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The Global Politics of Sexual Dissidence: Migration and Diaspora

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Introduction

The impact of feminist interventions within political geography and IR has created the space to examine the global politics of sexual dissidence. This chapter sets out to theorise the global politics of sexual dissidence as a supplement but also challenge to feminist perspectives on global politics that have sometimes tended to reproduce a heteronormative perspective in overlooking same sex sexualities and transgender politics. Sexual dissident sexualities have generally been neglected in theories of globalization (though, for an exception see Scholte, 2000). However, recent years have witnessed a dramatic growth of work examining the global and transnational politics at the intersection of law, geography, cultural studies, postcolonial studies and lesbian and gay/queer studies. This body of work has much to contribute to understandings of globalization more generally.

Queer politics and theory have both sought to challenge the stability of categories such as gay and lesbian – and sought to provide a deconstructive analysis and examine the exclusions associated with mainstream gay identity politics. The focus within queer politics was on alliances across boundaries of sexual and other categories. However in his discussion of queer Bell (1994) suggested that queer politics has reproduced exclusions rather than eliminated them. Other writers have been critical of queer theory’s marginalisation of transgender politics (Namaste, 1996). Moreover Eng et al (2005: 12) argue that: ‘much of queer theory nowadays sounds like a metanarrative about the domestic affairs of white homosexuals’. See also Puar’s (2006: 86) acknowledgement of the limitations of labels and terms to denote sexual dissident identities and practices as she ‘note [s] the inadequacy of these terms, because they are overdetermined and vague, too specific yet too broad’. It is this very inadequacy and unsustainability of terms and labels to categorise identities and practices that has been a significant issue for activists engaged in and research on global sexual politics.

This chapter does not offer an exhaustive overview of material on the globalization of sexual dissidence which we use as an umbrella term to cover non-normative sexual practices and identities. However it seeks to provide a discussion of how the politics of sexual dissidence have been approached within theories of globalization and how insights from research on non-normative sexualities can inform both understandings of transnational political practices and theories of globalization. The first half of the chapter concerns more general debates concerning same sex and transgender sexualities in relation to both theories and practices of globalization. The second half focuses on questions of migration and diaspora. The conclusion offers some ideas and suggestions for future research.

Beyond the globalization of gay identity: contested formations of transnational sexual politics, practices and identities.

The adoption of the rainbow flag of gay liberation by movements across the globe reinforces the notion that lesbians and gay men may constitute a non-national ethnic group based on a common experience of homophobic expression. The emergence and proliferation of Pride events across the globe in cities as diverse as Sao Paulo, Taipei,
Istanbul and Zagreb to complement the longer standing, more documented and studied events in such as Sydney’s Mardi Gras (Markwell, 2002) would appear to lend empirical weight to the emergence of gay identities, and communities across the globe based on public statement, declaration of ‘coming out’. The high media profile of global gay sporting events such as the Gay Games which seek to proclaim solidarity among those oppressed because of their sexuality across the globe are a means of institutionalising a global gay identity (Waitt, 2005). This solidarity is based on a universal notion of a common gay identity across the globe based on resistance to homophobic oppression.

The idea of a universal gay identity that transcends time and space is one that has considerable resonance and to many gay men. See for instance Allen, 1996 cited in Binnie, 2004: 37: ‘Gay men the world over live similar lives and dream similar dreams […] I know I often feel closer to a gay foreigner I’ve known for five minutes than to heterosexual relations I’ve known all my life’. The notion of a common gay identity across national borders is also asserted in academic commentary – for instance Ralph Bolton is quoted in Sonia Katyal (2002: 120): ‘And over the years I discovered that, despite differences of dialect, the language of gay men in places I have been is the same; we are one tribe in diaspora, whether living in Trondheim or Zagreb, San Juan or Oaxaca, San Francisco or Atlanta, Las Vegas or Chicago. We are indeed everywhere and in all walks of life’.

Of course it would be tempting to interpret statements such as Allen’s and Bolton’s as naïve and ethnocentric – reproducing an essentialising Western gaze on diverse sexual cultures. Oswin argues (2006: 787): ‘It is by now widely recognized that Western bias within queer scholarship and activism is a violence directed against queer cultures around the globe’. A concern with difference and the desire to demonstrate solidarity with sexual dissidents across the globe needs to be balanced with recognition of the dangers of generalisation from the particular. To what extent are same-sex identities fractured by differences along the lines of race, class and gender? How does a global gay identity relate to transgender rights? It is how to interpret the politics of globalized struggles for sexual rights that is now the subject of considerable body of work.

