been naturalized and relegated to the realm of the asocial, the atemporal, and the apolitical.

More recently, sociologists, including many assembled in this room, have been working to counteract this trend. And as chair-elect of the ASA's Sexuality Section, I'm, of course, very encouraged by this development. I think it speaks not only to the flourishing of sexuality studies as an important sociological subfield, but also to an acknowledgement of the myriad ways that sexuality intersects with the domains that comprise the conventional core of our discipline, states and markets, families, culture and religion, and social inequality.

Sexuality is, of course, also vital to any robust understanding of social conflict, which is, of course, the theme of this year's meetings. As theorists from Freud to Foucault to Diverstran's(?) feminism have shown. Recent empirical work by sociologists on topics ranging from abortion to prostitution and pornography to controversies over same-sex marriage have also served to illustrate the powerful salience of sexual issues to U.S. political life.

Now given this rich lineage, what's perhaps most remarkable about the current political moment is the extent to which the hot button culture wars issues of gender and sexuality have been assumed by some commentators to have largely subsided. With the decline of the religious right as an overt political presence, it's possible to make the argument that some of the most heated dimensions of sexual politics in the next decade, including issues such as gay marriage, abortion, and sexual diversity in the military, are receding in importance as politically divisive issues.

And, for example, one could argue that the religious right has largely been supplanted by an economically driven and secular Tea Party movement that largely backgrounds rather than foregrounds questions of sexuality. Now, interestingly, the sociologist Edic Fausau(?) has argued that in the United States sexual issues were already fading from political relevance, even during the evangelical-friendly Bush Administration, particularly as compared with the sex-scandal-ridden 1990s. According to Fausau and to others in the U.S., sex is now more likely to seem like a distraction from more serious issues rather than the medium through which serious issues are debated and resolved.

Now, well, such arguments, I think, are quite persuasive on the one hand. At the same time, it's hard to ignore the continued salience of abortion politics and debates around healthcare reform. The rise of right-wing, so called birther and anti-immigration movements that pivot on intersections of race and reproduction and the surging importance of barometers of sexual equality in the international political field. Whether the issue is sex trafficking, homosexuality, or hate crimes, sexual rights have increasingly become signals of broader commitments to the human rights fields.

What's more, as Professor Lancaster will be discussing in more detail, gender and sexuality have served to propel a new wave of cultural politics, contributing to the global lockdown on the racialized poor. Indeed, it could be argued that rather than receding as an issue of political prominence, sexuality has returned to the forefront of both national and international politics through some surprising new channels.

Now in the face of complicated and contradictory trends such as these, today's panel invites distinguished sociologists and cultural theorists to assess the state of contemporary sexual politics as well as the challenges for progressive social movements going forward.

In what ways have certain key features of sexual politics begun to shift in recent years? Which facets of the contemporary political terrain are most deeply entrenched? Has the age of Obama marked a shift from sex to race as the principle source of social conflict, as some commentators have claimed?

With these questions in mind, I asked the four panelists that you see here today to assess the changing landscape of sexual politics through an analysis of foreign and domestic policy and the broader configurations of power that shape erotic life, including political economy, war and peace, and intersecting forms of inequality. So I'd like to now introduce the four panelists for the session, all of whom have done groundbreaking research on areas related to this afternoon's theme.

Our first speaker will be Janice Irvine. She's professor of sociology at the University of Massachusetts at Amherst and the author of numerous books on the sociology of sexualities, including *Disorders of Desire*, *Sexuality and Gender*, and *Modern American Sexology*, and most recently, *Talk About Sex The Battles Over Sex Education in the United States*.

Professor Irvine is also the author of many influential articles in this field, including *Transient Feelings*, *Sex Politics*, *Sex Panics and the Politics of Emotions*, published in *GLQ*, and *On Lies, Secrets, and Right-Wing Sexual Politics*, published in the *International Journal of Sociology and Social Policy*.

Professor Irvine has been the recipient of some notable honors, including her 2009 Fulbright Award at the University of Zagreb, the 2005 Simon and Gagnon Award of the ASA Sexuality Section, and the 1995 Rockefeller Fellowship. Currently, she's conducting research on queer activism in Zagreb, Belgrade, and Sarajevo.

Our next speaker will be Mignon Moore, associate professor of sociology at UCLA and chair-elect of the Race, Gender, and Class Section of the ASA. Professor Moore has been the recipient of numerous honors, including awards from the Woodrow Wilson Foundation and a national award from the Human Rights Campaign for her professional work with LGBT Communities of Color.

Professor Moore's research lies in the fields of sexuality, race, family, gender, aging and adolescence, and she's published widely on all of these themes. Her 2011

book, *Invisible Families, Gay Identities, Relationships and Motherhood Among Black Women*, was recently released from UC Press. Professor Moore currently holds a grant from the NIH for a study examining the social histories, current health outcomes, and sources of support for older African-American sexual minorities. She's also engaged in a related project which examines the characteristics of LGBT protest in different racial and ethnic communities.

Our third speaker will be Salvador Vidal-Ortiz. Salvador is associate professor of sociology and co-founder of the Center for Latin American and Latino Studies at American University in Washington, D.C. His work occurs at the intersections of gender and sexuality studies, racial and ethnic studies, and studies of migration and displacement.

He's published widely on the themes of radicalization of Puerto Ricans and other Latinos in the U.S., auto ethnography, transgender and LGBT studies, queer theory, and gender and sexuality in U.S. Santeria, which is an Afro-Cuban religious cultural practice. Professor Vidal-Ortiz has recently returned from Colombia, where he's been working on the topics of displacement and forced migration of LGBT people to Bogotá. At American University, Vidal-Ortiz has also begun to collaborate with the Center on Health, Risk, and Society, where he'll be conducting research on vulnerable populations with HIV in both Washington, D.C. and Puerto Rico.

Last, we'll hear from Professor Roger Lancaster, who is currently professor of anthropology and director of cultural studies at George Mason University. He's the author of numerous books, including *Thanks to God and the Revolution, Life is Hard, Machismo, Danger, and the Intimacy of Power in Nicaragua*, which was awarded both the C. Wright Mills Award as well as the Ruth Benedict Prize, and *The Trouble with Nature, Sex in Science and Popular Culture*.

