Transnational Sexualities and Human Rights:
Faculty Workshop

Bodies in Motion, States of Unrest:
Sexuality, Citizenship, and the Freedom of Movement as a Human Right

University of Connecticut, Storrs
Friday, April 20th, 2012

Nathan Hale Inn, Mansfield Room
855 Bolton Road, Storrs CT 06268

Sponsored by:
Women’s Studies Program
Human Rights Institute
Institute for Puerto Rican and Latino Studies
CLAS Fund for Innovation in
Interdisciplinary Race, Ethnicity, and Gender Studies
University of Connecticut Research Foundation
SCHEDULE FOR THE DAY

8:00—9:00am  Continental Breakfast

9:00—9:15am  Welcoming Remarks - Nancy A. Naples, Director & Professor of Women’s Studies and Professor of Sociology, University of Connecticut


9:30—11:00am  **Panel I**
    * States of Unrest: Sexuality, Citizenship, and Neoliberalism*
    Eithne Luibheid, University of Arizona
    - *Sexualities, Intimacies, and the Citizen/“Illegal” Migrant Distinction*
    Nancy A. Naples, University of Connecticut
    Mary Bernstein, University of Connecticut
    - *Stateless Bodies: International Surrogacy, Sexual Citizenship, and Reproductive Justice*
    Moderator: Marysol Asencio, University of Connecticut

11:00—11:15am  Break

11:15—12:45pm  **Panel II**
    * Citizenship and Its Limits: Children’s Human Rights*
    Wendy S. Hesford, Ohio State University
    - *States of Exception: Children’s Human Rights and the Humanities*
    Jane Juffer, Cornell University
    - *Precarious Lives: Children’s Citizenship Rights and Agency in the Context of Mixed Legal-Status Families*
    Moderator: Rachel Lewis, University of Connecticut

12:45—1:45pm  Lunch

1:45—4:00pm  **Panel III**
    * Bodies in Motion: Sexuality, Asylum, and Displacement*
    Amy Shuman, Ohio State University
    Carol Bohmer, Dartmouth College
    - *Gender, Sexuality, and Cultural Silences in the Political Asylum Process*
Rachel Lewis, University of Connecticut
• *Lesbian Asylum Narratives and the Cultural Politics of Desire and Belonging*
Salvador Vidal-Ortiz, American University
• *Colombian LGBT Rights: Displacement and the Experiences of LGBT Internal Migrants in Bogotá*
Moderator: Nancy Naples, University of Connecticut

4:00—4:15pm Break

4:15—5:15pm **Panel IV** *Latina/o and Latin American Transnational Sexualities: Issues, Concerns, and Future Research*
Marysol Asencio, University of Connecticut
Carlos Decena, Rutgers University
Susana Peña, Bowling Green State University
Salvador Vidal-Ortiz, American University
Moderator: Marysol Asencio, University of Connecticut

5:15—5:30pm Concluding Remarks
6:30pm Dinner

**EVENT DESCRIPTION:**

This faculty workshop brings together an interdisciplinary group of scholars from across the humanities and social sciences to share and discuss current research on transnational sexualities and human rights. During the past decade, there has been a substantial growth of academic scholarship devoted to exploring the intersections between sexuality and migration, sexuality and citizenship, and sexuality and human rights. Despite shared concerns around questions of sexuality and globalization, however, these fields of inquiry have developed along fundamentally separate lines, lines which intersect only occasionally. This workshop aims to bring the fields of queer migration and sexual citizenship studies into critical conversation with current literature in the area of gender, sexuality, and human rights. In doing so, our goal is to grapple with the paradox of what it means to be a sexual citizen in the context of increasing migration and related transnational processes. As this workshop seeks to demonstrate, rethinking campaigns for erotic and gender justice in relation to the freedom of movement as a human right raises important questions about the limits and possibilities of articulating sexual citizenship claims within, between, and beyond the boundaries of the nation-state.
Panel I

Eithne Luibhéid - Associate Professor of Gender & Women's Studies, University of Arizona

Sexualities, Intimacies, and the Citizen/“Illegal” Migrant Distinction

Bringing scholarship about the social construction of the undocumented migrant into critical dialogue with queer theory, this paper asks about the possibilities for a critical, queer agenda for engagement with questions about who gets legal status or not, and why. The paper argues that sexualities and intimacies provide the means to constitute, but also potentially blur, the state’s distinctions between citizen, legal migrant, and the undocumented. Focusing on the Irish Republic, I provide historical examples to illustrate this process; describe recent legal and social changes that have altered how these distinctions get constituted yet sometimes blurred; and raise questions about possibilities for envisioning intimacies and sexualities that may further challenge these status distinctions.