Dennis Altman’s influential essays on ‘The globalization of gay identity’ sought to understand the emergence of lesbian and gay rights movements in the Global South with a particular focus on Asia (Altman, 1996; 1997). He suggested that there was a strong American influence on the development of these movements. Other writers have highlighted the role of new media in the development of gay and lesbian identities and communities in Asia (Berry, Martin and Yue 2003). Altman’s work has spawned considerable debate on how to theorise the development of lesbian and gay movements in the Global South. The contested notion of a universalized gay identity across the globe and the extent to which it forges and promotes solidarity across national boundaries, or whether it reproduces colonising tendencies and causes harm to sexual dissidents in the Global South has been a key focus of work in this area. Questions of how sexual acts and practices map on to identities is a central facet of debates about the global politics of sexual dissidence. For instance in taking Dennis Altman to task for his universalizing tendencies in his writing on the global gay, Lisa Rofel (1999: 455) argues: ‘For Altman, invocations of universalism, whether by Westerners or by Asians, appear to be self-evident and self-referential rather than
rhetorical strategy, double-voiced dialogism, the locational politics of representation, or strategic essentialism’.

One of the main issues associated with the notion of the emergence of a global gay identity is the use of evolutionary narratives that frame the West as ahead of the rest on the escalator towards ever greater rights of self-determination and autonomy. Rejection of evolutionary narratives that chart a path of development from folk, indigenous or ‘traditional’ configurations of same sex practices to a modern, politicised gay marked by visibility and greater publicity (Hoad, 2000). Spatial rhetorical strategies to configure and fix the West as ‘progressive’ and ‘liberated’ contrasted with the ‘backward’ non-West. Indeed the focus on fixity is problematic – is the west monolithic, stable, knowable? (Binnie, 2004: Oswin, 2006). This critique of evolutionary narratives of development of a gay identity has brought to the fore perspectives on sexual dissidence informed by postcolonial theory (see for instance Hawley, 2001). But also the colonializing tendencies of contemporary activism and theory as Oswin (2006: 787) argues: ‘the desire to know and coexist equitably with the ‘other’ too often contains its own colonizing moves’. Any consideration of sexual dissidence in a global context needs to understand the imprint of colonialism on sexual subjectivities which has consequences for contemporary formations of same sex sexualities (see for instance Aldrich, 2003; Hawley, 2001; Hayes, 2000; Phillips, 2006). We also need to acknowledge the multiple contexts of colonial tendencies – for instance as postcolonial theoretical perspectives are adopted by writers on post-socialism. Carl Stychin (2003:137) asks in the conclusion to his essay on Romanian sexual politics and EU accession: ‘to what extent can European actors avoid the colonial impulse? COC Netherlands is now working actively on a lesbian and gay empowerment project in the Republic of Moldova. Will this be a force for ‘liberation,’ or should it be seen as an example of the colonisation by the West?’

This section has examined the contested nature of theories around the global politics of same sex sexualities. At the start of this section we set out some of the main areas that have been the focus of work on globalization and same-sex sexualities. These tensions are reflected in transnational activism around sexual politics is one are of contention in these debates. The next section then focuses on these tensions and the distinction between theory and practice in the discussion of transnational activism and sexual politics.

From Theory to Practice: transnational activism and sexual dissidence

The distinction between theoretical work and activist practice is not always clear cut. The queer transgender activist academic Nico Beger (2004) has written an exemplary study of the tensions between activist practice and deconstructive tendencies of queer theory. He worked for ILGA-Europe lobbying trying to secure reforms in the EU based on legally recognised categories of dissident sexualities, while simultaneously applying a deconstructive analysis of the very categories that activists were deploying in these struggles. While deconstruction of categories of identity may be desirable to safeguard against the essentialising of identity but at the same time it can be disempowering when trying to effect practical legal change. As Jennifer Hyndman
(2003: 4) notes: ‘While critical geopolitics is useful for a feminist geopolitical analysis, its deconstructive impulses are to my mind insufficient to generate change for building alternative futures’. In addition to the relevance of deconstructive analysis for practical activist struggles, we also need to recognise that well-intentioned ‘progressive’ interventions may have damaging or harmful consequences. For instance outside activist interventions can play into conservative nationalist politicians’ claims that homosexuality is a foreign import. On the other hand we can point towards the unintended queer effects of reactionary legislation. Section 28 in the UK was a homophobic piece of legislation which galvanised lesbian and gay activism and increased media visibility rather than marginalisation.

