



Philosophy and Lesbian, Gay, Bisexual, and Transgender Issues

Timothy F. Murphy, Editor

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FROM THE EDITOR

We're Back!

After a considerable hiatus, the *Newsletter* is back and ready to advise, report, gossip, and otherwise communicate on philosophy and LGBT issues, construing philosophy in all its metaphysical, epistemological, ethical, and aesthetic senses. I have made a commitment to put the *Newsletter* together for two years. If you've got something of interest, please let me know at tmurphy@uic.edu.

LGBT Committee 2008-2009

Mary Bloodsworth-Lugo (2010), Chair: Talia Bettcher (2008). Lanei Rodemeyer (2010). D. Seiple (2009). Shannon Winnubst (2010). As editor of the *Newsletter*, Timothy F. Murphy serves as an *ex officio* member of the Committee. As of May 2008, Talia Bettcher has joined Mary Bloodsworth-Lugo as co-chair of the Committee, and will continue on as chair starting 2009.

APA Charge to the Committee

The Committee is charged with assessing and reporting on the status of lesbian, gay, bisexual, and transgender (LGBT) people in the Profession. Its main responsibilities are to identify unfair or discriminatory practices affecting LGBT philosophers in their professional work and to apprise the Board and members of the Association of ways in which such practices may be rectified; to inform LGBT philosophers concerning means of overcoming discrimination that they may encounter in the Profession; and to make reports and recommendations to the Board concerning ways in which full and meaningful equality of opportunity can be provided to all individuals who seek to study, teach, or conduct research in philosophy. The Committee is also concerned with teaching and research. It seeks to facilitate an understanding of and investigation into issues of sexuality, diversity in affectional preference or orientation, sexual identity, and the range of positions represented in theories about LGBT people.

FROM THE CHAIR

Mary Bloodsworth-Lugo
Washington State University

I have now completed my fourth year as chair of the APA Committee on the Status of Lesbian, Gay, Bisexual, and Transgender People in the Profession in June of 2008. During Spring 2008, the committee co-sponsored two sessions devoted to the topic of traditional philosophers and LGBT issues with the

Society for Lesbian and Gay Philosophy (SLGP). At the Central Division meeting in Chicago, session participants included John Corvino, Richard Nunan, Christine Pierce, and Raja Halwani (chair). Pacific Division participants in Pasadena included James Martell, Carol Quinn, James Stramel (chair), and Sean McAleer (commentator).

The APA LGBT Committee will be holding a joint session with the SLGP at the 2008 Eastern Division meeting in Philadelphia titled, "Objectification, Heterogeneity, and the Queer Point of View." Participants in this session will include Anne Barnhill, Carol Quinn, Gary Jaeger (chair), and Bassam Romaya (commentator). Ideas for future APA session topics and participants are encouraged. Please direct such ideas to the APA LGBT Committee chair (bloodswo@wsu.edu).

During the 2007-08 academic year, I was contacted by a number of philosophy departments welcoming LGBT applicants for available positions, and I forwarded these notifications to our email list. During the summer of 2007, I prepared my third Annual Report to the APA Board regarding the on-going activities of the committee, which included holding conference sessions, engaging in email discussions, holding business meetings, and hosting receptions in conjunction with APA sessions.

I would like to thank Timothy Murphy for agreeing to serve as editor for the *Newsletter on Philosophy and Lesbian, Gay, Bisexual, and Transgender Issues*. Our *Newsletter* has been missing an active editor for some time now, and I look forward to its rejuvenation under Tim's leadership. Talia Bettcher has agreed to serve as co-chair (associate chair) during the upcoming academic year (2008-09). Following this collaborative year, Talia will serve as chair of the committee for a three-year term. The committee is in need of additional members, and I would encourage anyone with an interest in serving to contact the committee chair or the APA National Office. We would welcome your participation.

I hope that you enjoy the current issue of the *Newsletter* and find its content thought-provoking. Best to everyone for a new academic year.

ARTICLES

The Politics of Sexual Cleansing

Bassam Romaya
Temple University

In the past three years, reports in GLBT media have surfaced regarding widespread anti-GLBT pogroms taking place throughout Iraq. While the subject was largely ignored by mainstream American media, details of the so-called "sexual

cleansing” campaign appeared in major GLBT news media. The expression “sexual cleansing” is intended to convey similarity with “ethnic cleansing,” a phrase which gained popularity throughout the past two decades, but sexual cleansing is a more recent phenomenon, and the expression itself is not yet used consistently or uniformly.¹ For my purposes here, sexual cleansing entails deliberate, premeditated violence pursued in an effort to persecute or rid a population of its sexual minorities. In the midst of chaos and endless controversy surrounding the Iraq war, the onset of a sexual cleansing campaign seemed largely unexpected. In a majority of defining cases, it is not at all clear that the media or gay groups have been justified in treating certain events as cases of “sexual cleansing.” Looking at the cases more closely shows that, in fact, some of these representations have been misdirected, and we should reconsider how we perceive GLBT matters in Iraq.

The first targeted killings of GLBT Iraqis were reported to have taken place in early 2005 but, for the most part, they went largely unnoticed; this is understandable in an atmosphere of utter lawlessness, whereby a powerless interim government possesses no substantial jurisdiction in the wake of vigilantism and ubiquitous organized crime or violence. Even so, two particular events helped expose the issue to the outside world. First, an Integrated Regional Information Network (IRIN) report released in August 2005² addressed the growing problem of child prostitution, which flourished after the invasion. While the transitional government was mired down with innumerable problems, armed prostitution gangs quickly thrived in a setting whereby approximately 48 percent of Iraqi youth (as of April 2005) were unemployed, vulnerable, desperate, and easy prey to be lured, kidnapped, coerced, or blackmailed into rough trade.³ Second, in October 2005, revered Shi’a cleric Grand Ayatollah Ali Al-Sistani issued an anti-GLBT fatwa on his website, which was removed on May 10th of the following year. Exact details which decreed the fatwa and the conditions under which it was removed remain unclear.⁴ However, the U.K.-based group “Abu Nawas” (made up of GLBT Iraqi exiles) is credited with pressuring Sistani’s office to remove the fatwa, one which “Abu Nawas” blamed for spearheading the sexual cleansing campaign that unfolded in 2005 (though the targeted attacks surfaced much earlier than October 2005). According to the group, the killings were primarily carried out by the Badr Brigades (also called “Badr Corps” or “Badr Organization”), the armed wing of the Supreme Council of the Islamic Revolution in Iraq. Though the Badr Brigades have been singled out, other militias and governmental institutions have also been implicated in the campaign, including Jaish Al-Mehdi (armed wing of Muqtada Al-Sadr), Iraqi police force, and U.S. military, each with differing degrees of involvement or complacency.

The IRIN report called attention to widespread prostitution rings that grew exponentially as a result of widespread instability and economic hardships; it also helped to shed light on the plight of Iraqi boys involved in rough trade, which often left them abused, tortured, or killed, for spreading what’s presumed to be “moral corruption.” A case which received much attention in Western GLBT press involves Ahmed Khalil, a fourteen-year-old Iraqi boy who, in April 2006, was shot and killed in front of his Baghdad home by armed men in Iraq police uniforms, likely paramilitary militia men who infiltrated the police force. Once it became known that Ahmed was having sex with men for money, he was targeted for “sexual cleansing.” Many boys like Ahmed are forced into prostitution to combat abject poverty; they are kidnapped and threatened with public exposure or murder if they attempt to seek help or escape.⁵ Ahmed was just one of an estimated thousands of Iraqi boys driven to prostitution by the war; children as young as eleven, such as Ameer Hasoon Al Hasani who, like Ahmed, was also killed by

armed policemen upon revelation of his line of work, have fallen prey to rough trade.⁶ The question as to whether any of these sex workers were/are “gay” in the Western canonical sense remains entirely distinct from the matter at issue.

While Ahmed’s story and ones like it were plastered all over Western GLBT media outlets, no reporter raised doubt about Ahmed’s presumed sexuality. Ahmed was paraded as a poster-child for the cause of GLBT Iraqis, a statistical victim of so-called “Islamist terror.”⁷ The fact remains that there is inconclusive or insufficient evidence for reaching a presumptuous, politically motivated conclusion about Ahmed’s sexuality. It is rather uncommon for people to come to grips with their sexual orientation at such a young age, and given that this is Iraq, a definitive judgment is even less likely to be the case. A more serious matter is in questioning why Ahmed, and others like him, were/are incontestably recognized as victims of sexual cleansing when in fact it is at least possible that neither Ahmed nor his pederastic clients may have been “gay” at all.

