

B IS33

[Autoexilio, exilio político o migración por opción sexual. Norma Mogrovejo. 2002 \(versiones en español e inglés\). Docs.25](#)

Ensayo en el que mediante un testimonio reflexivo, se analizan cuestiones del exilio (autoexilio político) como una alternativa para ejercer la libertad a causa de la disidencia sexual. En el escrito se analizan cuestiones como la ciudadanía ilegal, la migración, homofobia, discriminación por nacionalidad, espacios de libertad para la disidencia sexual, violaciones a los derechos humanos, entre otros aspectos.

Clave expediente B IS33

Fondo I

Volumen

Año de publicación 2002

Año final 2002

Sección temática 2002

Serie geográfica 2002

Sección relacionada

Serie relacionada

Observaciones Documento mecanográfico

Fuente

AUTOEXILIO, EXILIO POLÍTICO O MIGRACIÓN POR OPCIÓN SEXUAL

Norma Mogrovejo

Desde mi experiencia personal quiero compartirles que nací y crecí hasta los 14 años en un pueblo indígena de la sierra peruana, entonces mi familia se mudó a una ciudad más grande, Arequipa. Allí fui parte de la formación del primer grupo feminista en provincia desde donde empezaron mis cuestionamientos hacia mi identidad sexual. El Movimiento Feminista me permitió salir de mi ciudad y contactarme con experiencias y pensamientos del feminismo latinoamericano con los que pude construir una identidad seguramente diferente a la que me hubiera deparado mi pueblo natal. Desde que tomé conciencia de lo importante que era para mí relacionarme con las mujeres, no hubo retorno, así que empecé a buscar en mi ciudad otras lesbianas, sin éxito. Seguramente las que eran o se aceptaban como tales no veían como yo ni siquiera un destello desde donde salir del encierro y la soledad.

El primer Encuentro Lésbico Latinoamericano en 1987 en México me abrió un mundo del que quedé maravillada, más de diez grupos de lesbianas mexicanas, todas muy políticas, se decía que más del 50% de las feministas también lo eran aunque no lo dijieran públicamente, espacios de ambiente diversos, una comunidad que hacía vivible y visible la existencia lésbica junto a una historia de lucha de lesbianas y homosexuales por la conquista de derechos y dignidad. Un mundo años luz al de mi conservadora ciudad. Volver a casa habiendo visto un mundo donde la identidad no heterosexual tenía un lugar no me dejó tranquila, no cabía ninguna duda, tenía que volver a México y darle la oportunidad a mi ser lésbico ya que en mi ciudad no sólo era imposible, no tenía con quién compartir mi emoción o fantasía alguna.

Una beca de maestría posibilitó el viaje. Una vez en México experimenté la libertad de vivirme como lesbiana pero también, de sentirme autoexiliada. Aunque tuviera mucho amor a mis raíces peruanas y a la historia de mi país, y aunque el retorno es aún un fantasma que no deja de rondar mi existencia, no pude volver a sentirme parte de aquella comunidad heterosexual de la cual prácticamente me viví expulsada. Y aunque el Estado peruano no ejerció contra mi persecución policiaca ni tampoco me expulsó oficialmente, ya no podía seguir viviendo en un medio donde la heterosexualidad es la única regla permitida.

Tampoco puedo decir que México es un país absolutamente respetuoso de las diversas identidades, no lo es de sus identidades étnicas, tampoco de las disidencias sexuales, pero lejos de la posible censura de mi familia y de mi comunidad, me siento mucho más libre para vivir, escribir o activar como lesbiana.

Como decía, no todo es color de rosa en México, 13 años después, mi documento legal aún me identifica como "**visitante no inmigrante**", es decir sólo un permiso para trabajar. No ser mexicana, residente o si quiera inmigrante, me implica diversas limitaciones que marcan la odiosa discriminación a los extranjeros, como acceder a becas u obtener ciertos trabajos, me obliga renovar anualmente mi permiso de permanencia en el país y del trabajo, reportar onerosamente cambios de domicilio, cambios de trabajo o de diferentes actividades dentro de él, entradas o salidas del país, debo pagar más impuestos y vivir diariamente la diferencia. En fin, mi auto exilio tiene el costo de una libertad condicional o una ciudadanía de cuarta categoría ya que además, estoy prohibida de participar en actividades políticas bajo amenaza de expulsión del país. Bajo advertencia, no hay engaño. Calculo mis actos y por más que trato de no

cruzar la línea de lo político, no puedo engañarme, el ser humano es político por excelencia y aunque no lo hubiera afirmado Aristóteles, el feminismo reivindica, *lo privado es político* y fiel a los dictados de mi conciencia, desde el activismo defendemos la libertad sexual como libertad política, así, mi compromiso me pone en el filo de la ilegalidad y confieso, ya he experimentado la cárcel migratoria mexicana.