The earlier discussion of a universal gay identity and whether this may have harmful effects has an immediate consequence for the most appropriate forms of political organisation and intervention. In her wide-ranging discussion of global sexual rights with particular focus on Thailand and India Sonia Katyal argues that the focus in rights struggles on gay rights based on a western model of gay identity as opposed to indigenous labels and categories may play into conservative nationalist politicians who argue that homosexuality and therefore gay rights are a foreign import. Katyal notes that campaigns in India for the rights of MSM (men who have sex with men) draw upon the colonial origins of Section 377 of the Penal Code that is used to punish same sex sexual activity: ‘it is perhaps most ironic that the laws that have been used towards prosecution are the very emblem of colonial exports and have long been abandoned by the country from which it originated’ (2002: 162). Katyal argues that how campaigns by gay and lesbian activists in India use Section 377’s colonial origins as a way of powerfully critiquing nationalist arguments that a gay identity is a Western imposition (2002: 167):

The distinction between focussing on securing rights that protect an identity versus rights that safeguard self-determination in sexual practices is one that Katyal argues needs to be better foregrounded in both activism and scholarly work on transnational sexual politics. She argues that: ‘many Western activists and scholars often fail to recognize that arguments for legal protection on the basis of sexual orientation can collide with, rather than incorporate, these preexisting social meanings of same-sex sexual activity’ (2002: 100). She highlights the danger that these preexisting formations of same-sex sexual activity such as kathoey in Thailand are interpreted as ‘backward’ and will be inevitably superseded by a Western model gay identity. It is ironic that modern Western gay identity is often taken as read or for granted as if it is uniform, easily understood, knowable, intelligible and recognisable. However there is also a danger that the Western model of gay identity, based on a distinctive gay lifestyle may itself be less stable, fixed. Thus while Katyal (2002: 154) argues: ‘The proliferation of competing identities demonstrates the difference between the concept of a fixed and stable perceptions of gay identity and the more fluid sexuality of many men and women throughout the world’. In some respects the turn towards focussing on constructions of sexual dissidence in transnational contexts may be seen in the context of the emergence of a post-gay identity in some Western societies. In many Western societies the successes of law reform and changing societal attitudes towards sexual dissidence have dissolved the glue that fixed the bonds of solidarity between sexual dissidents. These bonds were forged in the context of a common threat from a homophobic state but in era of law reform, policing policies and practices that seek to protect sexual dissidents from violent attack there is no strong external threat to unite
the community as in the past. For instance Henning Bech (1997) has suggested that in late modern societies such as Denmark we are witnessing the end of the modern homosexual identity.

Reading some accounts of global sexual politics, specifically those that focus on the international tourist practices of gay white men one could be forgiven for thinking that white gay men are uniformly affluent and privileged transnational actors. However it is important not to forget that the global platform for LGBT rights is still highly problematic as Doris Buss and Didi Herman recognise in their analysis of the growing transnational dimension of Christian Right activism: ‘the international realm is in itself inhospitable to lesbian and gay activism. Many countries strongly resist any recognition of the rights of sexual minorities, and human rights violations against lesbians and gay men continue with little apparent international condemnation’ (2003:122). Thus we must treat with caution representations that over-emphasise the power that lesbian and gay activist groups are able to wield at the global level. ILGA (The International Lesbian and Gay Association) is the highest profile NGO working at the global level to improve the legal status of lesbians, gay men, bisexuals and transgendered people. ILGA was founded in Coventry in England in 1978 and has now over 400 groups affiliated to it in over 90 countries. This spectacular growth in the scale and organisation of transnational activism around same sex sexualities is both reflective of globalization but also constitutive of it. ILGA’s lack of consultative status at the UN has been a persistent problem for activists pressing for LGBT rights to be recognised at a global political level. Until very recently only 2 LGBT NGO’s have enjoyed consultative status at the UN – the Australian group Coalition of Activist Lesbians and International Wages Due Lesbians. The granting of consultative status to ILGA-Europe (the European region of ILGA), the German lesbian and gay rights organisation LSVD and Danish lesbian and gay rights organisation LBL by the United Nations Economic and Social Council – ECOSOC in December 2006 heralded as a major breakthrough in the recognition of LGBT groups at the UN. Reflecting the growing focus on transgender politics within transnational sexual dissident activism ILGA organised an event at the UN Human Rights Council to highlight transgender rights and have stated their intention to press for a UN resolution to protect the rights of transgender people (ILGA, 2007). However progress in getting LGBT groups consultative status at the UN has been painfully slow and recent successes have been followed by failure for instance in early 2007 ECOSOC has denied consultative status to the Quebecois NGO Coalition gai et lesbienne du Québec while at the same time granting the status to the Ethics and Religious Liberty Commission of the Southern Baptist Convention and the American Conservative Union.