Indeed, there are dozens, possibly hundreds, of cases involving boys/men trapped through Internet chat rooms, and beaten, tortured, or even killed upon arranging a real-time encounter. Moreover, if the boy’s family is believed to be wealthy, he may be held for a hefty ransom. More peculiarly perhaps, some boys or men suspected of being gay are not tortured or killed, but raped, as in the case of Samir Shaba, who was accosted while riding a taxi through Baghdad. Samir was stopped on suspicion of being “gay” (triggered by his long hair) and interrogated by four police commandos who demanded his valuables and, surprisingly, sex with the twenty-five-year-old Christian Iraqi. When Samir refused their sexual demands, he was robbed, beaten, and gang-raped by four police commandos; presumably his penalty for refusing sex in the first place or punishment for his suspected homosexuality. But Samir is one of the lucky ones, as he survived the attack.⁸ Yet, here is the conundrum, do we naively and uncritically assume the four police commandos who gang-raped him are, in fact, necessarily “gay”?

The sexual cleansing campaign is not limited to organized violence carried out by Sadr or Sistani’s militias; Iraq’s fragmented police force, U.S. military, and multinational forces at large are also implicated. Ali Hili, head of the “Abu Nawas” (also known as “Iraq LGBT”) has compiled detailed accounts of sexual minorities all over Iraq who have been harassed, abused, kidnapped, beaten, tortured, raped, or killed, not only by militias but by the police force itself, as well as multinational occupation forces. “Abu Nawas” works closely with the Baghdad-based non-governmental organization GLBT rights group called “Rainbow for Life,” formed by Mustafa Salim in early 2005. Over the years, both groups lost dozens of members across Iraq; Rainbow for Life currently runs a clandestine operation which requires frequent relocation throughout the Baghdad area in order to escape detection. Hili and Salim have been monitoring the situation for years and have helped to expose many legitimate cases of homophobic violence that would otherwise never have been known. Verbal degradation, physical assault, intimidation, and psychological abuse are commonplace; many cases even occurred during routine house searches by American and multinational forces, who routinely used racist or debasing homophobic epithets to address and describe Iraqis, presumably brought on by their repulsion with displays of affection among Arabic men, customarily non-sexual in kind.⁹

Despite unfamiliar cultural codes, determining or classifying one’s sexual orientation becomes a complex, often inresolvable matter. For example, in a case which resuscitated the debate surrounding the so-called “gay panic” defense, a seventeen-

year-old Iraqi guardsman, Falah Zaggam, was murdered by twenty-one-year-old U.S. Pvt. Federico Daniel Merida, after the two became sexually involved. In October 2004, during one of their shifts together near Tikrit, Merida had sex with Zaggam, then shot him eleven times and threw his body off a watchtower. Merida first claimed that Zaggam attempted to rob him and therefore he killed Zaggam in self-defense, but investigators argued that this was improbable since Zaggam was not allowed to carry weapons. Merida then claimed that Zaggam had raped him, also unlikely since Zaggam was half Merida's size. Merida then claimed Zaggam attempted to blackmail him by threatening to reveal their affair to Merida's wife, but this was doubtful since Zaggam spoke no English. Eventually, Merida pleaded guilty and was given a twenty-five-year prison term. While the case was largely ignored by mainstream American media, it was picked up by GLBT press, even though there is no indication to believe that either Merida or Zaggam were "gay" in the canonical Western sense, especially in the case of Merida, who had a wife and son waiting for him back in the U.S. The essential nature of their sexual identity is anyone's guess.¹⁰

Of course, there are cases which do involve self-proclaimed sexual minorities, especially ones in which suspected GLBT Iraqis received death threats or other warning signs. Still, many victims are unable to seek protection from either the Iraqi government or U.S. officials, which for the most part have ignored the situation, and once finally acknowledged, maintained a policy of non-interference toward it. Paula Ettelbrick, executive director of U.S.-based International Gay & Lesbian Human Rights Commission, wrote to the State Department demanding that it condemn the anti-GLBT pogroms and take immediate action to halt the violence. In a letter dated April 20, 2006, Ettelbrick contacted Secretary of State Condoleezza Rice urging her to recognize these abuses and requesting that U.S. officials discuss the matter with Iraqi authorities. While Ettelbrick did not receive a reply from Rice herself, L. Victor Huratado, acting director of the State Department's Office of Iraq Affairs, reported that the Bush Administration is "troubled" by the increase in anti-GLBT violence and agreed to work with the Iraqi government to "promote the protection of human rights" of the GLBT community in Iraq, and indicated that "it is interested in further dialogue on the issue" with Iraqi non-governmental organizations such as Rainbow for Life.¹¹ In June 2006, a year and a half into the sexual cleansing campaign, Army Maj. Joseph Todd Bresseale, chief of Media Relations Division of Multinational Corps in Iraq, acknowledged that anti-GLBT killings have, in fact, been taking place and assured the public, including the Iraqi GLBT community, that the U.S. military is doing all it can to stop the violence.

Bresseale's comments were the first from a U.S. military spokesperson to acknowledge Iraq's sexual cleansing campaign.¹² However, due to largely ineffective measures taken by the State Department, the problem continued to escalate. In its 2006 Human Rights report (Nov-Dec)¹³, the United Nations Assistance Mission for Iraq acknowledged the sexual cleansing campaign in a special section on Sexual Orientation. This was the first time the organization has addressed the issue in its reports. As a result of this report, Secretary Rice would once again be asked to intervene. Two members of the U.S. congress, Tammy Baldwin (D-WI) and Barney Frank (D-MA), wrote to Rice in June 2007 (fourteen months after Ettelbrick wrote to Rice), urging the State Department to investigate the ongoing persecution and killing of GLBT Iraqis, as well as to discuss the matter with Nuri Al-Maliki (Iraq's Prime Minister) and Jalal Talabani (Iraq's president). Baldwin and Frank wrote to Rice in response to the State Department's 2006 Country Report on Human Rights Practices, released in March 2007, which conveniently made no mention whatever "of human rights

violations in Iraq based on sexual orientation."¹⁴ As yet, Rice has yet to respond and the killings continue unabated. There are reasons for the non-responsiveness.

The U.S. government has been reluctant to intervene in the matter largely due to its political meanderings, which favor a policy of non-interference, treating the matter as a "cultural issue." Not surprisingly, Sistani's 2005 fatwa failed to generate public condemnation from the State Department, and there are good reasons for this, too. Bush views Sistani as a so-called "moderate," who supports "democracy" (Sistani is said to have issued a fatwa urging Iraqi women to vote), opposes the insurgency, and coincidentally wields strong influence over Iraq's Shi'a-dominated government, which regularly consults Sistani on social, political, and moral issues.¹⁵ It is of little significance that Sistani has long demanded that Iraq's newly drafted constitution be based on Shari'a law, and after years of negotiations, Iraq's constitution was tailored to meet such demands by his political bloc. Of course, wherever religious law has been enshrined into a constitution, it has resulted in institutionalized inequality.¹⁶ Since the 2003 invasion, Iraq has gradually transformed into a theocracy, such that sexual freedoms once enjoyed by GLBT Iraqis have completely eroded. Aside from the obvious havoc waged on GLBT Iraqis, the new constitution codifies discrimination against Iraq's sizeable non-Muslim minorities, such as Yazidis, Chaldeans, Baha'is, Mandaeans, Shabaks, Pagans, Hindus, and Zoroastrians, to name but a few. It is worth noting that ethnic and religious minorities of Iraq, with ancient millennial roots in its soil, have suffered far worse than Iraq's GLBT community; furthermore, their displacement and impending extinction is a far greater loss to Iraq's cultural heritage and human history overall. While it is very difficult to determine exactly how many people have been victims of the cleansing campaign, "Abu Nawas" reports that as of December 2007, approximately four hundred GLBT Iraqis have been killed since the March 2003 invasion.¹⁷ By comparison to the genocidal numbers of Iraqis either displaced or killed overall as a result of the war (numbering well into the millions by most reliable estimates),¹⁸ the relatively low numbers pale by comparison. Of course, the low toll ought not diminish seriousness of the matter; for the one hundred twenty-seven journalists killed in the Iraq war (the highest toll in any military conflict), is also low by comparison, but that does not necessarily mean these deaths translate into reduced moral consideration.¹⁹

Iraq's purported sexual cleansing campaign presents us with uniquely complex, unparalleled challenges in the quest to promote sexual autonomy and curtail human rights violations. First, recall that this is a predicament in which sexual orientation of the victims, in a variety of cases, is ambiguous or indeterminable. Second, cases often overlap with classes whose members have also been targeted, such as prostitutes (in the cases of Ahmed and Ameer), academics, doctors, students, artists, musicians, journalists, translators, politicians, liquor vendors, religious or ethnic minorities (in the case of Samir), and so on. Assessing the real motivations for which one is targeted becomes a multifaceted, often opaque process, yielding unclear results. Where an entire population is targeted, calling attention to one particular group's human rights violations must not supersede the greater collective rights violations which were only made possible as a result of the invasion of Iraq. Third, we must be diligent in assessing and uncovering any disingenuous intentions or motivations behind more radical GLBT activism which has operated in this region. In other words, some organizations have been known to misuse their position so as to exploit GLBT issues to further larger, disparate political agendas.²⁰