From 2004 to 2006, Professor Lancaster served as the American Anthropological Association's media point person on kinship, marriage, and the family fielding media questions on the changing institution of marriage, especially regarding same-sex marriage.

His most recent book is called *Sex Panic and the Punitive State*, and was published by UC Press this year. His comments today will draw from that book. And by the way, he also has an op-ed which will be appearing in tomorrow's *New York Times*, entitled *Sex Offenders the Last Pariahs*.

So after we hear from the speakers, I'm going to exercise the president's prerogative and probably pose a question or two of my own, and then we'll take comments from the audience, town hall style. Okay. With that, I'd like to turn over the floor to our first speaker.

IRVINE: Hello. So in today's social and political climate, sexual minority group interests are often analyzed and advocated for in ways that privilege the particular interests of higher-income whites within those groups. When these interests are constructed as separate from and even oppositional to the interests of presumably heterosexual, racial minority groups, it is sexual minority people of color and their families who are especially harmed.

This afternoon, I want to talk about some of the race and class specificities of the LGBT political field, particularly the ways issues that are part of the most heated

discussions and representations of LGBT politics are understood and incorporated into the lives of LGBT racial minority group members.

So the research agenda I've developed provides a sociological lens to the study of race in LGBT politics through three ongoing projects. My book, *Invisible Families, Gay Identities, Relationships, and Motherhood Among Black Women*, was just released this month, and I'll make a little plug here. Some copies are available at the University of California booth.

And the book is a culmination of a three-year, mixed-method study of more than 100 Black women in New York who are forming families as lesbian, gay, bisexual in the life same-gender, loving people. It argues that initial self-understandings based on race, influence behaviors, and experiences in families headed by female couples.

Black women draw from experiences in their families of origin and in the racial community to inform how they conceive of and practice same-sex desire, the processes involved in union formation, routes to motherhood, and the enactment of gendered power relations in families headed by two women.

Now the second way that I'm examining intersections among race, gender, and sexuality is through my study of aging in LGBT identities called *In the Shadow of Sexuality, Social Histories, Social Support, and Health Experiences of African-American, Older Sexual Minorities*.

And here, I'm collecting interview and survey data on people born between 1930 and 1955, and I'm focusing on their experiences coming of age in the 1960s and 1970s in the context of the social movements of that time and how they understood race, gender, and their same-sex desires. I'm also interested in the social support and health challenges as they age.

But my comments today draw in part from a different component of my research, some ethnographic data collection that I began in the Fall of 2007 to give voice to the experiences of Black LGBT people in Los Angeles as they live, worship, and socialize in African-American communities.

This work looks at the public debates over same-sex marriage as a representation of the move from private to public expressions of sexuality that are not just taking place in the national, large international arenas, but are importantly affecting life in local public and private spheres. And I'm talking about church pulpits, right, coffee shops, barber shops, dinner tables, and various other social environs across America.

So it analyzes the tactics that Black LGBT people use when negotiating multiple identity statuses based in race, gender, and sexuality to create a sense of belonging in Black communities. But before I get to the findings of that work, I want to share some information on the size, location, and other characteristics of racial minority, same-sex couple headed families in the U.S.

Census data show that the majority of Black, Latino, and Asian-American and Pacific Island same-sex couples reside in cities, towns, and rural areas where there are concentrated populations of other Blacks, Latinos, and Asians. And this point is illustrated in the following maps my colleague, Gary Gates, designed. These are from Census 2000 data, and the race ethnicity of the couple is based on the race ethnicity of the householder.

So in this first image, it reflects the geographic distribution of all same-sex couples, 70% of whom are white. The darkest areas on the map contain the highest concentrations of gay and lesbian couples. And these couples are concentrated in urban areas that are known for having visible populations of LGBT people, so San Francisco, portions of Vermont. They're also spread out over several cities in the Northeast and in certain places out West.

Now this next map shows the areas of the U.S. with the highest concentrations of Black same-sex couples. And you can see here that many of these households are not in the same regions as the larger population of gay and lesbian couples.

Proportionately, Black same-sex couples are more heavily located in the Southeast, places like Georgia and the Carolinas that have large numbers of African-Americans more generally.

This third map makes a similar point for Latino and Latina same-sex couples. They're most visible in places like Texas, New Mexico, California, where large numbers of Latino populations are concentrated. And this fourth map shows where Asian-American same-sex couples tend to live, places like New York, Southern California, and if you can see Hawaii, it's pretty dark there, right, these are where there are significant groups, larger groups of Asian-Americans.

So you can see here that the geographic distribution of racial minority, same-sex couples tends to mirror the respective distribution of Blacks, Latinos, and Asians generally, while white same-sex couples geographic distribution is not as closely tied to the broader distributions of the white population.

Now data from the 2008 American Community Survey show that there are approximately 120,000 same-sex couples raising 250,000 children. And note that these numbers only represent children in couple households. They do not include children living in a household led by a single parent who is gay or lesbian.

African-American and Latino same-sex couples are more likely than are white same-sex couples to be raising children, and this is particularly true among female couples, as this chart illustrates. So the first set of bars compares percentages of all same-sex couple households with children across race. The second set of bars are for male couples, and the third set of bars shows the proportion for women. And you can see here that 25% of white women, 50% of Black women, and 34% of Latina female-coupled households have children.

Now one of the most recent invisible representations of gay rights issues for, is the federal government's lack of recognition of marriage by same-sex couples. And so there are other events that are also important for the movement, but this issue has a particular resonance.

Same-sex marriage is a public issue that has provided a vehicle through which Black, Latina, and Asian LGBT people can develop a conversation about their sexuality with family members and others in their racial and ethnic communities. It moves gay sexuality from the private sphere as a behavior that individuals act out in secret and under a cover of shame or as a secondary status to one that initiates a public response about who we are as African-Americans or Mexican or Korean people who also have or desire same-sex partners. It has provided a means for lesbian and gay men to have a voice around these multiple identity issues.

So for African-American groups in particular, since that's the group that I tend to focus on, same-sex marriage is especially relevant in that it serves, I argue, as a physical response to the stigma that is often associated with the wider range of family structures among Blacks, so the stereotypes of Black men who fail to hold up to their responsibilities as fathers and partners, or the stereotypes of Black women as sexually permissive women who will morally chose single motherhood over the stability of a marital union.