The growing visibility of lesbian and gay rights as an issue at the UN has also helped to crystallise the work of the Christian Right. Buss and Herman (2003: xxiv): ‘an invigorated international civil society has placed issues like women’s rights and sexual equality on the international agenda, which alarms the CR’. While there has been considerable work on how transnational activism is taking place to secure human rights for LGBTQ people, and around reproductive rights, there is also research examining the ways in which the Christian Right is organising at the global, supranational scale to promote its own agenda to fight against these attempts to claim rights (Buss and Herman, 2003; Herman, 2001; Kobayashi and Ray, 2006).
In this section we have noted the focus on identity categories within global rights activism as opposed to sexual acts and practices risks further marginalising indigenous and other configurations of sexual dissident identities and practices that do not conform to a Western model of gay identity. The recent history of sexual citizenship politics demonstrates that rights won for some are normally at the expense of those whose marginality is further reproduced through law reform.

Migration and Sexual Dissidence

Migration and diaspora are two areas that clearly highlight the importance of recognising different constructions of sexual identity across space. Indeed, rural to urban migration is seen a central experience in the narratives of sexual dissidents (Castells, 1983, Weston, 1995; Chauncey, G, 1994). In respect of this a common trope in the literature is concerned with migration as a necessary part of building a lesbian, gay and bisexual identity and tied to narratives of coming out and escape from the restrictive ‘home’ of origin (Cant, 1997; Sinfield, 2000; Phelan, 2001). Though this work generates important theoretical and ethnographic insights, it has a tendency to be as Stychin observes limited to an ‘American focus’ and concerned with movement within nation states (2003:95). However, further work concerned with transnational migration and diaspora foregrounds how movement across borders impacts on the types of sexual identity formations and categories that operate at different spatial scales. Moreover, the ability of sexual dissidents to migrate depends on the specific citizenship frameworks at the national and regional level. Therefore, migration and diaspora highlights the uneven impact of political, social and legal developments in the arena of queer activism across the globe.

The contestation of sexual identity within different locations is articulated in work on queer diaspora. This framework is influenced by postmodern perspectives that problematize ‘essentialist’ notions of belonging and identity which makes it an attractive way to explore questions of identity in the context of queer transnational networks. One way this is illustrated is by Manalansan’s (2000) ethnographic research on Filipino gay men in New York City, where the performance of the ‘Santacruzan’ a Catholic ritual, serves to symbolically represent a queer diasporic Filipino experience, which playfully negotiates a connection between a country of origin and the marginalizing space of the settled community in New York City. In this sense, it is a reminder of how queer diasporic communities may be involved in negotiating and recreating connections with the ‘homeland’ often seen as the country of origin through symbolic use of space in the country of entry. This is reflected in Petzen’s (2004) examination of how queer Turkish migrants or Türkiyelis in Berlin deploy a range of strategies in the disruption of public space. In Petzen’s account, such ‘management of space’ involves a negotiation and contestation of dominant racism and prejudices within the wider German queer community and that within Türkiyelis community. In other words the presence of queer Türkiyelis in a range of public spaces such as multicultural festivals and queer events, offer the opportunity for Türkiyelis, to challenge and parody racial and sexual stereotypes. These two accounts explore the way in which diasporic communities may contest or rearticulate sexual and ethnic identities, not only significant for the migrant community but for the wider ‘host’ queer community.
The above accounts do not seek to provide a comprehensive picture of the literature that situates sexual dissidents within a diasporic frame for example Fortier (2002) provides an excellent overview of such scholarly work (see also Patton and Sánchez-Eppler, 2000; Gopinath, 1996; Eng, 1997). However, the above section indicates how queer diasporic perspectives highlight questions of place, identity and belonging in the narratives of sexual dissidents. Furthermore, such insights return us to persistent questions relating to globalized sexuality that is to what extent it is possible to make universal claims about the experiences of gay migration. What types of and forms of sexual identity are being constructed and how might they consolidate or challenge other identity categories across different spaces? Though ‘diaspora’ allows a degree of purchase over these debates by foregrounding the multiplicity and fluidity of identity and its contestation in different national settings, it can only gives a partial portrait of the ‘gay’ migration experience. What is often absent in these accounts is the role of policy and legislation in the regulation of sexual dissidents movement across borders. A predominance of scholarly work by socio-legal scholars working in the area of sexual citizenship (though not limited to) have been particularly effective in examining how legal frameworks constitute and regulate sexual identities. Moreover, such insights highlight the importance of the spatial dimension of citizenship frameworks that is a recognition of the diverse levels of rights accorded to sexual dissidents within and across different national and regional scales. It is to the legislative and policy developments in the area of same-sex migrant couples, in particular the ability for sexual dissidents to achieve family or spousal reunion that we turn to in the following section.