Some readers may believe at this point that I advocate a *laissez-faire* approach to the sexual cleansing campaign, thereby sanctioning violence doled upon Iraq's GLBT community with impunity. Others may charge me with questioning or denying the presence of GLBT people in Iraq. Neither of these claims bears fruit. While many anthropologists, historians, and GLBT theorists today accept the notion that GLBT identity is a Western social construct, largely unfamiliar or extrinsic to many societies, how GLBT Iraqis choose to identify themselves is not as problematic as how GLBTs attempt to out or analyze them. It's simply not the case that any characterization of same-sex relation must parallel the Western model. Ascriptions of GLBT identities are often attributed spuriously, or applied in the interest of advancing broader objectives, ones which do not necessarily benefit members on whose behalf sexual rights are being defended. I don't mean a strategic Western imperialist conspiracy here, such as the provocative "Gay International" thesis professed by Joseph Massad.²¹ Rather, it is the call to refrain from politically exploiting a highly vulnerable population under the guise of sexual rights protection or GLBT liberation more broadly. Further, instances of so-called rights promotions are not limited to media outlets, they take on different forms; consider the legislation recently sponsored by Congressman Earl Blumenauer (D-Ore.). Blumenauer introduced the "Responsibility to Iraqi Refugees Act" (signed into law in January 2008), which requires that Iraq's most vulnerable refugees are to be prioritized for resettlement, or in providing other types of refugee assistance; those prioritized include translators, ethnic/religious minorities, and GLBT Iraqis. While this is indeed a well-intentioned measure, it also runs the risk of increasing resentment and animosity among Iraqis in general, but especially against sexual minorities. Not to mention, there is a likelihood of abuse to the measure, as some Iraqis may falsely claim GLBT refugee status to flee a hapless plight. We must tread more carefully.

Western GLBT organizations wield immense influence on GLBT peoples in this region and the world at large. The West is often looked up to as a paradigm of sexual "freedom" and tolerance: it is this paradigm that many seek to emulate, albeit often naively. While Western GLBT movements have a moral duty and social responsibility to assist those enduring dire existential hardships under oppressive circumstances, they must resist doing so in ways that monopolize their realities or overemphasize tragedies faced by a hapless population. A greater degree of care, cultural awareness, and non-partisan sensibility to a variety of challenging GLBT issues in non-Western countries, particularly in Arabic nations and the Muslim world at large, must be forthcoming.

For all his callousness, Saddam Hussein saw no need for persecuting the GLBT community. So long as they posed no threat to the secular socialist principles of the Ba'ath party, Saddam was unconcerned with their affairs, and thus refused to criminalize homosexuality, instead opting for a *laissez-faire* attitude toward Iraq's GLBT community.²² In the late 1980s, Baghdad had a thriving GLBT community nightlife that gradually dwindled after the first Gulf War; following the crippling sanctions which ensued in the 1990s, it dilapidated even further.²³ The 2003 invasion facilitated its impending annihilation.

In his *Principles of Art History*, the Austrian aesthetician and art historian Heinrich Wölfflin espoused the celebrated thesis that "not everything is possible at all times, and certain thoughts can only be thought at certain stages of development."²⁴ Wölfflin was discussing artistic style, more specifically, national and historic style, which cyclically fluctuate from one time and place, to that of another. A similar point may be made with social justice

movements; that is, while GLBT revolutions in the U.S. and other Western nations have indeed flourished, they are nonetheless short-lived, fragmented, and, in some cases, inexperienced; the conditions which enabled their success and commendable achievements cannot be paralleled at all times and places, and we should not expect that they must. Success for GLBT people may not mean gay marriage or equality under the law in many instances, but a life free of incessant persecution, fear, and the threat of imminent death is a second-best "predicament" that many are willing to accept. Baghdad has no need for rainbow flags and pride parades down "Shari' Abu Nawas," for it has a gay history of its own, extending far beyond the libertine poetry of Abu Nawas, world literature's first recognizably gay atheist.²⁵ The strive toward combating homophobia is successfully achieved in more subtle ways, in education and grassroots development, likely to sprout by their own once conditions are favorable for their maturation. In today's Iraq, it is too soon for GLBT rights in the Western sense.

Endnotes

1. Outside its use in a GLBT context, the expression has been applied in describing a tradition practiced in rural villages of Zambia, Kenya, and other African nations. "Sexual cleansing" here refers to a ritual that requires a widow to have sex with one of her husband's relatives (i.e., cousin, brother, etc.) in order to rid herself of the bond with his spirit, thereby rescuing herself (and her village) from disease, wicked curse, or insanity. The practice has become the focus of controversy since it is believed to contribute to the spread of the AIDS epidemic; thus, initiatives have been taken to discourage or ban the practice altogether.
2. The Integrated Regional Information Network (IRIN) is part of the United Nations office for the Coordination of Humanitarian Affairs. Its reports do not reflect the position of the UN itself nor particular member states.
3. Initially there were two reports compiled; the first was released in August 2005, which received much attention since it addressed the growing problem of teenaged boy prostitution in Iraq (available at <http://www.irinnews.org/report.aspx?reportid=25350>); a second report released in February 2006 focused more broadly on the taboo of male homosexuality in Iraq (available at <http://www.irinnews.org/report.aspx?reportid=26110>). This report was first of its kind to address male homosexuality in Iraq (since the invasion of 2003). However, no information about the taboo of male homosexuality or boy prostitution was included in IRIN's Annual Progress Reports for either 2005 or 2006.
4. Some reports claim that the fatwa appeared only in the Arabic version but not the English translation of Sistani's website. The website is available in several languages (see <http://www.sistani.org>). It is also claimed that while the fatwa against gay men was removed, one specifically targeting lesbians remained (I was unable to find the lesbian fatwa in either English or Arabic). A further point of contention has to do with the circumstances under which the fatwa was removed. Sistani's office is said to have initially contacted the Abu Nawas group urging them to remove criticism of Sistani which appeared on their website; in a counter-move, the Abu Nawas group negotiated to have his fatwa removed, and their demands were met.
5. This case has received wide coverage in GLBT press. For an account, see Jerome Taylor, "Iraqi Police Killed 14-year-old Boy for Being Homosexual," *The Independent* (May 5, 2006).
6. Ameer's case is discussed in Jennifer Copestake, "Gays Flee Iraq as Shia Death Squads Find a New Target," *The Observer* (August 6, 2006).
7. This expression and other loaded language is used by Peter Tatchell in describing this case. See Peter Tatchell, "Sexual Cleansing in Iraq," *New Humanist* (January-February 2007).