Weddings in Black communities symbolize the attempt of a couple to conform to notions of respectability, as we talked about earlier, and to show to the world that Blacks as a group can assimilate into quote, unquote, socially acceptable patterns of behavior, while some Black gays who want to marry want to show to their families, members of their racial communities, and others in society that they defy the negative stereotypes of Black people and of gay people, and that they can create and sustain stable families.

So in this context, marriage offers a conventional or some might say conformist presentation of self, an antithesis to the images of gay counterculture. But because of the racialized context in which same-sex marriage among Blacks is taking place, I argue that it is experienced by those in the community as a radical and transformative act.

Now in a paper that was published in the *DuBois Review*, I followed the Here to Stay Coalition, which is a group of mostly African-American LGBT people, as they prepared to have their group participate in the Los Angeles Martin Luther King Day Parade. So I don't know how many of you have a King Day parade in your city, but there are plenty of them across the country.

Here are a few photos of the group in the march. So you can see this was the 2000 march. They marched again in 2010 in the rain and then again in 2011, but this was the first march. So the article that I have written identifies three distinctive features of protest in Black community context, and I have a few copies of the paper if anyone wants any.

So the first distinction in the way Black activists interpret their work is that they use African-American historical references to link what they are doing with previous struggles for Black equality. Because of race, they feel a sense of ownership of past political movements, and they're comfortable using the language of Black protest to describe the work they're doing right now.

For example, at a debriefing session after the march, Brother Mokali(?), and these are pseudonyms, addressed the group using historical references to Black political struggle. He said this. I know they have compared this to Dr. King walking across the bridge in 1959.

This is the equivalent, what you are doing today. So, please, this is not an ordinary march. You donated your blood. You donated your courage. You donated your breath to something that is very, very essential and of consequence in our community. So you may not have received applause as you were walking on the streets today, but I tell you that the path has been set. You are piercing the wall of prejudice, and you are tearing down the curtain of homophobia. This we shall win.

So these leaders feel an ownership of these historical movements because of race, but perhaps more importantly, they see their activism as paving the way for their own sexual liberation within the racial community. So this is not a conflict of the large

LGBT population and the more general mainstream society. This is a very personal, interracial struggle taking place within group boundaries.

The second distinctive feature of Black LGBT protests is the way leaders infuse key components of African-American culture and how they understand the political work they're doing. So they draw from consensus issues to connect themselves to the larger racial community. And they have, they, these are people who have firmly implanted Black racial identities. They have a strong sense of linked fate with African-Americans as a group, and they're committed to group uplift.

So we saw signs in the march that said things like I am you, you are me, we are your family. And they chanted things like we're your mothers, your fathers, your sisters and your brothers. Now is the time to love one another. So these tactics may appear to be assimilationist when used by whites to advocate for mainstream acceptance, but I argue that the particular context of Black protest makes these actions read as radical to those that they want to address.

And the dominant concern for these activists is how to maintain and build their relationships with the racial community, how to stand proudly and openly express a gay identity that is simultaneous with a racial identity. And what makes the protest radical is that it's taking place in the most intimate and vulnerable of spaces, among racial group members.

So at the debriefing session, one marcher stood up and shared the following. He said, with all due respect to white folks, it's not like marching in West Hollywood because the stretch of land between King Drive and Crenshaw Boulevard into Lemiert Park is seen by some of my own Black people as the Black cultural center, and they think we are not going to allow this to take place. He's referring, you know, to having an openly gay group in the Kingdom Day Parade.

Now the third feature, and this is my last of Black LGBT protest, is an expressed goal for the work that they're doing to challenge and conquer their own homophobia. So Queen, who is an elder leader of this movement, she said the following. This march is about us accepting us. It's not about anything outside of us. It's not about family accepting us. It's about us accepting us. And when we vibrate that magnetism, we will attract acceptance, not tolerance. We will attract acceptance. People will be able to see themselves in us.

So in addition to working to change the minds and hearts of the larger racial group, this LGBT political work is expressly meant to build the group's self-confidence and acceptance of their gay sexuality by de-stigmatizing and transforming the meaning of gay sexuality. And each time they reveal themselves as gay to others, they validate that gay identity within themselves.

Now while my own research has focused on African-Americans, we can look at the importance of other issues that have a particular relevance for LGBT people who are also members of racial and ethnic minority groups.

So for example, in separate survey studies of racial, ethnic, minority, LGBT people, one sponsored by the Human Rights Campaign and the other by the National Gay and Lesbian Task Force, immigration and citizenship emerged as key issues for Asian-American and Pacific Islanders on for and for Latino LGBT people as well, since this data show that there are approximately 36,000 bi-national, same-sex couples in the U.S., and in 45% of these cases the foreign partner is Asian.

So Asian nationals and other nationals in same-sex partnership, as well as their children, are affected by immigration policies that prevent the U.S. citizen partners from petitioning for them to remain in the country.

Now according to a 2004 report by the Asian-American Federation of New York, approximately one-third of all API lesbians and gay men in New York, San Francisco, and Los Angeles are non-citizens. And Victor Ramero(?) argues that family unification is a long-held value among Asian-Americans and one that directly challenges the anti-Asian legacy of U.S. immigration law.

But API same-sex couples and their children are still feeling the legacy of immigration law that constructs certain groups, formerly Asians, now lesbians and gay men, as unassimilable.

So my time is up. I would just like to conclude by saying that we need to rethink the issues that are relevant to sexual minorities and frame LGBT sexual politics as matters of racial and economic justice. So issues like racial disparities in home ownership and income or family unification should be incorporated into our research and work on sexual minority groups into sections of race, gender, sexuality, and social class and for multiple dimensions of LGBT life. And I'd just like to acknowledge the funding sources for this work. Thank you.

VIDAL-ORTIZ: Well, hello, everyone. Thank you so much for being here, for sacrificing some very powerful networking time over lunch to be here with us. I, the title of my talk, which is a little, it is a reflection or impressions about my research, the Fulbright conducted research in Bogotá is Colombia Public Policies, LGBTI Communities, and Subjects of Rights.

I'd like to say that about a month or six weeks ago, Elizabeth Bernstein contacted me because she was in need of people who would join the panel and since the conference had been moved from Chicago to Las Vegas. And what an exciting place, right?