Se preguntarán entonces ¿porqué no busco la nacionalidad? Una extranjera obtiene la nacionalidad mexicana por matrimonio con un mexicano o por decisión del presidente de la república; o la residencia definitiva por haber tenido hijos mexicanos. Entenderán que mi perspectiva de vida no contempla la posibilidad del matrimonio heterosexual o la reproducción, entonces, mi ciudadanía es incompleta por ser mujer y por ser lesbiana.

Porqué no hacer entonces la farsa de un matrimonio ficticio con algún compañero de ruta tal cómo lo han hecho algunas amigas formando parejas perfectas sin ningún conflicto doméstico en años de matrimonio? Porque me he atrevido orgullosamente a aparecer en público como una activista lesbiana y la farsa matrimonial podría implicarme consecuencias legales más duras de las ya experimentadas.

Porque no volver entonces a mi país y atreverme a activar desde casa? Algunas personas me han expresado en tono de reclamo, que es más cómodo ser activista en otro país que en el propio. Salir del closet en sus diversos procesos, el personal, el familiar, el laboral, el barrio, etc. implica no sólo la salida personal, sale con uno/a todo tu entorno, así, al salir del closet públicamente sale también la familia, lo cual puede implicar dependiendo del lugar, represión para la familia y como consecuencia no sólo un riesgo personal. A pesar de todos los temores, he intentado infinidad de veces y

formas retornar a mi país pero el perfil profesional que he ido construyendo en los últimos años como “lesbianóloga” me ha vuelto la espalda de los diversos espacios académicos o gubernamentales, ¿quién o dónde se necesita una lesbianóloga? En el mejor de los casos la expresión ha sido de asombro, sobresalto o mofa. Así pues, he asumido con fatalidad el acercamiento a mi país como *visitante no inmigrante*. Y me sigo preguntando, ¿dónde quedó mi ciudadanía? Soy peruana pero no puedo reinsertarme en mi país, vivo en México pero no cumplo con los requisitos legales, no digamos para la nacionalidad, para una residencia digna, y me sigo preguntando ¿dónde quedó el derecho que me amparan los convenios internacionales por los que toda persona tiene derecho a una nacionalidad? ¿Qué es una nacionalidad en estrictos términos jurídicos y prácticos para mi caso? ¿el derecho a un pasaporte? Un documento que me recuerda diariamente que no soy de aquí, ni soy de allá.

Si bien las leyes del derecho internacional definen a un “refugiado” como un individuo que está imposibilitado de retornar a su país debido a persecución por raza, religión, nacionalidad, o pertenencia a un particular grupo social o de opinión política¹, el asilo es reconocido a personas que sufren persecución por sus propios gobiernos o aquellas personas cuyos gobiernos no son capaces de protegerlos de la persecución de actores no-gubernamentales (escuadrones de la muerte o guerrillas armadas). La persecución incluye asesinato, tortura, violencia sexual, violación, arresto arbitrario, prisión injustificada, golpes, etc. Las causales sólo contemplan evidencias de violencia física, no así, discriminaciones cotidianas

¹ United Nations Convention Relating to the Status of refugees, July 28, 1951, 19 U.S.T. 6259, 189 U.N.T.S. 137; United Nations Protocol Relating to the Status of Refugees, Jan. 31, 1967, 19 U.S.T. 6223, 606 U.N.T.S. 267; Office of the U.N. High Commissioner for Refugees, Handbook on Procedures and Criteria for Determining Refugee Status Under the 1951 Conventional and the 1967 Protocol Relating to the Status of Refugees, U.N. Doc. HCR/IP/4/Eng. Rev. 1 (1988); the United States is a party to the 1967 Protocol and establishes its

sociales, familiares o limitaciones de orden laboral o profesional que pueden afectar el ámbito psicológico, moral o económico. Para quienes el auto exilio es la única alternativa.