Nancy A. Naples - Director of Women’s Studies; Professor of Sociology and Women’s Studies, University of Connecticut

Mary Bernstein - Professor of Sociology, University of Connecticut

Stateless Bodies: International Surrogacy, Sexual Citizenship, and Reproductive Justice

This paper examines the contradictions of the claims for sexual citizenship by gay male and infertile heterosexual couples that includes demands for the legalization of international commercial surrogacy. What do we make of this complicated colonial and capitalist arrangement when the owners of the means of production are women with less resources, and therefore, less choices than those who are making claims to their bodily labor? Furthermore, the child born to a surrogate mother in another country is essentially “stateless”. They are not considered citizens of the country of their birth nor are they automatically granted citizenship by the nation in which their commissioning parents reside. By applying a postcolonial feminist materialist lens to the problematic of transnational commercial surrogacy, the limits and possibilities of a socially just approach to sexual citizenship and reproductive rights is brought into view. This also offers a form of intersectional praxis that is open to revision as the complexities of transnational politics and the context of economic globalization and postcolonial realignments changes.

Panel II

Wendy S. Hesford – Professor of English, Ohio State University

States of Exception: Children’s Human Rights and the Humanities

Integrating critical legal studies and feminist rhetorical criticism, Hesford examines the figure of the child as a limit condition to the liberal subject of human rights law. Through her analysis of contemporary representations of children living in varied states of
political exception and social exclusion—stateless children, children born to illegal immigrants, children born of wartime rape—she demonstrates how these limit conditions challenge the normative identity registers and power relations that produce, and ultimately, govern children as human rights subjects. Reassessing humanities-based approaches to human rights, she calls for the development of a critical ethos based not on philosophical universalism or compassionate cosmopolitanism but on an awareness of the historical contingencies and rhetorical exigencies of ethical responsibility in its entanglement with institutional structures and individual lives.

Jane Juffer - Associate Professor of English and Feminist, Gender, & Sexuality Studies, Cornell University

Precarious Lives: Children’s Citizenship Rights and Agency in the Context of Mixed Legal-Status Families

Citizen children of undocumented parents are not accorded due rights, revealing the inability of citizenship in the U.S. to protect even the most vulnerable of its subjects. The precarity of their lives is produced not only by the status of their parents—who are under constant threat of deportation—but by the fact that their family is known as a “mixed legal status” family, a term that recalls and in fact invites the kinds of discrimination practiced historically against mixed-race families. For example, the various political groups campaigning against automatic citizenship for anyone born in the U.S. object to the “impure” nature of these families. I show how a new anti-miscegenation discourse has developed around the practices of identifying and policing the legal status of individual family members. The situation reveals again the problematic reliance on a nuclear family to guarantee stability. However, I also argue that the deeper structural issue is that children, regardless of family formation, are not treated as subjects with identities distinct from that of their families or guardians; the question is: how to accord children agency while also acknowledging their vulnerability, their precarity?

Panel III

Amy Shuman – Professor of English, Ohio State University
Carol Bohmer - Professor of Government, Dartmouth College