And in my always altitude sickness of Bogotá, which is about 7,000 feet above the sea level, I said yes, which is why I'm here. My remarks are quite humble. I want to give impressions about the research that I've done in Bogotá and in Colombia, and I want to think through. In fact, I think I want to pose questions in terms of how we conceptualize public policy and LGBTI rights, how those agendas travel globally.

And so what I want to do instead of do a lot of citing and instead of presenting data is to tell a story about a country that I think was always already impacted by global issues, a country that has transformed the way in which they think about citizenship. And they see themselves as subjects of rights. And this is Colombia. So what I'll do is read a little bit to stick to the time that I have, and, hopefully, pose some significant questions for discussion.

The links between social policies, citizenship, and democracy are seldom explored within sexuality studies, much less in an international context, as there is often an assumption that U.S. Americans produce the most progressive policies. Today I want to trouble this current imaginary. To do so, I will focus on some legislations and battles for rights towards sexual minorities.

I place in the background the U.S. situation of same-sex marriage or hate crimes and foreground it with a discussion about Colombia to begin to think through the

relationship between hegemonic power in policymaking and how this gets deployed throughout Latin America and hopefully help ignite critical thinking about sexuality and policy in places beyond Latin America.

I will show you impressions from recent experiences as a Fulbright scholar working with activists and academics in Bogotá, Colombia, and the task for which I was invited to speak today. I want to emphasize that our changing landscape of sexual politics in the U.S. has clear impact in terms of the politically efficacious changes elsewhere.

For instance, the notion of gay marriage is a notion that has traveled globally. Other challenges to human rights, not so much. The rights for transitioning, the rights to transition for transpeople, or the need to focus our attention on the inequalities within LGBT communities in terms of class, race . . . age don't tend to get that much attention.

And as I said, I'm interested in thinking about how a lot of these topics travel. For instance, the Bush-based abstinence, be monogamous, and if everything else fails use a condom policy continues to be used all over the world, continues to have an impact. I'm not suggesting that these deployments of policy are not important, but I'm suggesting that we move beyond an ethnocentric approach where we think that any proposed political change here is equally productive elsewhere.

Activists and academics willing to critique mainstream approaches do so within the U.S. context often, yet fail to see that these items do not make it. When they do not make it to a national agenda, they still cross borders and have immediate impact internationally.

So what's so important about policymaking and human rights for LGBTI people? U.S. neo-liberal agendas oftentimes impose myopic goals in the name of progress. The perception of development and progress through human rights for LGBTI people haunts even the communist countries.

For instance, about two weeks ago, there was a quote, unquote gay marriage in Cuba that has received a lot of attention because, and in fact it's not, it's neither a gay marriage or a transmarrriage, but it was a gay man who has HIV and a transgender woman, and the two of them married on Fidel Castro's birthday.

What's interesting about this is that even communist countries are facing the pressure of human rights to actually show that they are being progressive. As we have seen this week in media coverage, progress also haunts homophobic or so-called homophobic African countries as politicians might begin to face restrictions to come to the U.S. if they support homophobic laws.

This is partially due to the globalizing power of U.S. policy and agenda setting in many respects. In the U.S., however, we have 2009 hate crimes legislation that passed, yet, we've had more hate crimes in 2010. Same-sex partners in the U.S. have the capacity to marry in a few states and in D.C., but no such right exists at the national level.

And while agendas are set by a handful of organizations that receive millions, and marriage and gays in the military are the main issues fought for, oftentimes the issues of inequality for many LGBTI people get left behind for the fight of a few banking on the promise of equality.

In the case of Latin America, however, known countries such as Argentina, Colombia, Mexico, and less-known situations in countries such as Uruguay and Costa

Rica have made decisions about same-sex benefits to levels unparalleled to the U.S. While there are countries, other countries in Latin America that are conservative, I think that it's important to offer this contrast so that we can locate the U.S. in a global place and not at the center.

I'll speak a little bit about Bogotá. With close to eight million people, Bogotá has received about 20% of the people who reside there as displaced people. They are forced migrants from all over Colombia that come to Bogotá. After Sudan, Colombia is the second country with the largest number of internally displaced people, reaching almost five million people who have been relocated forcefully.

While little research has been done on the push-pull factors of the migration and their impact on LGBT people in Colombia, a lot more research has been done about their international migration to other places. But I want to say that displacement affects lesbian, gay, bisexual, transgender, and inter-sex people differently. Transwomen, in particular, are threatened in disproportionate ways than lesbians, gay men, and bisexually identified people.

Violence and forced migration within this widely recognized democratic yet not quite post-conflict state has ironically made people hold active conceptions of citizenship rights and analysis of social policies. In Colombia, the notion of *sujetos de derechos* or subjects of rights and a movement to democratic enactments in everyday practice continues to come up in the activism that cuts across macro- and micro-level experiences.

Advances in Colombia developed for two decades now have established and expanded the rights of LGBTI citizens. Starting with the revised constitution of 1991, Colombia offers the right of children born intersex to determine at a later moment in life their chosen identification and surgical sex gender affirmation if decided. To my knowledge, it is the only country in the Americas to do so, and so rightly.

The government provides funding for, just like in the ads, right, the government provides funding for and has a policy focused on LGBTI policies in Bogotá, and more recently Medellín. They actually hire consultants to draft public policy for LGBTI populations, again, just like in Washington, D.C.

Since the middle of the last decade, the nomenclature change has attempted to establish LGBTI people as abiding citizens and members of a community. People who feel their rights have been violated can submit a tutelage action, a *tutela* in Spanish. It's a formal legal complaint. It is less rigid than a lawsuit, but, nonetheless, an initiating element for investigation to right the wrongs against that person. These legal actions help address biases against LGBTI people.

Since the 1991 constitution reasserts every person as a citizen with rights, LGBTIs enter the public imaginary as their rights, like those of any citizen, are fought for by most Colombians. In that, the term diversity and sexual diversity that they use has them join Afro Colombians, indigenous groups, and women as part of the groups most deeply affected by structural discrimination and lack of resources.

Transformation of cultural debate has occurred in past, in part because of the ways in which activists have dealt with their presentation of self to the Colombian community. With a strong Catholic and fervent . . . membership in government positions, their task to change the cultural landscape is an uphill battle.