- 8 This case is described in Molly Hennessy-Fiske, "For Gays in Iraq, a Life of Constant Fear," *Los Angeles Times* (August 4, 2007).
- 9 For some examples of these cases, see Cara Buckley, "Gays Living in Shadows of New Iraq," *The New York Times* (December 18, 2007).
- 10 This story also circulated as a case involving the killing of a presumed gay Iraqi. It can be found in much of the leading GLBT press. For two accounts, see the Associated Press's gay.com version on December 21, 2004 (available at <http://www.gay.com/news/article.html?2004/12/21/4>, and see Ken Sain, "U.S. Soldier Claims Gay Panic Made Him Kill," *New York Blade* (January 7, 2005) (available at <http://www.nyblade.com/2005/1-7/news/national/panic.cfm>).
- 11 See Lou Chibbaro, Jr., "U.S. State Department 'Troubled' Over Anti-Gay Violence in Iraq," *Washington Blade* (May 26, 2006).
- 12 For Bresseale's comments on the sexual cleansing campaign, see Lou Chibbaro Jr., "U.S. Military Acknowledge Iraq Anti-Gay Killings," *Washington Blade* (June 7, 2006).
- 13 The report may be accessed directly from the UNAMI website at <http://www.uniraq.org>
- 14 The jointly drafted letter is available from the Iraq LGBT website at http://iraqilgbt.uk.blogspot.com/2007_06_01_archive.html.
- 15 It is not only the U.S. government that turns a blind eye toward Sistani; the U.K. also supports Sistani in various ways, it even subsidized medical treatment he received in London back in 2004.
- 16 There are exceptions, of course, such as Turkey, but Iraq is currently not heading in such a secularist direction.
- 17 Though the sexual cleansing campaign did not officially begin till 2005, the figure quoted by "Abu Nawas" is culled from their website and is also cited in Cara Buckley's piece in *The New York Times* (cited above).
- 18 For one source, see the U.S.-based Brookings Institution figures, available at <http://www.brookings.edu>.
- 19 Of the one hundred twenty-seven journalists killed in the Iraq war, one hundred five were Iraqis. These statistics are taken from the U.S.-based Committee to Protect Journalists, available at http://www.cpj.org/Briefings/Iraq/Iraq_danger.html.
- 20 Apart from much of the disinformation that has gone on in the Iraq case, there have been several high-profile cases in which GLBT issues were manipulated so as to demonize governments or societies deemed hostile to the West. For example, the U.K.-based group Outrage! headed by Peter Tatchell, helped spread Islamophobic hysteria and anti-Iranian propaganda on the international GLBT scene by misreporting details of the Mashhad case of 2005. Outrage! falsely reported that two teenaged boys, Mahmoud (16) and Ayaz (18) were hanged in a public square for engaging in consensual homosexual sex. However, a thorough investigation by Human Rights Watch, Amnesty International, and International Gay & Lesbian Human Rights Commission, all of whom worked with contacts inside Iran, confirmed that there is no evidence to suggest that the two were executed for consensual homosexual sex. To use Paula Ettelbrick's own words, "it was not a gay case." Rather, the boys were executed for rape, theft, public drunkenness, and disturbing the peace. Of course, capital punishment itself, and in particular the execution of minors, is worthy of debate or condemnation, but that's an entirely different matter. What's important here is maintaining professional and ethical integrity through accurate reporting, without imputing prejudiced, inflammatory, ideological dispositions. Outrage! pulled the same antics once again, accusing Iran of training Badr Brigades to carry out the sexual cleansing campaign in Iraq (again, there is no basis to support this false cause fallacy). Moreover, as evidence for the campaign's links to Iran, Outrage! drew attention to Sistani's Iranian origin, which effectively commits a *circumstantial ad hominem* fallacy, resolutely irrelevant to the matter at issue. It should be noted that Iran has been Iraq's cultural cousin since Sassanid rule in third century AD, whereby Persians ruled Iraq off and on throughout the millennia. Their traces are still evident in today's Iraq; even the capital's name, "Baghdad," is a Persian name, originating from a village upon which the city was built during the eighth century AD. On these points, see Thabit A.J. Abdullah, *A Short History of Iraq* (London: Pearson, 2003), 18-21.
- 21 See Joseph Massad, "Re-Orienting Desire: The Gay International and The Arab World," *Public Culture* 14.2 (2002), 361-85. This thesis was more thoroughly elaborately in Massad's provocative new book, *Desiring Arabs* (Chicago: University of Chicago Press, 2007).
- 22 Some sources suggest that Saddam criminalized sodomy in 2001, making it punishable by imprisonment or a fine, yet there have been no known cases of GLBT prosecution or imprisonment (let alone the death penalty), doled exclusively for the crime of sodomy; the few cases that are known about usually involve political dissent of some sort (whether actual or presumed).
- 23 Baghdad was once known across Arabic nations to be a cultural epicenter for GLBT Arabs, with establishments set up on well-known gathering places such as Shari' Rubaie ("Rubaie Street") and historic Shari' Abu Nawas ("Abu Nawas Street"). In recent decades, progressive GLBT epicenters of Arabic nations or Muslim nations of the region have shifted to Beirut (thanks to strides made by the Lebanese GLBT organization "Helem"), and to some extent Cairo, Istanbul, and Dubai as well.
- 24 Heinrich Wölfflin, *Principles of Art History: The Problem of the Development of Style in Later Art*, trans. M.D. Hottinger (Dover Publications, 1950), ix.
- 25 With very few exceptions, Abu Nawas remains largely untranslated into English or other European languages. For a brief but resourceful introduction to Abu Nawas' life and work, see *Carousing with Gazelles: Homoerotic Songs of Old Baghdad*, trans. Jaafar Abu Tarab (Lincoln: iUniverse, 2005).

Sexual Orientation Research: The Debate Can Be Nasty, Brutish, but Not Always Short

Timothy F. Murphy
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Stephen Clark, a professor at Albany Law School, introduced himself to me by email in the summer of 2007 in a bald, accusatory way. Without any indication as to why he was contacting me, he announced that I offered no more than an "empty suggestion" when it came to protecting gay and lesbian people in the future. He went on to accuse me of cheerleading and enabling the genocide of gay men: "In my admittedly limited exposure," he said, "the people least likely to insist upon any such protection are members of your own profession. The ethicists with whom I'm acquainted are so ideologically committed to 'reproductive freedom' that they insist every woman has the prerogative to have queer genes cut out of her fetus on demand." The rest of Clarke's email iterated more worries about sexual orientation research, and he concluded his email with an invitation to call him hysterical: "Call me hysterical, if you like. But here's one ally you've lost—and anyone else I can persuade."

Although I never did take up the generous invitation to call him hysterical, I guessed that he was writing in response to an August 2007 *Chicago Tribune* article, which quoted me about a

sexual orientation study underway at Northwestern University. Among other things, the *Tribune* quoted me as noting that: “If there are genetic contributions to sexual orientation, they will not remain hidden forever—the march of genetic science can’t be stopped.” “It’s not a question of whether we should or should not do this research, it’s that we make sure we’re prepared to protect people from insidious uses of this science.”¹ As veteran commentators know, interviews are long and quotations are short. I had a lot more to say to the reporter than the final story reflected, but I was not unhappy with the article overall.

I stewed for a bit about how to respond to Clark’s pissy outburst, and I chose to respond in a high camp style, something I have done before, including a letter published in the *Proceedings and Addresses of the American Philosophical Association*, published under the sobriquet ‘Cruella de Ville.’² Here’s what I sent back to Clark about a week later:

* * *

Dear Miss Professor Clark Thing

Thank you for your letter wherein you accuse me of cheerleading and enabling the genocide of future gay people. It was all very D-R-A-M-A-T-I-C and vein-popping. I always appreciate people coming forward to remind me of my *World Historical Significance*.

If I slip from chiffon into academic drag just for the moment (and isn’t that a couturier’s nightmare?), well, the letter turns all emotionally and conceptually ragged. Is it really meaningful to say that people who don’t exist yet can be the subject of genocide via means that also don’t exist yet? And as for genocide wannabees, tell your story to people with Down syndrome. How dysgenically rude for those people to continue walking around when they should have been caught in the dragnet of prenatal testing and wiped from the face of the earth! It’s a good thing that no one in the future will be able to use Genetic Powers (sounds like my kind of superhero) to have gay kids either. Oh, wait: scratch that: truly fabulous parents will!!!

Anyway, enough about *Moi*. It’s Y.O.U. that should be getting all the center-stage spotlight. After all, you have more work ahead of you than Lindsay Lohan struggling her way through rehab. You’ve got to find a way to (a) stop every research organization from funding research into the genetics of sexual orientation, including the National Institutes of Health, or (b) find some reason in the Constitution to say that out of all the possible reasons that women terminate their pregnancies or carry out prenatal interventions that one and only one is unacceptable and should be barred as a matter of law, or (c) find a way to mature society in a goshdang hurry so that no parent anywhere under any circumstances will decline to carry a “homosexual fetus” to term so that we can then get back to genetics as usual.

Whew! Good luck to you in all that.

With all best wishes, please sign me,

Holotta Shakin (Miss)

* * *

Professor Clark was not amused. Even though he fired the opening salvo, he beat a very hasty retreat, writing back to me only to say: “Just so you know, I have forwarded your harassing response to your department head. Please do not contact me further.” Yes, it’s true, Professor Clark went whining to the head of my department (a gastroenterologist, by the way, who’s got better things to do than listen to this kind of self-pity). He did share Clark’s email with me, saying that it was a matter of no concern. In that email, Professor Clark complained that I had not taken his email *seriously*, that he had raised serious issues in a serious way.

Not serious in my Holotta Shakin reply? Au contraire, mon frère. There’s not a single point in that letter that is not a real point bearing directly on Clark’s views. If sexual orientation research, especially of the genetic kind, is “bad” then someone who wants it brought to a halt faces options that conflict with existing, morally defensible freedoms in research, medical practice, and parenting. I was only asking which of these contentious interventions Professor Clark wanted to champion. And I was doing so in a most fabulous way, n’est ce pas? Shame on any girlfriend who suggests that high camp can’t carry the freight of Important Ideas.

I wasn’t the only one who got Clarked in the summer of 2007. In August, Professor Clark wrote to Alice Dreger at Northwestern University, and she shared that email with me. Perhaps ginned up by the summer heat, Clark asked her: “Do you relish your own role in the potential eradication of gay people from society?” Apparently, he didn’t like the fact that Alice had written a long evaluation of some accusations—unfounded—about research misconduct on the part of J. Michael Bailey.³ Apparently, Professor Clark doesn’t like Bailey’s work, not any part of it. In high dudgeon, Clark asked Professor Dreger: “Will it take routine destruction of gay fetuses to make you take seriously the risks of his research?”

Contrary to the tone and content of these arch and incriminating questions, Alice Dreger is no enemy of gay and lesbian people. On the contrary, she has ably turned her history-of-science skills into tools of advocacy for people whose sexuality differs from reductive mainstream norms. She is probably best known for working to protect intersex people from reductive treatment at the hands of medicine and society.^{4,5} She has also advocated same-sex marriage, and has argued that transmen and transwomen should have access to the medical treatment and legal accommodations important to them. And she has specifically addressed the ethics of parents who might want to manipulate fetuses in order to get rid of gay and lesbian children.⁶ Clark wrongly judges where Professor Dreger sits when it comes to protecting the weak from the intentional or unintentional deprivations of sexual orthodoxy.