Gender, Sexuality, and Cultural Silences in the Political Asylum Process

The purpose of a political asylum hearing is to get to the truth of what happened in order to discriminate between fraudulent and legitimate applications. As in an inquisition, the questioners control the line of inquiry as well as the determination of what counts as evidence. As Carlo Ginzburg discovered in his study of the 15th century case of a peasant accused of blasphemy, an inquisition can impose its own script on the proceedings, and the petitioner may be in the position of trying to guess what the questioner wants to hear (Ginzburg, 1980). Political asylum officials would be dismayed to be compared to such a disregard for justice, but they often overlook the cultural circumstances that make neutral application of the law impossible. We will discuss the particular case of gender and will consider the gendered and sexual scripts that are
uncritically used to evaluate the credibility of applicants. Our topics include 1) the
gendered expectations of demeanor; 2) gendered expectations that discredit applicants
for what is regarded as atypical or not credible behavior; 3) assessments of traditional
cultural practices as “backward” and therefore barbaric; 4) rape, a complicated issue for
asylum for several reasons; 5) lgbt asylum cases, and 6) the role of culture, the
invisibility of particular gendered practices in contrast to the high profile of others for
applicants from different parts of the world.

Rachel Lewis - Postdoctoral Fellow in Transnational Sexualities, Women’s Studies
Program, University of Connecticut

Lesbian Asylum Narratives and the Cultural Politics of Desire and Belonging

During the past two decades, liberal democratic states have increasingly begun to turn
towards deportation as a key mechanism for the removal of non-citizens from state
territory. Despite the newly emerging body of literature devoted to exploring the
relationship between citizenship and contemporary practices of deportation, however,
there has been relatively little attention to the ways in which gender and sexuality
structure the deportation regime. In this paper, I will explore how the condition of
deportability shapes the political identifications, sexual subjectivities, and cultural
narratives of lesbian refugees and asylum-seekers. Specifically, I will consider how
recent anti-deportation campaigns serve to highlight some of the fault lines and
tensions that are starting to emerge between judicial accounts of sexual belonging and
the alternative forms of queer cultural citizenship enacted by lesbian asylum-seekers
in their everyday lives. As I will argue, these queer anti-deportation campaigns
demonstrate that while individual nations continue to use deportation as a mechanism
through which to reaffirm the boundaries of state sovereignty, citizenship itself
constitutes a highly contested political, cultural and sexual terrain, one where the
notion of who gets to stay and who does not remains permanently open to question.

Salvador Vidal-Ortiz - Associate Professor of Sociology, American University

Colombian LGBT Rights: Displacement and the Experiences of LGBT Internal Migrants in
Bogotá

After Sudan, Colombia is the second country with the largest number of (forcefully)
internally displaced people (around 5 million). Close to two million live in Bogotá. Much
of the forced migration/displacement takes place due to the paramilitary’s control of
land in areas outside large Colombian cities (these occupations generally exclude
Bogotá, Medellín, and Cali). While significant research has focused on international
migration, little research has been done on the push-pull factors of internal migration
and their impact on LGBT people in Colombia. This requires shifting the lens from
migrant illegality or citizenship documentation, to the juridical processes Colombians
face in being categorized (formally, by the State, or informally, through their networks
and the provision of services by international NGOs) as displaced people (often times,
without the recognition from the State if unable to document their displacers). My
Fulbright-based research project, which I continue at present time, attempts to explore
how displacement affects LGBT people differently: from the intra-familiar dynamics of
homophobia, to local religious pressures, to “traditional” customs in small towns where
sexual diversity maybe seldom discussed. Moreover, there are differences within this artificial “LGBT” nomenclature: transwomen in particular are threatened in disproportionate ways than lesbians, gay men, and bisexualy identified people. In this presentation, I aim to illustrate the impact of the governmental discourse of displacement, and the ways in which it allows for LGBT experience to be documented; in particular, I show how “voluntary” internal migration, forced internal migration, and forced displacement, fuse in the experiences of such migrants, as well—and no less important—in the documents and arguments presented by the NGOs and advocacy groups in the region. Cutting across macro and micro level experiences (i.e., state exclusion of LGBT people but also individualized experiences of homophobia), as well as much more structural issues in Colombia today (i.e., criminal violence amongst Colombians through the paramilitary), and using ethnographic interviews and public documents, I will show how Colombians, and LGBT people in particular, experience an increasingly recognized set of structural exclusions (expulsion from education and employment are but some basic ones).