El auto exilio, como en mi caso, puede resultar para muchos disidentes sexuales la única vía para ejercer una identidad sexo-genérica, difícil o imposible de profesar en el lugar de origen y la única vía para el acceso a una vida digna. En tanto no hablamos de casos aislados, sino, de un fenómeno social que implica violaciones a derechos humanos, rutas de movilización, transformaciones de estructuras económicas, búsqueda de libertad, entre muchas otras características, se trata de una problemática social a la que podemos denominar "**migración por opción sexual**".

Si bien la migración por opción sexual, como cualquier otro exilio político, implica la búsqueda del ejercicio de la libertad, si no está debidamente oficializada como asilo político y el migrante no tiene la calidad de refugiado, el auto exilio de los disidentes sexuales, seguirá impidiendo el ejercicio de la ciudadanía, aún cuando el ejercicio de su identidad sexo genérica pueda alcanzar mayor libertad que en su lugar de origen.

Para el caso, no importa portar un pasaporte de un país de donde no se reside y marca la permanente diferencia, no importa ejercer el derecho al voto por un gobierno cuyas políticas públicas no son disfrutables para el votante, para el caso, no sirve tener una nacionalidad de la cual no se goza, ni siquiera la multa por no votar me acerca a mi país. Para el caso, sólo se rescatan las raíces arrancadas de un territorio al cual no se puede retornar, herencias históricas que son parte de una identidad que se reivindica

definition of "refugee" in the Refugee Act of 1980 Pub. L. N°96-212,94 Stat.102 (1980) (codified as amended in

más con melancolía que con orgullo.

Seguramente son más duras las experiencias de cientos de LGTB (lesbianas, gays, transgénicos y bisexuales) latinoamericanos que experimentaron una persecución directa debido a las penalizaciones de la homosexualidad o de la persecución policial o social que es cotidiana en los países latinoamericanos. La Comisión Internacional de los Derechos Humanos para Gays y Lesbianas (IGLHRC) en su programa para América Latina ha publicado en su campaña de *alerta en acción* en el período Noviembre 1999 - Noviembre 2000 denuncias a violaciones a derechos humanos por razón de homofobia en ocho países latinoamericanos que incluyen amenazas de muerte; detenciones arbitrarias y asesinatos de activistas; principalmente travestis, propaganda que incita al asesinato de homosexuales, cartas-bomba enviadas a los organizadores de la Marcha del Orgullo, interrupción con violencia de la Marcha del Orgullo por parte de la policía, negación de personería jurídica a organizaciones de activistas, etc.²

En México por ejemplo, aunque la homosexualidad no está penalizada, la "Comisión Ciudadana Contra Crímenes de Odio por Homofobia" ha reportado que

scattered sections of 8 U.S.C.)

²En El Salvador: amenazas de muerte contra el activista gay William Hernández y otras/os integrantes de Entre Amigos.

En Córdoba, Argentina: asesinato de la activista travesti Vanesa Ledesma ocurrido en una comisaría y amenazas contra Vanesa Piedrabuena, la activista que está luchando para que se investigue el asesinato.

En Panamá: negación de personería jurídica a la Asociación Hombres y Mujeres Nuevas de Panamá, la primera organización LG creada en el país.

En Guayaquil, Ecuador: interrupción de la Marcha del Orgullo por parte de la policía, que lanzó gases lacrimógenos contra las personas que iban a marchar.

En Guatemala: asesinato de tres travestis trabajadoras sexuales.

En Curitiba, Brasil: afiches colocados en las calles que incitaban al asesinato de homosexuales.

En Aguascalientes, México: un funcionario prohíbe el ingreso de gays a un balneario público y arrestan a manifestantes que protestaban contra esa prohibición.

En Sao Paulo, Brasil: cartas-bomba enviadas a los organizadores de la Marcha del Orgullo.