Over the past decade or so, a major area of lesbian and gay activism has been centred on what can be broadly described as the legal recognition of same-sex relationships. Much of this activism has been centred on arguments for the recognition of same-sex relationships at the national level. The debates concerning rights around marriage and civil partnership rights have been gaining momentum in both the Northern and Southern hemisphere. At the European level there are a number of countries now offering registered or civil partnerships such as: UK, Finland, Sweden, Norway, Denmark, Germany and Iceland and in the case of the Netherlands, Belgium and Spain, same-sex marriage. Beyond Europe, Australia, Brazil, Israel, New Zealand provide legal recognition of same-sex relationships with Canada and South Africa offering marriage. However, the development of rights for same-sex couples has been patchy and uneven at the national level particularly within regional and Federal political contexts. For example, Spain had initially made available registered partnerships in certain provinces such as Aragon, Catalonia, Navarra and Valencia. Similarly, in Italy as debates continue at a national level for same-sex couples to be recognised in law, civil unions are available in regions such as Tuscany, Umbria, Emilia Romagna, Campania, Marche, Puglia, Lazio, Liguria, and Abruzzo. Outside the European scale, in the US a number of states are challenging Federal and constitutional definitions of marriage as opposite sex (as exemplified by the 1966 Defense of Marriage Act) by offering in the case of Massachusetts same-sex marriage and in Connecticut, Vermont, New Jersey and California Hawaii, Maine, equivalent or limited rights through civil unions (Demian, 2006).

The significance of different citizenship frameworks at the national and regional scale is illustrated by the unfolding pattern of registered partnerships, civil unions and in some case marriage has been widely discussed particularly in academic work on
sexual citizenship and has raised questions about the political and cultural implications of the ‘relationship’ rights agenda (see for example Bell and Binnie, 2000; Cooper, 2001; Richardson, 2004; Stychin 2006). What kind of rights are being secured, do they reinforce heteronormative discourses that privilege the monogamous dual income couple?  To what extent is marriage or partnership in itself an assimilative or transgressive move?  Though the two poles concerned with assimilative effects of the relationship agenda versus the potential for inclusion and radicalising of traditional institutions such as marriage do not entirely capture the full range of debates on this topic, they do underpin some of key arguments advanced by academics and activists. They are also fundamental to the discussion on sexual dissidents and migration, in terms of what definitions and models of the family and relationships are being legitimised in migration policies. Furthermore, to what extent are relationship rights available to indigenous citizens within national spaces comparatively accessible to same-sex migrant couples?

Though indigenous sexual citizens in some spaces are reaping the benefits of legal protection, at the level of immigration such rights are not automatically afforded to same-sex migrant couples. In many cases immigration policies require one partner to be a citizen or have residency before admitting the accompanying partner (Holt, 2004). This makes it particularly difficult for binational couples to gain entry based on their same-sex relationship. In respect of this same-sex couples can not always take advantage of hard won rights for indigenous citizens and are subject to particularly conservative and normative discourse when they seek to migrate from one county to another. The process of migration may involve losing legal recognition of their relationship if similar protections are not available. In some cases the lack of recognition of same-sex relationships for immigration purposes may have a bearing on where sexual dissidents can migrate, for example consider the case of United States which despite continued activist campaigns still has no regulations that allow entry based on a same-sex relationship.