Panel IV

Marysol Asencio – Director of Puerto Rican & Latino/a Studies; Associate Professor of Puerto Rican & Latino/a Studies and Human Development & Family Studies, University of Connecticut

Carlos Decena - Associate Professor of Women’s & Gender Studies and Latino & Hispanic Caribbean Studies, Rutgers University

Susana Peña – Director of Women’s, Gender, & Sexuality Studies; Associate Professor of Women’s, Gender, & Sexuality Studies and Ethnic Studies, Bowling Green State University

Salvador Vidal-Ortiz - Associate Professor of Sociology, American University

Latina/o and Latin American Transnational Sexualities: Issues, Concerns, and Future Research

This panel is a discussion about where current work on transnational sexualities involving Latina/os, Puerto Rico, the Caribbean, and Latin America stands. That is, we will address what is emerging in this scholarship, what is needed in this scholarship, and how this scholarship contributes to the larger understanding of transnational sexualities.
SPEAKER BIOGRAPHIES

Marysol Asencio (Director of Puerto Rican and Latino/a Studies; Associate Professor of Puerto Rican & Latino/a Studies and Human Development & Family Studies, University of Connecticut) is the author of *Sex and Sexuality among New York’s Puerto Rican Youth* (Lynne Reinner Publishers, 2002), as well as numerous articles on issues related to Latina/os and/or sexuality. She is also the editor of the book, *Latina/o Sexualities: Probing Powers, Passions, Practices and Policies* (Rutgers University Press, 2002). Her research interests involve: Latina/o sexualities, sexual and reproductive health, gender, race/ethnicity, and migration/trans-nationalism. She has served on several advisory boards and executive committees in various organizations more recently working with the Center for Lesbian and Gay Studies (CUNY) and the Center for the Elimination of Health Disparities among Latinos in Connecticut (CEDHL). She also serves on the International Editorial Board of the journal *Sexuality Research and Social Policy*. In 2003, Dr. Asencio was awarded a Social Science Research Council (SSRC) post-doctoral sexuality research fellowship to conduct a study on migrant Puerto Rican sexual minorities. Dr. Asencio recently completed a two year Ford Foundation-funded project mapping Latina/o sexualities research in the United States.


Carol Bohmer (Visiting Assistant Professor of Government, Dartmouth College) is the author of *Rejecting Refugees Political Asylum in the Twenty-First Century* with Amy Shuman (New York and London: Routledge, 2008), *The Wages of Seeking Help: Sexual Exploitation by Professionals* (Westport, CT: Praeger Press, 2000), and *Sexual Assault on Campus: The Problem and the Solution* with Andrea Parrot (New York: Lexington Press, 1993). With Amy Shuman, she has also published a number of articles on political asylum, including “Trauma and Forgetting: Producing Epistemologies of Ignorance in the Political Asylum Process”, *Identities* (2007), and “Representing Trauma: Political Asylum Narrative”, *Journal of American Folklore* (2004). She teaches courses on immigration, asylum and politics, gender and law, and lawyers and public policy.

Carlos Decena (Associate Professor of Women’s & Gender Studies and Latino & Hispanic Caribbean Studies, Rutgers University) is the author of *Tacit Subjects:*
Dominican Transnational Identities and Male Homosexuality in New York City (Duke University Press, 2011). His areas of interest include cultural studies of the Américas, migration and immigration, gender and sexuality, and interdisciplinary approaches to the social sciences. His work has appeared in the Journal of the National Medical Association, Social Text (a special issue titled “The Border Next Door” which he co-edited with Margaret Gray), Journal of Public Health, Papeles de Población, AIDS Care and GLQ. He is also a co-editor of a Special Dossier on Latino Immigrants in New York State. Since joining the Rutgers faculty in 2004, he has introduced a range of new courses, such as Introduction to the Critical Study of Masculinities, The Color of AIDS: The Politics of Race during the AIDS Crisis, Dominican Transnational Cultures, Gender and Sexualities in the Caribbean, and Dominican Transnationalism.