To be sure, there are important issues to consider when researching politically and socially sensitive topics such as the origins of sexual interests in human beings. I have—tirelessly—tried to bring this issue to the fore, writing about the ethics of sexual orientation research as far back as the long ago days of 1990.⁷ Later, I devoted an entire book to the same topic: *Gay Science: The Ethics of Sexual Orientation Research* (Columbia University Press, 1997). In other words, I have offered interested parties many opportunities to see and engage my considered views in full. Responding in academic kind is, of course, hard work, and therefore not for everyone. In any case, I invite would-be commentators to take a look at their own assumptions about their authority to pass judgment on the issues in question. For example, rumblings that genetics should be constrained because otherwise women will start “cutting” genes out of their otherwise gay and/or lesbian fetuses are to my mind *deeply misogynistic*, as if somewhere somehow there has to be a man (perhaps a law professor somewhere in the Hudson Valley?) overseeing prenatal testing and interventions in the name of society’s true, deep, and abiding interests. Is this the best way to defend gay people: by appealing to fears that women cannot be trusted in regard to the welfare of their own children?

In any case, I stand by the remarks I originally offered to the *Chicago Tribune*. In the future, there will only be more genetic science, not less. That research will increase the dominion of human beings over plants, animals, and our own bodies and behavior. These increasing powers do not have

to bode ill for homosexual men and women. We know far more about the origins of sexuality now than we did when the American Psychiatric Association declassified homosexuality as pathological in 1973. We even know more about the origins of sexuality now than we did when the Supreme Court of the United States in 2003 rejected its own prior view that states may criminalize consensual homosexuality among adults. In other words, progress for homosexual people has happened alongside—if not directly because of—an increase in knowledge about human sexuality generally and homosexuality in particular. There's no reason in moral philosophy why this progress couldn't continue.

Some commentators may want to set back the clock when it comes to understanding biological dimensions of human sexuality, but that's a censorious and fearful view. During a 1995 conference devoted to the humanistic dimensions of the Human Genome Project, the former president of the University of Notre Dame, Theodore Hesburgh, offered some reflections on advances in genetic science and said something that has stayed with me since: "We shouldn't be afraid of things that are true," he said. Let's not either be afraid of what's true in regard to human sexuality, even as we make sure that social prejudice—in the literal sense of prejudice—does not inform the use of the science.

Endnotes

1. Robert Mitchum. "Study of Gay Brothers May Find Clues about Sexuality." *Chicago Tribune* (Aug. 12, 2007): A1.
2. *Proceedings and Addresses of the American Philosophical Association* 68.5 (1995): 111-12.
3. www.bioethicsforum.org/science-gaydar-homosexuality-prenatal-selections.asp
4. Alice Domurat Dreger. *Hermaphrodites and the Medical Invention of Sex* (Harvard University Press, 2000).
5. Alice Domurat Dreger. *One of Us: Conjoined Twins and the Future of Normal* (Harvard University Press, 2005).
6. www.bioethicsforum.org/science-gaydar-homosexuality-prenatal-selections.asp
7. T.F. Murphy. "Reproductive Controls and Sexual Destiny." *Bioethics* 4 (1990): 121-42.

Speaking of Michael Bailey and Alice Dreger...

Timothy F. Murphy

University of Illinois College of Medicine

In 2003, J. Michael Bailey wrote *The Man Who Would Be Queen: The Science of Gender-Bending and Transsexualism* (Joseph Henry Press). Bailey says that a certain view of homosexuality prevails in scholarly texts and political culture: that feminine traits are not linked *per se* to homosexuality. Social constructionists, he says, have plied a false understanding of human sexuality: that it is a script on which society may write anything it wishes. If there is femininity in male homosexuality it is because society has shaped it so, mostly because of highly restrictive conceptions of male and female. Bailey rejects this view and proceeds to show the way in which homosexual men express female-typical traits in a more or less irreducible way, though the degree of femininity can vary widely across groups. (In spite of that femininity, certain masculine traits in homosexual males nevertheless prevail: the desire for many sex partners, for example.) For Bailey, this femininity is no deficit morally or psychologically. It is, however, something that can be explored as a matter of scientific causality, and he surveys various theories about the origins of this gender transposition. He also looks at the way in which some anatomical males

express female identities, some doing so from a very early age without specific encouragement and despite considerable resistance. Bailey suggests that this identification as female can be accounted for in two ways: as a sexual strategy by which to attract men or as an erotic attraction to oneself as female. The first strategy gets called homosexual transsexualism while the other gets the ungainly label of autogynephilia. This explanatory schema is not original with Bailey but with Canadian sexologist Ray Blanchard.

As a text, *The Man Who Would Be Queen* is a kind of science journalism. With Bailey serving as both narrator and subject, the book dips in and out of scientific discussions, in and out of his own personal reflections. It is certainly not internally documented in the manner of a scientific text, but it does refer to and discuss scientific studies. The book has an altogether breezy tone, with Bailey liberally quoting acquaintances, colleagues, his son, his students, and others even as he refers to the scientific literature in summary ways. As a narrative device, he opens a number of his discussions with people who represent (and substantiate) his views. In this vein, Bailey describes and quotes two transwomen of his acquaintance, talking about their lives and loves in some depth. Since the book appeared, one of these transwomen has worked continuously to discredit Bailey, and she's not alone. Other trans-identified people have joined her in criticizing the content of the book and accusing the man behind it of all manner of lapses: violations of research ethics standards, having sex with subjects, deceiving people about the purpose of the book, and plying unscientific and hateful theories about transpeople. (Want more detail? Enter the words "Mike Bailey controversy" into any Internet search engine.)

Enter Alice Dreger, author of *Hermaphrodites and the Medical Invention of Sex* (Harvard University Press, 2000) and *One of Us: Conjoined Twins and the Future of Normal* (Harvard University Press, 2005). Dreger decided to sift through these criticisms and accusations, and she spent a good deal of time interviewing Bailey and one of the transwomen described in the book at length, the transwoman who has become Bailey's critic-in-chief. Dreger eventually wrote a long article that covered a lot of the waterfront: she describes the book, itemizes criticisms of the scientific content of the book, and works through various accusations made against the author in terms of research ethics. The *Archives of Sexual Behavior* made that article—"The Controversy Surrounding *The Man Who Would Be Queen*: A Case History of the Politics of Science, Identity, and Sex in the Internet Age"—available to scholars ahead of print in the fall of 2007. Various commentators—twenty-three in all—responded to it, and the *Archives* gave Dreger the opportunity for one last response to them all. The print version of all this material—article, responses, author reply—appeared in June 2008. It's quite a story, quite a read.

By and large, philosophers have played no role in this discussion, which is a shame because the topics at issue offer plenty of issues for philosophers of science, bioethicists, and moral philosophers, especially those interested in sex, sexual relations, and research ethics. Talia Bettcher is one philosopher who has entered the discussion, as one of the respondents to Alice Dreger's article in *Archives of Sexual Behavior*, writing that Bailey's book is deeply transphobic and that Dreger does nothing to rescue him from that charge. It's not too late for others to join the fray, of course, because there are plenty of issues that could stand further scrutiny, including the adequacy of concepts used to explain human sexuality and the adequacy of evidence offered in support of scientific hypotheses. Moreover, some sclerotic thinking has taken hold of parts of the debate, making the circumstances ripe for novel ideas and approaches. For those interested, the Dreger article is the required starting point

for immersing oneself in the various controversies. The critics make their voices heard, too, in the commentaries that follow. As a matter of intellectual inquiry, what philosophers—what thinking people?—could remain uninterested in the concepts we use to explain sexuality to ourselves and the adequacy of the science behind those concepts?

Notes on 'Ambiguity and Sexuality' Conference

William Wilkerson

University of Alabama in Huntsville

Do we need a theory of sexual identity? Can such a theory help us understand sexuality, and is such a theory politically useful? Can a unified theory of sexual identity explain the wide variety of sexualities without giving in to simple social constructionism? These questions and many others were the focus of a two-day symposium in February 2007 at the University of San Francisco. Panelists at *Ambiguity and Sexuality: A Symposium in the Philosophy of Sexual Identity* included Chris Cuomo, Raja Halwani, Michael Bronski, and myself. For a philosophy conference on sexual identity, the location could not have been more perfect—just minutes from historic Castro and Market, and the conference organizer, Jeffrey Paris of the philosophy Department at USF, put us all up at a lovely and historic hotel with a view of Golden Gate Park.

The first day of the symposium dealt with the themes of my book, *Ambiguity and Sexuality*, in which I argue that both social contexts and individual choices shape sexual identity. In my view, desire requires interpretation to be constituted, and interpretation requires choice, so that both sexual desire and sexual identity are shaped by an individual in the process of creating a sexual identity. Not surprisingly, Raja disputed this idea, arguing that desire must have sufficient content independent of interpretation to render it both comprehensible and the basis of a sexual identity. Meanwhile, both Chris and Michael accepted the “metaphysics” of my account but disagreed with its politics. From somewhat different perspectives, they argued that seeking a theory of sexual identity might itself be problematic. Chris claimed that I ignored the role of violence, oppression, and intimidation in creating sexual identity, and that I focused too heavily on the unity of sexual identity at the expense of the variety of sexual experiences. Michael took a historical view of sexual liberation, showing that our concern with sexual identity arose out of the particularities of our struggle against homophobia. Both Chris and Michael also questioned the book’s focus on desire, urging that we look at pleasures and fantasies as well. I must say that while I defended my view from these criticisms, I nonetheless found many of them both accurate and stimulating, and I am grateful to the participants for their work.