No doubt, heteronormative assumptions have been part of the presentation of self. For instance, for the most recent pride event, some organizers placed a call for no sexually explicit expressions, no drugs, no nudity, and no exploitation of the bodies of those marching, which directly targeted transgender women who engage in prostitution and march at the parade. And this, of course, reminds me of the work of Joshua Gamson's *Abundant Maintenance* and the notion of belonging and whether those that act in deviant ways belong to us or not.

While debate, dissent, and resolutions emerge in ways that allowed all to participate at that march, this was one of several instances where we see the intentionality of producing what Jane Ware has called a respectable queer.

This strategy has been initially fruitful. The achievement of rights for gays and lesbians in Colombia, from the political formations dealt with in Bogotá in '97 made same-sex marriage, which is called un unions maritales de hecho, or, literally, factual marital unions, available also to same-sex couples. And they just have to prove that they've been together for three years in order to use them.

This has been the closest to marriage until this summer. The equivalent to the Supreme Court, the Constitutional Court in Colombia has determined that same-sex couples constitute a family and have recently asked the congress in Colombia to take two years to make official same-sex marriage. Should the congress not establish this by 2013, the highest court will vote to ratify this new nomenclature.

The Colombian Constitutional Court ruled this July that the congress must create an equivalent of marriage for same-sex couples by June 20, 2013. Mark that date in your calendars. If the congress refuses to act by then, gay couples will automatically have the right to go to any notary public or judge in the country to formalize their union. This recent decision rules that these same-sex couples already constitute a family unit, and that the state must recognize them as such. This pending decision to name it marriage within their country's constitution offers a different treatment to same-sex marriage seekers vis-à-vis the U.S.

It is pretty common to see in promotion for same-sex marriage rights in Colombia some of the slogans of U.S. advocacy without much attention to the local context. For instance, in a video that was widely distributed this summer, ten reasons why equality marriage is needed by Colombia diversa or diverse Colombia, some of the reasons are, and you're going to recognize some of this.

We seek a fair and just society. Homosexuality is not am mental illness. Families in Colombia are so diverse that a nuclear family isn't the majority anymore. Because it is cost beneficial. And I love this one, and you have to love it too. Since animals have same-sex sexuality, then human sexuality isn't based on mere reproductive goals. Oh.

Yet, there is also the discourse of development and the pressure by international bodies mentioned often, as well as the mention of other countries whose agendas have included marriage. That Colombia, they also mentioned that Colombia is a country with secular foundation, and thus marriage should be seen as a legal contract and not a religious affirmation. And, lastly, there is also the uncritical compassion, I'm sorry, the uncritical comparison to the abolition of slavery in order to demand equal rights for LGBTI people.

This last one, to me, carries the most problematic assumptions about human rights and LGBT social movements. Unlike in the U.S., Colombia has paid attention to the wrongs done to ethno racial minorities there. These issues do not translate well in the Colombian context, at least not all of them do. Yet through media and the Internet, they become part of the banner of equality in a country with a very different history of slavery and exploitation, religiously, economically, and socially.

Some of the issues that I won't be able to talk about that remain in debate is same-sex adoptions. A lesbian couple has fought for the right of the partner of the mother of a baby to actually be recognized as a parent, and this happened in Medellin and is being now a tutela that is forcing the Constitutional Court to debate on that.

But people in Colombia are able to get inheritance by the same-sex partners if that partner dies. They are able to get healthcare affiliation to the same-sex partner. There is recognition of transwomen's rights to be seen as women in public spaces. And, recently, there has been a vote to recognize them as transgender women in jail and moved to women's jails. And, lastly, that non-Colombian same-sex partners may receive Colombian visas and eventually citizenship, when legally recognized through the unions maritales de hecho.

And so what I'd like to say in conclusion is that it isn't all peachy in Colombia and that Bogotá and Colombia are generally offer a great set of contradictions that are . . . into advocating for LGBT rights. I'd like to say that, in particular, it is very important to know that there is a lot of backfire in terms of LGBTI visibility.

There are paramilitaries, and they do work called social cleansing where they kill, whenever they have the opportunity, LGBT people, people living with HIV, and sex workers. And, in fact, they're using people living with HIV as elements, as tools of war. They move people with HIV to places where they have combative paramilitary so that those troops get infected.

The situation is not great when we look at the national context. But when we look at the cities, Medellin, Colombia, Calle, there is great advancement. So all I have tried to do is pose some questions in terms of how we think about policy, how we place it . . . the U.S. when, clearly, there are other places that are developing agendas that are actually making, materializing human rights and equality for them in those countries. Thank you.

LANCASTER: Thank you. We have one Black president, but there are nearly one million Black men in prison, incarcerated at rates that exceed even those of the Jim Crowe era. Same-sex marriages are now performed in six states and the District of Columbia, and nationwide polls suggest a rising tide of gay acceptance. But while sexual anxieties have diminished on some fronts, they have obviously intensified on others, even in comparison to the McCarthy era.

U.S. society has become both more inclusive and more punitive, more tolerant, and more puritanical. In *Sex Panic and the Punitive State*, I try to make sense of those conundrums and to tease out their relationship to each other. So let me try to retrace the history of how we got here, blocking off some of my main arguments about sex and race along the way.

We'll back up a stage, start with sex panics of the 1930s and McCarthy era when politicians, yellow journalists, and complicit psychiatrists constructed the figure of the

sexual psychopath. Around this figure, institutional actors produced new psychological theories, new forms of social mobilization, and an avalanche of new laws.

In the new theories of sexual development, homosexuality served as a particularly contagious variant of sexual psychopathology. One author states the homosexual is an inveterate seducer of the young of both sexes. He is ever seeking for younger victims. And in the vicious circle of proselytism, today's young victims of homosexual seduction would become tomorrow's sex criminals, violent ones at that.

Such an illness required harsh medicine. Because every sex offender was viewed as posing the threat of violence, new statutes allowed lifetime psychiatric commitment for consensual, adult homosexual acts if the offender's desires were deemed uncontrollable.