En Jamaica: campaña por la derogación de la ley de sodomía y por la inclusión de la orientación sexual entre las categorías protegidas contra la discriminación.

de su investigación hemerográfica de 1995 a 1999, a 190 víctimas asesinadas o ejecutadas por odio homofóbico (179 hombres y 11 mujeres), gran número de ellas, ejecutadas de manera cruel o mediante tortura³. La Comisión Internacional de los Derechos Humanos para Gays y Lesbianas en el 2001 ha documentado en México 275 asesinatos relacionados con la orientación sexual de la víctima, cifra que a decir de la coordinadora para América Latina debe multiplicarse por cinco, "porque mucha gente vive y muere en el clóset", si se quiere tener una verdadera aproximación al tema de la homofobia⁴.

Ante situaciones de riesgo, muchos LGTB se ven obligados a huir y abandonar sus lugares de origen, en busca de espacios de mayor libertad para el ejercicio cotidiano de su identidad sexual disidente. Algunas ciudades como Nueva York, San Francisco, Los Angeles, Miami; en Estados Unidos, Londres, Ámsterdam, París, Madrid, Barcelona; en Europa, Ciudad de México, Sao Paulo, Río de Janeiro, Buenos Aires; en América Latina⁵, entre otras, han logrado espacios urbanos alternativos "de ambiente"⁶ y en algunos casos, derechos civiles en reconocimiento al régimen de pareja. Estas ciudades son puntos de atracción principalmente para el sector LGTB, quienes aspiran llegar a "la tierra de la libertad".

La confrontación de LGTB en una nueva cultura con costumbres sexuales más "abiertas" que las de su lugar de origen, genera transformaciones en su identidad genérica y sexual: la forma de auto concebirse o auto identificarse, de sentir placer,

En Buenos Aires, Argentina: detención arbitraria de la activista travesti Marlene Guayas.

³ Comisión Ciudadana Contra Crímenes de Odio por Homofobia. Boletín de prensa. Reporte de crímenes 1998. Julio 28 de 1999.

⁴ La Jornada, 21 de octubre de 2001.

⁵ Ciudades con altos índices de VIH/SIDA

⁶ Denominación usada por "el ambiente gay"

la variedad de prácticas sexuales, el ejercicio de la seguridad sexual, la forma de relacionarse con su/s pareja sexual/es e incluso su identidad como ciudadano digno de ejercer libremente su sexualidad.

Las transformaciones en la vida cotidiana, en los hábitos y prácticas sexuales, en el libre ejercicio de la identidad sexo genérica, así como en su percepción respecto a su calidad de ciudadano, son ámbitos del conocimiento poco explorados y a pesar de que la migración se ha convertido en tema de preocupación para diversos países, principalmente para Estados Unidos de Norte América y se han promovido investigaciones que permitan una visión amplia de la problemática, el ámbito de las disidencias sexuales en los procesos migratorios es un ámbito aún, oscuro del conocimiento, la información más cercana la encontramos en torno a la migración y el VIH/SIDA que nos aproxima a la problemática⁷ pero no la desentraña.

Los asuntos de la sexualidad son cada vez más importantes dentro del funcionamiento del poder en la sociedad contemporánea. La historia de la sexualidad ha sido una historia de control, oposición y resistencia a los códigos morales. Se encuentran ejemplos de resistencia en el surgimiento de las subculturas y redes de minorías sexuales desde fines del siglo XVII, fundamentales para el surgimiento de identidades homosexuales modernas que en los últimos cien años se han expresado como movimientos de oposición explícita, organizados en

⁷ Sobre la interrelación migración y VIH/SIDA ver:

Bronfman, Mario y otros. SIDA en México. Migración, adolescencia y género, México 1999.

World Health Organization. Weekly Epidemiological Record, Ginebra, año 68, Número 3, 15 de enero de 1993.

US Department of Health and Human Services, Centers for Disease Control. HIV/AIDS Surveillance Report, julio de 1992. Los datos corresponden a los datos reportados de julio de 1990 a junio de 1992. American Immigration Lawyers Association, website feb. 2001.

American Immigration Lawyers Association, website feb. 2001.

Snider, Mike. "AIDS top killer of young adults in 64 cities" en USA Today, 16 de junio de 1993.

CONASIDA, SIDA:Estado del arte en México, Mimeo, México, 1988.

torno a la sexualidad y asuntos sexuales⁸.