After a lovely meal (Balinese family style—I can’t get that in Alabama!) we met again for a second day of great queer philosophy as each of us presented work in progress. My new work takes off in a different direction from my book, locating the sources of contemporary Evangelical Christian homophobia in worries about contagion and impurity. For his part, Raja presented his own ideas on sexual identity, arguing forcefully against the idea that choice has a role to play, and then using his understanding of identity to look at contemporary gay movements in Lebanon. Chris presented a paper in which she argued that we should both consider gay and lesbian identity as a matter of “doing” rather than “being” and switch our resistance strategy to resemble that of people seeking

religious tolerance. Michael presented work showing how a long-standing tradition of eroticism in portrayals of Christ could lead us to recover a more holistic and balanced notion of both the erotic and the religious.

Following that final presentation, strangely appropriate at a Jesuit University in San Francisco, we set out to enjoy all that San Francisco has to offer us—a band of freewheeling queers with heads full of theory, richer for our shared time, and grateful both to Jeffrey and USF for the opportunity to do some really great gay thinking.

NEW WORKS

Corvino on Sexual Ethics. Is homosexuality unnatural? Does it threaten society? Are gays and lesbians “born that way,” and does it matter either way? Paradise Valley Media has released “What’s Morally Wrong With Homosexuality?” a video presentation in which John Corvino tackles these questions and more. John is at Wayne State University in Detroit, Michigan. The press release says that Corvino combines philosophical rigor with sensitivity and humor as he examines the most common arguments against same-sex relationships, including those based on nature, harm, and religion. In the process, he invites people on all sides to rethink easy assumptions about homosexuality and (im)morality. For further information and a preview of this video, please contact John at j.corvino@wayne.edu or go to www.gaymoralist.com. The website: [BoxTurtle.com](http://www.BoxTurtle.com) describes itself as offering news, analysis, and fact-checking of anti-gay rhetoric. They review John’s presentation at <http://www.boxturtlebulletin.com/2007/12/19/1166>

O’Connor on Metaethics. In *Morality and Our Complicated Form of Life*, Peg O’Connor at Gustavus Adolphus College in St. Peter, Minnesota, says she offers an approach to metaethics that is deeply influenced by Wittgenstein as well as by contemporary feminist ethicists. The analysis involves a two-fold shift in metaethics. The first works to undermine the nature/normativity or world/language divide and offers an alternative account of the world-language relationship. Inspired by the practice of knitting, she describes the world as felt. A second involves shifting away from a powerfully dominant metaphor in ethical theory, specifically replacing the metaphor of foundations with a metaphor about stability. As an example, she describes the villa in Bordeaux designed by Rem Koolhaas. The villa is built into the side of a cliff and appears to be launching itself from that cliff, apparently without foundation. O’Connor uses this design to argue that we need a relational and dynamic stability and not immovable foundations in order to engage in our moral practices. One of her stated goals is to describe a grounding to which feminists can appeal in order to make the type of first order/normative evaluations that successfully avoid the charge of an Anything-Goes Relativism, all the while avoiding the invocation of absolutes. Penn State University Press published the book.

WORKS IN PROGRESS

The following projects are currently underway. For any further information, please contact the author; not this newsletter:

- **Sam George.** *Allegory. "Parable of America."* In this allegorical treatment, the question of gay marriage becomes "baptism." The "little town" of America has just one church, and it practices baptism only by immersion. When Steve and some like-minded friends try to have baptism by sprinkling first within America's only church, then later outside of it as a new church, they face opposition in the courts, in elections, and in local politics. This is a stinging indictment of the role of religion in American politics and the injustice of a tyranny by majority.

- **Sam George.** *Play. "Conversations on Diversity."* Mindful that MLK observed that 11 o'clock on Sunday is the most segregated hour in America, this one-act play shows candidate for ministry Bob interacting with six different people not typically seen in large numbers in mainstream churches, including a gay man. Bob's conversations with each of the six demonstrate how church (and society, too, for that matter) is more superficially interested in helping people who seem to be the victims of circumstance, but generally would prefer conformity to their own standards. (docSBG@aol.com)

- **Raja Halwani** of the School of the Art Institute of Chicago has joined with **Tomis Kapitan** of Northern Illinois University to write *The Israeli-Palestinian Conflict: Philosophical Essays on Self-Determination, Terrorism, and the One-State Solution* (Palgrave Macmillan 2008). Halwani wrote two of its four chapters. In one chapter he argues for both the existence and the implementation of the Palestinian refugees' right of return, and in the other he argues that a single, secular state for both Israelis and Palestinians is the only solution that fully satisfies the requirements of morality. Raja is also working on two other projects. The first is an essay on pleasure and the distinction between the virtuous and the continent agent. He tries to show that the distinction cannot be maintained by relying on the idea of who experiences pleasure in acting but by relying on the different structures of the practical reasoning of each type of agent. The second project is an upper-level undergraduate textbook on the philosophy of sex, love, and marriage, to be published in early 2010. (Editor's Note: This book is not directly related to GLBT issues, but Raja has been a good citizen in the APA and Society for Lesbian and Gay Philosophy, and I wanted to mention this project as a matter of rewarding his contributions over the years.) (halwani@saic.edu)

- **Ladelle McWhorter.** *Book. Against the Abnormal.* Del sends in this description of her book, which is nearing completion. "Nine years ago, in the aftermath of Matthew Shepard's murder, I undertook to write a book addressing the question of whether or to what extent LGBT activists might draw on the mid-twentieth-century black civil rights movement in shaping their/our response to anti-LGBT violence and discrimination. As research tends to do, however, mine took some unexpected turns. Nine years later what I have is a Foucaultian genealogy of modern Anglo-American racism that shows how sexual normalization developed within and serves the interests of biopolitical regimes of racialization. My book (slated to appear in early 2009 with Indiana University Press) challenges the prevalent language of 'intersection' of race, gender, class, and sexuality, which language typically narrows attention to identity formation and assumes distinct sources for variously named oppressions. By contrast, I work to show how racism, sexism, heterosexism, and able-ism are not distinct phenomena that at times come together for mutual

reinforcement or cross-fertilization but are, at least in their twentieth-century forms, interlocked products of Scientific Racism and its heir the international eugenics movement. They work together constantly, not merely sometimes, and they are best analyzed as aspects of the same historically emergent regimes of power:

"In the twentieth century, as Foucault remarked in a 1975 lecture series called *Abnormal*, racism becomes a campaign to identify, manage, exploit, and at times eliminate deviance in all its forms in the service of a vision of a biologically progressive human species. My research bears out that claim. The post-Darwinian white supremacy that arose in the late nineteenth century and shaped the twentieth was all about the 'betterment' of the 'human race'. Races deemed 'backward' would (naturally and inevitably) be left behind in the march of biological progress; only those races that had withstood the long test of harsh environmental conditions—those variously called 'Nordic' or 'Anglo-Saxon'—had the biological fortitude to move forward with the march of time. Unless the bleeding-heart socialists had their way, the future human race would, and biologically *must*, be an all-white race. But socialists and communists who wanted to take from the strong and give to the weak were not the only problem. Just as entire breeding populations could fail to contribute to human evolutionary progress, so could individuals within predominantly progressive breeding populations; there could be white (or 'Caucasian' or 'Nordic' or 'Anglo-Saxon') 'throwbacks', 'atavisms', and 'degenerates', individuals who could not or would not contribute to 'race betterment' through responsible reproduction and child-rearing. It was therefore necessary for white (or 'Nordic') supremacist networks of power to develop means of identifying and managing such individuals. It is from the heart of what we now call 'Scientific Racism,' then, that modern regimes of sexual normalization (as well as modern efforts to contain and eliminate various sorts of 'disabilities' and to manage white middle-class women's career and educational choices) emerged. Today's Pro-Family movements are among the many products of the white supremacy of the early twentieth century.

"If my genealogical account of modern racism and sexual normalization is plausible, a way to disrupt racist and heterosexist institutions, discourses, and practices is to place in question the value of 'human progress', 'development', and 'normality'. And, perhaps of more immediate importance, a sure way to *fail* to disrupt those same institutions, discourses, and practices is to claim that out-groups are no threat to human progress at all but in fact really are 'normal' contributors to social and biological development. The widening divide between LGBT politics and antiracist politics since 1993 is in great part due to the desire to claim normality for respective out-groups; insofar as they lay claim to 'normality' within the regimes established a century ago by Scientific Racism, queer white people must distance themselves from 'savages' while straight people of color must distance themselves from 'perverts', and both groups must distance themselves from the mentally and physically disabled. Until we all come to some understanding of the historical dilemma that holds us in its grip, we will not be able to cooperate to oppose the regimes of power that actually oppress us all." (lmcwhort@richmond.edu)

- **Timothy F. Murphy.** *Article. "A.R.T.s + Lesbian + Gay People: When Clinicians Decline to Treat."* As of this writing, a case is pending in the California Supreme court, alleging that physicians wrongfully turned away a lesbian woman from infertility treatment. (A.R.T.s in the title of this article is an abbreviation for assisted reproductive technologies.) I will analyze whether turning homosexual people away—for religious reasons—legitimately falls within the discretion that physicians have to determine whom they see as patients or

whether this amounts to wrongful discrimination. The American Medical Association and the American Society of Reproductive Medicine both have ethical advisories that counsel against turning away patients because of their sexual orientation, but these advisories are not legally binding, unless a jurisdiction has a specific anti-discrimination law in place. I will try to show why holding the view that homosexuality is sinful does not also entail the right to decline patients on the basis of homosexual orientation. (By the time you read this, I will have previewed the article at the Thomasma International Bioethics Retreat, co-sponsored by Cambridge University Press, scheduled for June at the Institut d'étude politiques de Paris, better known as SciencesPo.)