Now preoccupation with sexual dangers was nothing new. Such preoccupations were a fixture in America during the colonial antebellum and Jim Crow eras. The villains of the peace were depraved Red or Black men. Mid-20th Century sex panics introduced significant changes to these terms. Agitations of the new sort took off at about the same time that southern lynch law went into a decline, and the geography shifts. Too citizens, mobilizations, and parents associations emerged in northern cities, Midwestern and Western towns and along the West Coast.

Estelle Freidman notes that sex offenders confined to mental institutions tended to be white men. They were often middle-class professionals. Black men accused of sex crimes were sent to prison or executed instead, a racial double standard, surely. But perhaps the new villain is also the leading indicator of an emergent bio-political regime. The roots of this regime go deep, and 19th Century medicine theories of sexual degeneracy purported to capture how a person might sink to a lower level, becoming unlike his own race or kind.

In these imaginings, the sickness of the white, sexual deviant was contrasted with the criminality of the Black man. The former suffered from too much civilization, the latter from too little. Newer Freudian theories allowed psychiatrists to expand these notions. The white sexual psychopath might respond to treatment because he suffered from arrested development or had regressed to an infantile stage. However, the black, bestial rapist could not respond to treatment because immature sexuality was deemed a normal trait of African-Americans.

Mid-20th sex panics thus intensified certain ideas about race and sex, degeneration and contagion. But their class form recalls something of the dynamic Michele Foucault describes from an earlier era. When sexuality was medicalized during the 19th Century, new sexual disciplines were applied first to upper and middle classes, then later extended to lower orders.

On my reading, the whiteness and middle-class status of the sexual psychopath suggests not merely that white convicts were treated more leniently than Black ones, but that a far-reaching redefinition of sexual morals and disciplinings was underway. That is to say ideas about sexuality and its proper disciplining were gradually displacing expressions of overt racism in the construction of moral hierarchies, and this trend will accelerate with culture and poverty theories in the 1960s, which began to attach cultural forms of explanation as opposed to innatist ones.

Fast forward. After the 1960s, new waves of agitation around sex have followed in rapid succession. First came the overtly homophobic save our children movement,

which invoked the threat of homosexual recruitment by gay schoolteachers to turn back antidiscrimination ordinances in cities across the U.S.

Meanwhile, closely timed campaigns against male hustling and teen pornography were fuel to the fire for anti-gay activists. These agitations were key to the emergent family values politics of the period. They were also key elements in a conservative cultural shift, as Philip Jenkins has shown. Outside the safety of the heterosexual hearth lurk perils and dangers.

In rapid tow came the redefinition, came the rediscovery of child abuse, a focus on sex abuse, and redefinitions of key terms. Children to include adolescents, sex to include tongue kissing and in some cases leering, incest to include cousins, and abuse to include experiences recalled as pleasant.

Now, obviously, if one draws childhood so broadly as to include adolescents up to the age of 18, and if one further encourages respondents to classify as abusive a broad spectrum of sexual and non-sexual interactions with both adults and with other minors, then one can indeed produce large numbers of abused children, and this is part of what happened. Soon Americans were talking about an epidemic of child sex abuse.

Now I hope I'm not misunderstood here. I don't minimize the traumatic ordeal of sex abuse. But as in the McCarthy era, the conflation of various types of coercive and non-coercive acts under one general rubric does a grave disservice, not only to those who have committed nuisance as opposed to brutality, but also to those who have, in fact, suffered serious injuries.

And with these redefinitions came new theories of repressed memories, setting the stage for a season of madness, the satanic ritual abuse daycare panics of the 1980s. Stretched out over much of the decade, these convulsions consolidated a culture of sexual fear in America and expanded new institutions of child protection at the expense of child welfare at large.

Subsequently, an ongoing series of new panics has kept the momentum going, the true crime story of the solitary child who, in actual reality, befell a terrible death at the hands of a repeat offender, a certified monster. Now in taking the second 40-year period as a frame, I don't argue that every wave of agitation was the same. Taken as a sequence, these post-1960s panics involve a complex amalgam of liberal and conservative, homophobic and feminist, evangelical and secular aims. Contents shift along the way.

But let me offer some quick generalizations. First, the constant element in successive waves of panic is the figure of the imperiled, innocent child, a child whose innocence is defined in terms of his imagined sexlessness and whose protection from sex looms as an ever more urgent and exacting demand. Echoing Lauren Berlant and other queer theorists, I refer to the figure of the child, not only because of his sexlessness but also because this child himself is sometimes quite imaginary.

Second, successive waves of agitation constructed the figure of the pedophile. This figure, who had no clinical standing before the 1960s, has sometimes functioned as a stand-in for the archaic term pederast, a homosexual man attracted to adolescent boys. I think it's important to mark the genealogy of the concept and the resilient notion of a vicious circle of abuse and assertions that men who prey on boys are less treatable than fathers who abuse their own daughters and so on.

But it might be better to say that the pedophile inhabits the space formerly occupied by the homosexual in the social imagination. The terror he evokes draws sustenance from all the evil that American culture once attributed to the homosexual, whose depraved condition was imagined contrarily to be both congenital and contagious.

Third, like the innocent, the pedophile is almost always raised as white. And this is a familiar, historical trajectory. I argue that in a political culture committed both to a war on crime with its mass incarceration of Black men and to ridding itself of racism through formal adherence to a regime of civil rights, the feared figure of the white pedophile is politically necessary.

Fourth, successive waves of moral panic have hardened into institutional and legal forms. Contemporary civil commitment procedures replicate practices of the McCarthy era. They allow for the indefinite detention of sex offenders after the completion of their sentences.

Other practices that compromise civil liberties vastly exceed anything that occurred during that era. Public sex offender registries mandated by Megan's Law have expanded rapidly at a pace that exceeds even the dramatic run-up of the prison numbers during the 1980s and '90s. There are currently 740,000 registered sex offenders, a population greater than the cities of Boston or Seattle. Most appear to be non-violent, first offenders, and many would not be classified as offenders under European age of consent laws.

More recent laws attach ankle bracelets to a growing list of lawbreakers and restrict where a sex offender can live, work, or walk. California's version of Jessica's Law effectively evicts all sex offenders, felony and misdemeanor alike, from the cities, scattering them to remote or rural areas.