La búsqueda de libertad para la disidencia sexual implica principalmente el rechazo a los binarios (gay/hetero, hombre/mujer), que no dan posibilidades a construir identidades diferentes a las establecidas. Las categorías fijas de identidad son la base sobre la que se ejerce la opresión a la vez que la base sobre la que se asienta el poder político de un grupo. En tanto las identidades sexuales son productos históricos y sociales, no naturales ni intrapsíquicos, LGTB buscan referentes colectivos para reestructurar o redefinir sus identidades de ahí su búsqueda por espacios colectivos de aceptación. Melucci y otros sostienen que las identidades colectivas no sólo son necesarias para una acción colectiva exitosa, sino que con frecuencia son un fin en sí mismas. La identidad colectiva, en este modelo, se piensa como "un proceso continuo de recomposición más que de algo dado" y "un aspecto dinámico, un emergente de las acciones colectivas". Las investigaciones sobre etnicidad afirman que la concepción que tienen las personas acerca de su identidad étnica es situacional y pasible de ser cambiada. Así, los límites, las identidades y las culturas se negocian, se definen y se producen.

Nuestra sociedad en constante reformulación tiene la obligación moral de reformular al mismo tiempo sus leyes, reglamentos y modus operandi para ofrecer una convivencia incluyente donde las identidades individuales sean respetadas y sus derechos humanos garantizados, donde la colectividad o los espacios colectivos no sean las únicas garantías a la posibilidad de la disidencia.

que la disidencia sexual no solo sea posible en los grandes metrópolis como la CdM de México D.F.

CONASIDA, página web.

⁸ Weeks, Jeffrey. Sexualidad. Paidós 1998.

... sino también en las zonas rurales y en las ciudades pequeñas.

**Sex, Race and Globalization: Focus Migration
April 5-6, 2002**

PROGRAM ADDENDUM

Panel 5: Gender and Sexual Identity

Nayan Shah, University of California, San Diego

Migrant Governmentality, Sex and Space

This paper explores early twentieth century U.S. liberal rationality-or what Michel Foucault calls "governmentality"-as that rationality was articulated by and through its association with unprecedented human migration. "Migrant governmentality" marks and highlights the centrality of the migrant-as both a discursive and social unit-to the constitution of emerging institutions, discourses, and practices of government. Much critical attention on migrant governmentality has focused on the national and transnational but less on the local and the relationships between localities. I explore this problem by examining the process of race-making through the policing of interracial sodomy and the jurisprudence that developed in a series of court decisions in British Columbia and California in the early 20th century. In these cases, South Asian men were convicted of anally penetrating white adolescents and young men in British Columbia and Northern California from 1910 to 1928. The sodomy arrests and court cases occurred within the context of sexual panics and rising political tensions concerning the settlement of Asian male laborers on the Pacific Coast. Through a close reading of court transcriptions and judicial decisions, this paper probes the use of policing and juridical tactics for producing evidence of sexual activity between South Asian men and white boys and youth. The court testimony reveals the range of methods used to patrol race and sexual crossings and the general suspicion of the activity of Asian men. The Canadian cases showed instances of direct police entrapment while the American cases emerged from a more general racial harassment that led to arrests for sex crimes. All cases demonstrate the authorities' discomfort of intensive social contact between laboring men and boys of all races in rural regions and small towns and an urgency in policing the use of public space, such as streets, wharves, and other locations that working males frequented. In the jurisprudence of sodomy that emerged in California and British Columbia produced racialized gender and age categories to ascertain the commission of crime and culpability. The courts contained and curtailed the effects of these transgressions of race, gender, age and bodily use, by assigning culpability to Asian men and by exonerating the white "boys."

SELF-EXILE, POLITICAL EXILE, OR MIGRATION DUE TO SEXUAL PREFERENCE?

Norma Mogrovejo

I would like to share some of my personal experience. I was born and grew up until the age of 14 in an indigenous town in the Peruvian sierra. Then my family moved to a larger city, Arequipa. There, I took part in forming the first feminist group outside the capital city; it was in that group that I began to question my sexual identity. The Feminist Movement enabled me to travel outside my city and come into contact with Latin American feminist experience and thought, which allowed me to construct an identity surely different from that which awaited me in the town of my birth. Since the time I became aware of how important relationships with other women were to me, there was no turning back, so I began to seek other lesbians in my city—unsuccessfully. Those that were lesbians, or accepted themselves as such, could not see—nor was I able to catch—even a glimmer of how to emerge from our confinement and loneliness.