• **Timothy F. Murphy.** *Article.* “**Why No Parent Should Use Assisted Reproductive Technologies to Select against a Gay or Lesbian Child.**” Various commentators have argued that parents should be free as a matter of law to select against gay and lesbian children were there some kind of prenatal test to identify the likely sexual orientation of the child. While that conclusion reflects the conclusions of reproductive liberty, and it is my opinion (and that of virtually every commentator who has written seriously on the topic), it does not follow that people should act on that liberty. I am going to show why parents should not ordinarily take steps to select against an embryo or fetus on the basis of expected homosexual orientation in a child. (tmurphy@uic.edu)

• **Laurie Shrage.** *Article.* “**Does the Government Need to Know Your Sex?**” Should our legal sex status be determined as we now, in most cases, determine legal race or ethnicity—through self-ascription? I will argue that our current practice (assigned sex, determined by birth protocols in hospitals) imposes significant burdens on people whose sex identity may shift in the course of their lives, such as transgender and intersex individuals. Moreover, the scientific and political justifications for the status quo are, in fact, quite weak.

• **Laurie Shrage,** editor. *Anthology.* “**You’ve Changed’: Sex Reassignment and Personal Identity.**” Social activists in various queer and trans communities in the United States and elsewhere are pressing for greater inclusion for gender-variant people. In the wake of greater public awareness of the transgender community and movement, more scholarship is taking place, especially in the areas of medicine, law, history, sociology, and gender and queer studies. The experiences and political aims of transsexuals, intersex individuals, and other transgender or gender-variant people raise a number of issues that warrant philosophical exploration. This volume aims to bring together work by feminist philosophers that examines the epistemological and metaphysical assumptions about self-hood and sex identities that often surface in social policy debates about trans issues. The contributors to this collection are feminist theorists and philosophers who write about gender identity, sexuality, theories of subjectivity, self knowledge, toleration and political recognition, and other related topics. (lshrage@csupomona.edu)

• **William Wilkerson.** *Article.* “**Why Do They Hate Us So Much? Toward a Genealogy of Religious Homophobia.**” This article will examine the most common explanations of religious homophobia (that it comes from the Bible, that it is a reaction formation, etc.) and show that they fail to explain contemporary religious homophobia. By comparing nineteenth-century homophobia and some texts and websites of the Religious Right, I develop an interpretation showing that religious homophobia regards homosexuality as a contagion, and that hatred of homosexuals is really secondary to a virulent fear of the spread of impurity. He will conclude with some comparisons between racist and proto-fascist discourses.

• **Dan C. Williamson.** *Proposal Number 1.* **Howto Theorize a Museum.** A colleague of mine once asked me a simple question: “Why isn’t there a National Museum devoted to the GLBT community?” I didn’t have a good answer. I mentioned some of the local museums that are located all over the U.S., many of them devoted to narrative histories and the like. There is the AIDS quilt. But is there a museum such as one for Native Americans or African Americans? The question raised one of two possibilities: a) begin to work on such a project or b) work at theorizing such a museum. For example, how does one represent identity? That certainly is, by now, a classic question! So if anyone is interested in helping think these matters through, contact me. Or, if there are already discussions underway on this topic, please let me know. (Dan.Williamson@sjsu.edu)

• **Dan C. Williamson.** *Proposal Number 2.* **Discussion Group.** Like many others, I have been trying to think my way into Foucault’s idea of ethics as self-fashioning and as a means of resistance. I don’t see Foucault as rejecting a kind of person who can have an ethics and aesthetics and a meaningful interior life. His theorizing of the subject was not meant to be a metaphysical set of claims so much as genealogical/epistemological reflection on how individuals are shaped by their cultures and discourses. Foucault meant to disrupt the “powers that be,” without destructing all ontological or epistemological boundaries. Even so, his turn to ethics near the end of his life had a “Cartesian residue.” For those of us who find Cartesianism philosophically troublesome, this later turn by Foucault is problematic. Why didn’t Foucault write his later ethics of self-fashioning as also a function of group action as well? (I acknowledge that he did some of that in talking about gay identity as a function of relationships, i.e., The Other; but this was never as fully developed as his thinking on the Stoics and others.) After all, no one lives entirely alone; everyone is engaged in the structure of the “life-world” such that any Cartesian account, including an ethical one, looks hopelessly lopsided. I don’t reject entirely the concept of a self. I couldn’t and remain consistent. But, on the other hand, given the institutions built on discursive practices that normalize regimes, it is inescapable that resistance, too, would have to be embodied in groups as well as selves. The constitution of our subjectedness makes a Cartesian “castle” impossible. (Against this background, the Cartesian heritage of the self appears and acts like a masculinist principle of domination.) This conclusion raises the questions of whether groups can think for themselves the concept of groups? Can an ontology be created discursively, or is this kind of directedness impossible? So, my second proposal is a call to form a group to consider these kinds of issues. It need not meet to be a group but that would probably be nice at some point. I think it would be fascinating to try something like this. Its implications for newer frontiers of GLBT identities could be—dare I say it—revolutionary. Let me know. (Dan.Williamson@sjsu.edu)

SAME-SEX MARRIAGE? COMPARE AND CONTRAST

2003 Margaret A. Somerville (McGill) submitted a brief, “The Case against ‘Same-Sex Marriage,’” to the Standing Committee on Justice and Human Rights. Somerville objects to extending marriage rights to same-sex couples, holding that “society needs marriage to establish cultural meaning, symbolism and moral values around the inherently procreative relationship between a man and a woman, and thereby protect that relationship and

the children who result from it. That is more necessary than in the past, when alternatives to sexual reproduction were not available. Redefining marriage to include same-sex couples would affect its cultural meaning and function and, in doing so, damage its ability and, thereby, society's capacity, to protect the inherently procreative relationship and the children who result from it, whether those children's' future sexual orientation proves to be homosexual or heterosexual." To get to these conclusions, Somerville uses various arguments: that to extend marriage to same-sex couples changes the cultural meaning of marriage and that it would involve an experimentation possibly opening up vulnerable children to undue risk. (This brief may be found at: www.marriageinstitute.ca/images/somerville.pdf)

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2003 Lawrence v. Kansas. U.S. Supreme Court Majority Opinion, striking down as unconstitutional state criminalization of consensual, private, non-commercial sexual relationships between men and between women. This case "does not involve public conduct or prostitution. It does not involve whether the government must give formal recognition to any relationship that homosexual persons seek to enter." **Minority Dissent of Associate Justice Scalia, joined by Associate Justice Thomas and Chief Justice Rehnquist:** "This reasoning leaves on pretty shaky grounds state laws limiting marriage to opposite-sex couples. Justice O'Connor seeks to preserve them by the conclusory statement that 'preserving the traditional institution of marriage' is a legitimate state interest. But 'preserving the traditional institution of marriage' is just a kinder way of describing the State's *moral disapproval* of same-sex couples. Texas's interest in §21.06 [the penal code in question] could be recast in similarly euphemistic terms: 'preserving the traditional sexual mores of our society.' In the jurisprudence Justice O'Connor has seemingly created, judges can validate laws by characterizing them as 'preserving the traditions of society' (good); or invalidate them by characterizing them as 'expressing moral disapproval' (bad)."