Let me come back to moral hierarchies and their place in the emergent social formation. Virtually everyone who has written about the subject has marked connections among changing gender roles and anxieties about the status of the family, gay acceptance, and anti-gay backlash, sexual revolution, and sex panic. Cultural dynamics mapped by Gayle Rubin at the peak of the satanic ritual abuse hysterias continue to be reproduced today. Certain types of sexual dread are intensifying at a time when other taboos are being relaxed.

These effects are intensified by the political strategies of mainstream gay rights organizations who promote a hyper normal image of homosexuality and maintain silence about sex offender registries and child safety zones, thus reinforcing a dynamic that Lee Edelman has described. Everyone wants to offload the burden of queerness onto someone else. No one wants to be left holding the stigma.

This redoubling of taboos around age at a time when other taboos have been reexamined serves wider social functions. It revives the idea that sex is the basis for morality. Extreme scenarios of harm keep sex at the center of public morality and tether law ever more securely to functions associated with taboo, dread, and spectacles of punishment. These are no small matters. They circumscribe a crucial feature of our social dispensation.

As moral hierarchies based on race and ethnicity have become inadmissible, and as old variants of homophobia have become progressively more unacceptable in polite society, the pivot has turned to new moral hierarchies based on sex. These

distinctions have a complex and unstable relationship to racism and homophobia. In other words, stories about Black, inner-city family pathology preserve racial hierarchies around sex while exempting members of the heteronormative, Black middle class.

Public expression of rage against pedophiles often traffic in homophobic language while simultaneously exempting what might be called homonormative gays and lesbians. A long history of class antagonisms is implicated here, but these are not struggles of the sort Marx emphasized. The racial dynamics and modern sex panics suggests that bourgeois moral purification, middle class self-disciplining, and sexual hygiene are at stake, mechanisms for the production of a certain kind of whiteness, more so than either tools for race or class repression.

But here's a new twist on an old bio-political story. Such reformation projects are no longer the private reserve of the white middle classes. Codified as law and disseminated in a wide range of institutions, they have become universal, key to the gate of an unbrave, new world.

I conclude by suggesting something of the urgency of the subject matter. Digital scarlet letters, electronic tethering, and practices of banishment have relegated a rapidly growing number of people to what Orlando Patterson called social death. The creation of a pariah class, of unemployable, uprooted criminal outcasts has drawn the attention of human rights activists, and even a periodical as sober as *The Economist* has decried the harshness and ineffectiveness of U.S. sex offender laws.

This should worry us, in part, because the techniques used for marking and shaming sex offenders have come to serve as models for laws and practices in other domains. Several states currently publish online listings of methamphetamine offenders, and other states are considering public registries for a broad assortment of crimes.

Florida and other states maintain websites that give the photos, names, addresses, etc., of all prisoners released from custody. The use of ankle bracelets is spreading, not diminishing. This bodes ill for the future. We appear to be reaching the limits of the expansion of the carceral system, that 40-year dramatic run-up in prison numbers. But the techniques for managing and monitoring sex offenders are spreading.

Not much will have been gained if we trade a bloated prison system for expansive forms of electronic surveillance that effectively offload the costs of imprisonment onto offenders and their communities. Not much will have been gained if we trade one sort of punitive state for another. Thank you.

BERNSTEIN: Okay. So we began and ended with sex panics. Along the way we have traversed a wide array of empirical domains and theoretical perspectives. Since time is short, I'm going to forego my own question because I can corner them later, but, and open it up, actually. Can we have some lighting because I'd like to open it up, but I can't see any of you. Okay. And are there mics for the audience? Or I invite those with strong voices to pose a question. Yeah.

MAN: The mics are on.

BERNSTEIN: Okay. Great. Questions? No. Questions, thoughts, anyone? Yeah, oh, yeah. Okay. See, I told you. I'm blinded by the lights. Okay. Yeah, Nancy?

NANCY: Yeah, I . . . appreciate having . . . hear all of them today. I . . . I was . . . your comments and also your . . . about the . . . offloading . . . issues around gay and lesbians . . . and . . . abreast of . . . and I know that some of you are speaking to that . . . we want to be able to. But I think that to put fear and . . . you know, conversations together, I think that it's important to think about how these things sort of rub up against each other. And I wondered if either of you had comments or . . .

BERNSTEIN: I'm just going to repeat a succinct version of the question for those of you who didn't hear it. And you can interrupt me, Nancy, if I get it wrong. But the question concerns, really, the salience of the abortion question in particular, at this particular moment. And nobody spoke to it directly, but perhaps somebody has thoughts, right? So, you know, we've, most of the comments focused on homonormativity and respectability, but what about abortion, which seems, in some ways, as sticky of an issue as ever? Yeah, any thoughts.

LANCASTER: I have a quick thought.

BERNSTEIN: Yeah.

LANCASTER: I mean, the imperiled fetus is a great deal like the imperiled child and is actually a sub-variant of the imperiled child. And as long as the discussion of sexual politics revolves around that figure, you'll, it's obvious that one of the effects is that abortion becomes increasingly stigmatized in American culture. And it seems to me that it has become increasingly stigmatized. Some of the queer theorists have written very extensively about this, and it's a bit, sometimes a bit shocking and bracing to read, but, you know . . .

BERNSTEIN: . . .

WOMAN: Yeah, I agree with Roger, and I think it's a great question. I think on the one hand, though, we shouldn't overstate this notion of the acceptance now of lesbians and gay men because, you know, that's still so uneven, and there's still such a struggle. But I think, you know, this notion of the child and the innocent imperiled child is so powerful it makes topics like abortion and sex education both, you know, lightning rods that are very difficult to advocate for and very difficult for these sort of entrenched emotional politics to be undermined.

BERNSTEIN: And if I may, I'd like to add just one more thing, one more thought of my own, as somebody who has actually thought about this question a little bit. I think we probably need another panel, as well, on the changing landscape of gender politics. And I think this question points to the theoretical importance of separating out gender and sexuality, right, so sexuality and sexual politics can move in one direction, and gender politics in another, would be my own thought. Yeah . . . yeah.

MAN: A couple of you made some connections to . . . cyclical . . . and other realms . . . I'm curious to ask you if you could comment about the contributions of sexual politics in terms of . . . to other . . . and what I had in mind . . . the recent importation of the coming up model that, of course, has a long history in sexual politics in relation to the racial and the . . . students are going around the country in terms of . . . declaring themselves openly . . . undocumented because of possible consequences that it might bring, but which following almost to the dot societies of the coming out model of 20 years ago . . . so what I'm looking for isn't only sort of the dark side but also the ways in which the history that you're telling has to put the American politics more broad lined.