The European Union has been a key site for legal and political challenges that illuminate the issue of free movement for sexual dissidents. As mentioned in the previous sections the EU has been the focus for many activists and NGOs such as ILGA Europe who have been attempting to use the European legal arena to secure rights and in some cases challenge discriminatory practices within nation-states (Beger, 2000; Bell, 2002; Wintemute and Andanaes, 2001). There have been some notable legal successes at the European level such as the lifting of the ban in 2000 on lesbians and gays serving in the armed forces in the UK *Lustig-Prean and Beckett v United Kingdom* (1999, 29 EHRR 548.); *Smith and Grady v UK* (1999, 29 EHRR 493), decriminalisation of homosexuality in *Northern Ireland Dudgeon v. UK* (1981, 7525/76; 4 EHRR 149) and arguments for the equal age of consent for gay men, *Sutherland v United Kingdom* (1998, 24 EHRLR 117). However, there has been less success in cases involving same-sex migrant couples challenging decisions by nation-states that prevent or impede their ability to achieve family reunion.

One of the major obstacles for same-sex migrant couples is that European Community law defines a ‘spouse’ for the purposes of family reunion as a married opposite sex couple. As previous cases highlight there has been a tendency on the part of European judiciary to not intervene especially on matters of immigration, and also
‘sensitive’ issues concerning the ‘family’ (Bell, 2002). This is fully illustrated by a widely discussed case (Elman, 2000; Toner, 2004 Wintemute, 1995) of X and Y v. UK (No.9369/81, 1983,32 D 220). This case involved a British-Malaysian male couple, who made a claim of interference to their ‘family’ life based on article 8 of the European Convention on Human Rights, as they were unable to achieve family reunion in the UK which at that time had no immigration provision for same-sex couples. The Commission on Human Rights denied the couple’s claim on the grounds it did fall within the ambit of a family but rather private life. In addition, they also argued the couple were ‘professionally mobile’ and ‘it has not been shown that the applicants could not live elsewhere other than the United Kingdom or that their link with the United Kingdom is an essential element of their relationship’ (Wintemute, 1995:104). The ‘elsewhere’ argument, is as Toner (2004:102) argues particularly problematic in view of the fear of ill treatment the couple may receive in Malaysia, where homosexual acts are an offence.

The above case is perhaps highlights a reluctance to recognise claims made by sexual dissidents in terms of the family and also illustrates how Community law is unable to secure rights for free movement for same-sex couples (see Guild, 2001 for a full discussion). The inclusion of same-sex couples in definitions of the family continues with the EU Freedom Movement Directive that came into force in May 2006 (UKLGIG, 2006). The Directive ‘on the right to citizens of the Union and their family members to move and reside freely within the territory of the Member States’ contains provisions that are applicable to same-sex couples (UKLGIG, 2006). A key provision is that countries that do not recognise same-sex relationships should ‘facilitate’ entry to lesbian and gay couples in a ‘durable’ relationship (Bell, 2005). However as the UK Lesbian Gay Immigration Group (UKLGIG) reports, the directive is a ‘partial victory’ as the ‘right is not given’ therefore there is no clear obligation on behalf of the state and once again it relies on national conditions regarding partnership rights (UKLGIG, 2006). The effectiveness of the Directive remains to be seen, but at present the shifts towards strengthening the inclusion of same-sex couples in definitions of the family and spousal rights more generally appear to be in the hands of individual European states. Moreover, the historical development of the EU as an economic marketplace means that migration policies are skewed towards the ‘primary’ migration of labour workers which mean family reunion rights remain of secondary concern in policy debates (Kofman, 2004).