Jane Juffer (Associate Professor of English and Feminist, Gender, & Sexuality Studies, Cornell University) came to Cornell from Pennsylvania State University, where she was an assistant and then associate professor in the English Department and Director of the Latino/a Studies Initiative. She has written two books, both published by New York University Press: At Home with Pornography: Women, Sex, and Everyday Life (1998) and Single Mother: The Emergence of the Domestic Intellectual (2006). Her scholarship also includes articles on Latino studies at the corporate university, the U.S.-Mexico border, migration, and domesticity. Her current research project examines how religion is shaping Latino/Latin American migration in the U.S., focusing on communities in the Midwest and Mid-Atlantic and taking an ethnographic approach. She teaches classes in cultural studies, Latino studies, and feminist theory and has a joint appointment with the Feminist, Gender, and Sexuality Studies Program.

Rachel Lewis (Postdoctoral Fellow in Transnational Sexualities, Women’s Studies Program, University of Connecticut) received her Ph.D. from Cornell University in May, 2011. Her research and teaching interests include transnational feminism, queer studies, human rights, sexuality and immigration, media and cultural studies, and women and music. Her work on transnational lesbian cinema and queer migration has

Eithne Luibhéid (Associate Professor of Gender & Women’s Studies, University of Arizona) received a Ph.D. in Ethnic Studies from the University of California, Berkeley. She is the author of Entry Denied: Controlling Sexuality at the Border (University of Minnesota Press, 2002); co-editor of a special issue of Women’s Studies International Forum on “Representing Migrant Women in Ireland and the E.U.” (2004); co-editor of Queer Migration: Sexuality, U.S. Citizenship, and Border Crossings (University of Minnesota Press, 2005); editor of a special issue of GLQ: A Journal of Lesbian and Gay Studies on “Queer/Migration” (2008); and the author of various articles and book chapters that explore intersections among sexual regulation, racial formation, and state migration controls in transnational contexts. Her current research explores how governments are expanding the designation of immigrants as “illegal” based on their sexualities, pregnancies, and families. In collaboration with Sally Stevens and Rosi Andrade from the Southwest Institute for Research on Women and Spike Peterson from the School of Government and Public Policy, she is researching the barriers faced by immigrant mothers in Tucson who seek public benefits for their citizen children (as part of a project on “Immigrant Mothers With Citizen Children: Rethinking Welfare Policies in a Transnational Era”). Between 2007 and 2011, Luibhéid served as the Director of the UA Institute for LGBT Studies. Effective summer 2011, she began serving as the Books in Brief Editor for GLQ. Luibhéid is assisting Professor Karma Chávez in building an online network of queer migration scholars and researchers at www.queermigration.com.

Nancy A. Naples (Director of Women’s Studies; Professor of Sociology and Women’s Studies, University of Connecticut) is the author of Grassroots Warriors: Activist Mothering, Community Work and the War on Poverty (Routledge, 1998) and Feminism and Method: Ethnography, Discourse Analysis and Activist Scholarship (Routledge, 2003). She is also the editor of Community Activism and Feminist Politics: Organizing Across Race, Class, and Gender (Routledge, 1998) and co-editor of Teaching Feminist Activism (with Karen Bojar, Routledge 2002); Women’s Activism and Globalization: Linking Local Struggles with Transnational Politics (with Manisha Desai, Routledge, 2002); and The Sexuality of Migration: Border Crossing and Mexican Immigrant Men (with Salvador Vidal-Ortiz, New York University Press, 2009). She is currently working on a new book, Restructuring the Heartland: Racialization and Social Regulation of Citizenship that investigates the link between global economic change, social policy, and community-based social restructuring in the rural United States. Her current research is on sexual citizenship in comparative perspective. She served as President


**Salvador Vidal-Ortiz** (Associate Professor of Sociology, American University) has been at American University since 2005. Aside from revising his book manuscript about sexual minorities in Santería (an Afro-Cuban religion), he has published many articles, book chapters, and essays. His scholarship cuts across racialization, sexuality, gender, and religion, and is interdisciplinary. A contributor to the American Sociological Association through several committees he served as the past Chair of a new section called “Sociology of the Body and Embodiment”. At American University, he proposed a Center for Latin American and Latino Studies. AU has honored him with several awards and international travel funds. In DC, he has collaborated with several NGOs such as Different Avenues and the Latino GLBT History Project. He is currently on a Fulbright Leave, conducting research on migration and displacement in Bogotá, Colombia.