BERNSTEIN: So the question concerned, right, connecting questions of sexual politics to the broader political landscape, other kinds of political issues like the Dream Act and so on and so forth, right?

LANCASTER: I'm actually flashing back to a news article I read. It was the anniversary of the 1964 march on Washington. And one of the participants in the commemorative event describes the '64 march as a coming out party for Black people. And I'm think, I mean, it's interesting how broad the metaphor of coming out has become.

I mean, obviously, Black people didn't need to come out. They were already out. And, obviously, it gets the historical trajectory backwards, in a way. I mean, coming out comes after the civil rights struggles, not before. But, still, it becomes kind of a very broadly applied model, sometimes with comic effects.

BERNSTEIN: Anyone else? Mignon, yeah?

MOORE: I guess I would think about it in almost the opposite way because I think about these other groups. I mean, I agree with your example. I think that's a great example. And on my campus at UCLA, I see, I can certainly see the parallels that you've identified.

For the different racial and ethnic minority groups, it's almost the opposite, where they're drawing from the comforts of civil rights and other kinds of rights issues that they've been socialized into and taking that approach and using that towards understanding and sharing their sexuality.

So in the work that I do, I show how these previously formed statuses around, in my case, race, but you might think about, you know, a group like rural lesbians in Iowa who have a strong identity around being lowans, right, and how that influences the way they enact a gay sexuality. And so the thoughts that they bring to family formation or even, you know, how to have a conversation with other rural lowans draw from that common culture instead of having the link from sexual politics to the other groups. So I see the direction for those groups going in the opposite way.

BERNSTEIN: Other questions, comments? Yeah, back there, yes.

BARB: I have often thought that what might explain the . . . of human rights . . . certain groups is the . . . to the . . . group . . . become consumers and marketed to . . . rights . . .

homosexual marketed to . . . that sounds simplistic. And I was just curious what you all might think of that idea that . . .

BERNSTEIN: Yeah, so the question, and I'll repeat it. Barb's question was do markets proceed rights, in some sense, right? Is the real engine behind the spread and dissemination of sexual rights the creation of capitalist markets, market niches, right, the, you know, markets rather than movements in some way, right?

WOMAN: I think that's a great point, and I really agree. And I think about ten years ago I remember saying to one of my classes that as soon as religious conservatives figured out how much money there was to be made by gay marriages, they would stop being against them. And, you know, I think it speaks to the notion of who the ideal consumer is too. You know, and so we're back to sort of very much a class position and these hierarchies.

IRVINE: I have a little bit of a different opinion. I think that we often use that argument after we find support for a particular ideology. So and I'm thinking about New York and same-sex marriage being passed there. This was a great argument years ago, right? I mean, thousands of people are rushing to New York to get married. I'd like to go get married in New York. I'm from New York. But that wasn't enough to have this legislation pass. But after the fact, now we can talk about all the benefits, and that seems to be one of the benefits. But I'm not disagreeing with you. I'm just thinking about it in those other ways.

BERNSTEIN: Salvador?

VIDAL-ORTIZ: I think that if we use the notion of market in a more loose way, I could talk about the Colombia case and how the government, knowing that it has such a problematic human rights record in terms of the internal problems, since it is not post-conflict, that they do a lot of work in terms of the public relations and being seen outside of Colombia as a country that respects and promotes human rights. And so LGBTI or sexual minorities become one of those groups that are particularly targeted so that the external world sees Colombia as a place that's progressive. So if we use marketing in the broadest sense, yes, absolutely.

BERNSTEIN: I think we have time for one more question, yeah.

WOMAN: There's someone at the mic.

MAN: Well, I was wondering perhaps connecting . . . some action of the global threat of . . . and the global lens and . . . about . . . most definitely, Colombia. What . . . some of the policies and . . . national and global level that . . . today shape someone that . . . and practices . . . in the direction of defending moral . . . and becoming more open about the . . . sexuality? I'd like to see if some of you could comment on the . . . circulation of . . .

BERNSTEIN: Okay. So just to briefly repeat the question, the audience member wanted to know if what the panelists thought about transnational forces that are shaping U.S. sexual politics, right, as opposed to just the U.S. disseminating its own policies globally, right?

VIDAL-ORTIZ: Right.

BERNSTEIN: Yeah, Salvador, you want to take this?

VIDAL-ORTIZ: Sure. The United Nations and bodies that are international bodies are putting pressure on countries all over the world to abide by minimal human rights standards. In the United States, it's not always meeting those standards either, right? I think that what I'm curious about is how, now that the U.S. needs to see itself in that global space of or locate itself as a place that guarantees rights based on human rights, I'm interested at looking at how.

For instance, the newest immigration debates earlier this year have been about granting asylum to people whose gender presentation is radical enough so that their sexual orientation is guaranteed by their atypical gender presentation, right? And so we're seeing a new system in which gender and sexuality are again fusing. And now we're using that.

The U.S. is saying we're only locating X-number of resources to allow those who are most repressed, right? And it does something because it makes the U.S. look more benevolent vis-à-vis other countries, right. So I think that that's part of the production that's happening in a transnational situation.

LANCASTER: But I suspect that the U.S. approach to international law is a lot like the comment that George Bush made at the beginning of the war on terror, which is, oh, gosh, international law. I'm in violation of it. Get me an international lawyer. Utterly, an utterly sarcastic and hateful sort of remark, which basically said that the U.S. is not subject to international standards. It will set those standards, but it will not allow those standards to be imposed.

And I would bet that Beth could talk a great deal about how evangelical and anti-sex feminist players have inserted themselves very effectively, far, far more effectively than they've inserted themselves in other places into international questions of law, especially around trafficking and age of consent and sorts of issues like that, often to have incredibly negative and disruptive effects on real-world practices in all sorts of other countries and . . .

BERNSTEIN: Yeah, I'll be talking about that in another panel on Monday, if you're interested. Anyone else, just final comments, final thoughts? Yeah. We're over time, so I'd like to thank the panelists. Give them a big hand.