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2008 The Supreme Court of California struck down a state ban on same-sex marriages, saying: "We therefore conclude that in view of the substance and significance of the fundamental constitutional right to form a family relationship, the California Constitution properly must be interpreted to guarantee this basic civil right to all Californians, whether gay or heterosexual, and to same-sex couples as well as to opposite-sex couples." Contrary to the contention that civil unions protect that right in all but name, the Court said further, "Under the current statutes, the state has not revised the name of the official family relationship for all couples, but rather has drawn a distinction between the name for the official family relationship of opposite-sex couples (marriage) and that for same-sex couples (domestic partnership). One of the core elements of the right to establish an officially recognized family that is embodied in the California constitutional right to marry is a couple's right to have their family relationship accorded dignity and respect equal to that accorded other officially recognized families, and assigning a different designation for the family relationship of same-sex couples while reserving the historic designation of 'marriage' exclusively for opposite-sex couples poses at least a serious risk of denying the family relationship of same-sex couples such equal dignity and respect. We therefore conclude that although the provisions of the current domestic partnership legislation afford same-sex couples most of the substantive elements embodied in the constitutional right to marry, the current California statutes nonetheless must be viewed as potentially impinging upon a same-sex couple's constitutional right to marry under the California Constitution." (In re Marriage

Cases, S147999, at: <http://www.courtinfo.ca.gov/opinions/documents/S147999.pdf>)

ANNIVERSARY

In a previous issue of the *Newsletter*, our friend Richard Mohr from the University of Illinois at Urbana-Champaign shared a recipe for blueberry pancakes, not just because they were delish and deserved wide word-of-mouth, but because their preparation played a role in the rituals he shared with his partner Bob Switzer; rituals that express and cement their relationship. Now comes word that Richard and Bob spent their thirtieth anniversary (that's right: three - zero), at the Seth Peterson Cottage in Wisconsin this past May. The Cottage was designed by Frank Lloyd Wright, and not only do Richard and Bob have the custom of spending vacations in exotic cabins and cottages around the country, they express and cement their relationship that way too. A decade ago they celebrated their twentieth anniversary at the same Cottage. Many happy returns!

NEWS AND OPINION FROM THE CHRONICLE

From time to time *The Chronicle of Higher Education* runs articles of interest to us as philosophers and as college and university instructors. Here, your editor offers summaries of some of those articles. The full articles are available by searching www.chronicle.com.

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• **"Gay and Christian."** By Eric Hoover, *Chronicle of Higher Education*, April 28, 2006 Vol. 52, issue 34, p. A46. This feature describes how the University of the Cumberland suspended a student after viewing a website on which he featured photographs and declarations of affection for his boyfriend. The university is affiliated with the Southern Baptist Convention and "forbids students from engaging in premarital sex and homosexual acts." In defense of its suspension, the university circulated a long public statement that described the university's stance as "rooted in its religious faith." All students at the university receive a college handbook that spells out a student code which warns that any student "who engages in or promotes sexual behavior not consistent with Christian principles (including sex outside marriage and homosexuality) may be suspended or asked to withdraw." According to the student's lawyer, the university also advised the student that he would receive a failing grade in each of the classes he was taking. The student returned to the university after agreeing not to sue, but he planned to transfer to another institution. According to this article, students have also been dismissed from John Brown University, Union University, and North Central University for similar reasons.

• **"The Ins and Outs of the Closet."** By Ian Houlihan. *Chronicle of Higher Education*. June 23, 2006 Vol. 52, issue 42, page C1. In this feature, a professor at a Catholic university in the northeast writes under a pseudonym to discuss how he discloses his sexual orientation when he does at all. By his own account, he never comes out directly to anyone, but only by indirection. He reports deflecting questions about why he's not

manied with “witty retorts.” Once, he ran into a student at a gay bar and described that event as traumatic. He says: “It’s not that I wished to hide my sexuality from my students or that I would ever lie about it, but I just didn’t see the need to be open about it, especially since there was no one special in my life.” But he did challenge a student who once used the term “gay” in a disparaging way. The student was unsettled by the conversation, and he returned later to ask whether the professor was trying to tell him something. Before answering, Professor “Houlihan” made sure the conversation could not be overheard by others: “Yes, I was,” he said, adding immediately, “Are you OK with it?” He reports having similar indirect conversations with others. He ultimately says, “The truth is that the vast majority of young people could not care less about the sexual orientation of their professors. Those students who are put off by gay faculty members will have to learn tolerance, if not acceptance, if they are to succeed in their professional lives.” Even so, “Houlihan” still worries about coming out, what with all kinds of right wing accusations in the air: “Others might find the idea of a professor being open with students about his sexuality objectionable for its political implications. ‘Our students need to be rescued from the liberals who have taken over the academy’ is a common refrain from such circles.” Professor “Houlihan” goes on to say, however, that “my admission to certain [select] students, however minimal, has made me realize how misguided, and even silly, I had been about wanting to keep my sexuality from my students.” Even so, he functionally remains in the closet because he “never wanted to be ‘the gay professor’, but I especially don’t want to be the shameful one. That is not the kind of person I am, and that is certainly not the kind of teacher I want to be. The closet is a dark, lonely, and, for the most part, unnecessary place, and it’s not a particularly good place to teach.”

Note to Esteemed Readers: Your newsletter editor flipped out like a Mexican jumping bean on a trampoline when reading this “reflection” and wrote to the *Chronicle* to say: “Ins and Outs of the Closet” hit so many tripwires for me that I could not see what justified its publication. First of all, even though the author reports himself to be working at a Catholic institution, he offers no engagement with the complications of being a gay prof at a Catholic school. There are complications, but they all emanate from his psyche; he could have said the exact things he did had he been working at a small non-sectarian college or big public university. Religion doesn’t come into play once. In fact, the worries he expresses bear only on the author’s self-conception. ‘Ian Houlihan’ says he doesn’t want to be known as the ‘gay professor’. Why not? That’s what he is and will always be, unless he changes jobs in which case he will be the gay plumber, gay lawyer, or gay whatever. Lots of gay profs already walk Catholic school campuses, and they don’t evade these issues. Some of them even get past their moral solipsism and try to help gay students and not just worry about the quality of their relationships with a few, hand-picked straight students, but I guess that would be news to ‘Houlihan’. Oh, sure, the prof drops hints here and there to favored students who then put two and two together about his sexuality. But this is not coming out of the closet: this is inviting others to share it with him. And by agreeing to a pseudonym, the *Chronicle* is pretty much playing the game on his terms. Why, I wonder, are whiney stories about closeted professors still interesting to anyone?” In reply, the *Chronicle* defended its action in printing the essay on the grounds that it represents a personal story.

• **“Gay-Rights Activists Urge Ryerson U. to Rescind Honorary Doctorate to Ethicist.”** By Karen Birchard. *Chronicle of Higher Education*, June 30, 2006 (vol. 53, issue 50). Supporters of gay and lesbian rights asked Ryerson University in Toronto to

withdraw an honorary doctorate given to Margaret Somerville, a law professor at McGill University. Somerville supports gay civil unions but not same-sex marriage and she also maintains that a mother and a father are the best people to raise children, not two people of the same sex. The University declined to act on the request.

• **“Yale Hazing Incident Riles Gay and Lesbian Students.”** By Brad Wolverton. *Chronicle of Higher Education*, Feb. 16, 2007 (vol. 53, issue 24). At Yale, members of the tennis team hazed some other male players by dressing them in women’s underwear and asking them to sing “(You Make Me Feel Like) a Natural Woman.” The students also had the words “I’m a faggot” written on them and an arrow drawn down their backs alongside the words “insert here.” Gay and lesbian students complained and met with administrators and wanted coaches to make educational pamphlets about GLBT people available to athletes.

• **“And Now There Are 3”** By Paul Fain. *Chronicle of Higher Education*, Aug. 10, 2007. A report on the number of openly gay college presidents in the United States, said to be three: Sean T. Buffington at the University of the Arts, Charles R. Middleton at Roosevelt University, and Ralph J. Hexter of Hampshire College. Middleton observed that “A ‘Plexiglas ceiling’ has prevented the appointment of more gay presidents. Such barriers may seem out of place in higher education, which has long been at society’s leading edge in encouraging tolerance, diversity, and personal freedom. But while gay and lesbian scholars are taken for granted throughout most of the academy, the presidency is a uniquely politicized position.” Middleton also says it is no accident that all of the openly gay presidents are at private universities, where they are shielded from state politics. Another complicating factor is the social role played by presidential spouses, and a gay partner could be challenging when it comes to playing host at the presidential home.

• **“A Camp of their Own.”** By Paula Wasley. *Chronicle of Higher Education*, Aug. 17, 2007 (vol. 53, issue 49). A report on a non-profit group’s “Campus Pride Summer Leadership Camp,” held last year at Town State University. The group works to train people to help make campuses more hospitable for gay students and to help them. The camp involves team-building exercises and organizational advice, among other things, to help LGBT students shape discussions in their later work environments.

• **“Gay Professors Face Less Discrimination, but Many Still Fight for Benefits.”** By Burton Bollag. *Chronicle of Higher Education*, Sept. 28, 2007 (vol. 54, issue 5, page). This article is a feature on the quest for health insurance for the partners of GLBT faculty members. First introduced in the early 1990s, the number of institutions that offer this benefit is growing, but the exact numbers are not clear. Burton writes: “The stronger the institution, the more likely it is to provide benefits for same-sex partners. Sixty percent of the 125 universities that received the highest ranking in *U.S. News & World Report*’s annual survey provide same-sex-partner benefits, according to the campaign. And more than 80 percent of the magazine’s top-50 institutions do. These colleges are motivated by more than a sense of justice: Increasingly, same-sex-partner benefits are seen as an essential part of recruiting and retaining top faculty members.” Even so, the majority of colleges in the country do not offer these benefits. Whatever the exact numbers, putting these benefits into place is not always politically or legally easy. In Michigan, a case over same-sex partner benefits is before the state Supreme Court. In some states, there are political efforts to ban these benefits outright.