Clearly, economic imperatives and discourses concerned with increasing global competitiveness shape migration policies and regulations, especially those that seek to identify skilled migrants that can fulfil labour shortages (Raghuram, 2004). As Stychin (2000) succinctly states ‘…mobility is constrained from the outset by its central relationship to consumption and class, which are all too frequently closely connected to race and gender’ (606). Therefore, in examining the policies that do recognise same-sex couples for the purposes of immigration, it is evident how they construct an idealized migrant on lines of sexuality, gender, race and class. Firstly, as in the case of UK and Australia (Stychin, 2003; Holt 2004) family reunion provision for same-sex couples is founded on a ‘marriage like’ model that places emphasis on financial responsibility and ‘long-standing’ relationships. Conditions, as exemplified by the 1997 unmarried partners’ rule in the UK, that require proof and evidence of two years cohabitation, which can be difficult criteria to fulfil for couples who are unable to live together in one country. In this sense, they reproduce a normative
model of coupledom that reinstalls ‘marriage’ as the primary way to define relationships. In addition, by placing emphasis on financial responsibility, white gays and lesbians with ‘marketable skills’ have more chance of realising their transnational citizenship than others (Bell and Binnie, 2000:120). Such a model also reproduces traditional gendered assumptions that are based on a male ‘bread winner’ model (Ackers, 1998) with the ‘sponsored’ partner positioned as 'dependent’ (and often prevented from working fulltime and seeking public funds) to the ‘lead’ migrant. Couples, who utilise ‘spousal’ reunion regulations as outlined above find themselves subject to surveillance and intrusion into the validity of their relationship and solvency. Such surveillance is particularly trained on non-white sexual citizens, reflecting a preoccupation with identifying migrants who might use such provision falsely, which resonates with recurring immigration discourses concerned with ‘marriages of convenience’ (Bhabba and Shutter, 1994).

As the above section highlights though recognition of same-sex couples for the purposes of immigration perhaps reflects an emerging pattern of liberalisation and inclusion in social policies for sexual dissidents, still there remains questions about what costs come with gaining citizenship (Stychin, 2003, Bell and Binnie 2000). In this sense there is a danger that the granting of rights continues to be founded on a narrow heteronormative ‘marriage’ like model that constrains the ability for sexual citizens to organise their intimate life in more diverse ways. Aside from these concerns migration still remains an important site for lesbian and gay activists. This can be illustrated by a recent case involving a UK based female same-sex couple who lost their case in the High Court; they sought to have their marriage, which was obtained in Canada, recognised in the UK (Minto, 2006). Current campaigns mobilized by queer activist groups such UKLGIG and ILGA have been concerned with the situation relating to lesbian and gay men seeking asylum and refugee status based on the grounds of sexuality. Once again this invites questions about how these campaigns are framed, particularly how utilising international ‘human rights’ discourses may produce heteronormative westernised conceptions of sexuality based on ‘victimhood’. This seems to echo a general critical discussion about how a lesbian and gay human rights agenda might be advanced and what model of sexuality emerges from these debates (Sanders, 1996; Stychin, 2004). Migration and diaspora has been and continues to be central to debates about the contestation of sexual identity, bringing to the fore the importance of space and boundaries both figuratively and literally in the lives of sexual dissidents.

Conclusion

In this chapter a common theme running through the varied theoretical debates concerned with global politics and sexual dissidents is the importance of recognising the spatial context. It is the location and setting, for these debates that has a bearing on what models and categories of ‘gay’ identity is being articulated and how they might be contested. As the first section clearly shows they bring into play postcolonial perspectives that critically challenge the advancement of what can be seen as a distinctly Western and therefore one dimensional assertion of what constitutes a gay identity. Such critical interventions provide a useful way to examine the colonial legacies on the cultural and legislative frameworks concerning same-sex
activity. What has also been shown is it is deeply problematic to view a monolithic Western gay imaginary. As the section on migration and diaspora illustrates, the impact of legal and political in the EU has been by no means linear and uniform. Moreover, the different levels of rights available for sexual dissidents remain vitally important in the context of migration, the example of the US where discriminatory immigration practices towards same-sex couples are very much in evidence today. However, transnational activism remains a powerful way to organise and keep LGBT rights on the agenda of international politics, especially in view of the slow response by the UN and EU to recognise queer NGOs and lobby groups in an official capacity. What this chapter has also illustrated is how sexuality should not be viewed as a ‘niche’ topic against broader macro theories of the ‘global’ but rather a rich vantage point to explore from a range of disciplinary perspectives the sexualised spaces and discourses of globalization. In turn, lesbian and gay/queer scholars also need to critically consider in what way the ‘global’ figures or is being articulated in their examinations of sexual identities and culture; all the more prescient as transnational practices and polices continue to shape the lives of sexual dissidents.

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