The First Latin American Lesbian Encounter, held in Mexico, 1987, opened a wondrous new world before me: more than ten groups of Mexican lesbians, all highly political. More than half of the feminists were said to be lesbians, although they wouldn't admit it publicly. There was a variety of lesbian spaces, a community that made lesbian existence visible and livable, along with a history of the lesbian and gay struggle for rights and dignity—a world light years away from my conservative home city. Going home after witnessing a world in which non-heterosexual identity had a place made me restive. There could be no doubt: I had to return to Mexico and give my lesbianism a chance to

1

be, since in my city that was not only impossible, but I had no one with whom to share even emotion or fantasy.

A scholarship to study my master's degree made the trip possible. Once I was in Mexico, I experienced the freedom of living as a lesbian, but also the feeling of self-exile. As much as I loved my Peruvian roots and the history of my country—~~although~~ going back is even now a ghost that haunts my existence—I could not feel part of that heterosexual community from which I felt practically banished. And, though the Peruvian police didn't harass me, ~~and~~ the government expel me officially, I could not go on living in an environment in which heterosexuality was the only rule allowed.

But I cannot say that Mexico is absolutely respectful of diverse identities. It is not so with its ethnic identities, nor with its sexual dissidence. But far away from the possible censure of my family and my community, I feel much freer to live, write, and politick as a lesbian.

As I was saying, not everything is rosy in Mexico. Thirteen years after I arrived, my legal document identified me as a "non-immigrant visitor"—that is, I only had permission to work. ^{but not to undertake any other activity} Not being a Mexican citizen, a resident, or even an immigrant implied several limitations characteristic of the odious discrimination against foreigners. These include restricted access to scholarships and work; obligatory yearly renewal of my visa and work permit; onerous reporting requirements for changes of address, job, or even activities within my work; notifying of every entrance into and exit from the country; paying more taxes—in short, experiencing life differently every day. ^{than Mexicans do} My self-exile carries with it the cost

2

of a highly conditioned freedom, of fourth-class citizenship. To top it off, I am prohibited from participating in political activities under threat of expulsion from the country. As we say in Spanish, those who are forewarned cannot later claim to have been deceived. I calculate my actions very carefully, but as much as I try to avoid crossing the line of politics, I cannot fool myself: human beings are political beings *par excellence*. *And even if* Although Aristoteles would have exhorted otherwise, feminism *also* teaches us that *the private is political* and, faithful to the dictates of conscience, we activists defend sexual freedom as political freedom. My personal commitment thus places me on the edge of illegality, and I confess that I have been in Mexican immigration jail.

You might wonder, then, why haven't I sought to naturalize myself? A foreign woman may obtain Mexican nationality by marrying a Mexican man or by decision of the Mexican president, and permanent residency by having Mexican children. My perspective on life does not include heterosexual matrimony or reproduction; thus, my citizenship is incomplete because I am a woman and because I am a lesbian.

Why not, then, indulge in the farce of a fictitious marriage with some fellow traveller, as some of my lesbian friends have done, forming perfect couples with not a single domestic conflict in years of marriage? Because I have proudly dared to appear in public as a lesbian activist—not to mention the fact that a fake marriage could bring legal consequences even harsher than those I have already experienced.

Why not, then, return to my country and dare to politic at home? Some people have commented to me, in a reproaching tone, that it's more comfortable to be an activist in another country than in one's own. Coming out of the closet, in its diverse processes—personally, with the family, at work, in the neighborhood, etc.—is not only a personal coming out. When one comes out, one's entire surroundings also "come out"; thus, when someone comes out publicly, his or her family also comes out, which could mean (depending on where it happens) repression against the family, and, consequently, not merely personal risk. In spite of all the fear, I have attempted at infinite times and in infinite ways to return to my country. But the professional profile I have been building up over the last few years as a "lesbianologist" has caused several academic and governmental spaces to turn their backs on me. Who or where needs a lesbianologist? In the best of cases, people are astonished, startled, or derisive. So, then, with a certain fatality I have approached my own country as a *non-immigrant visitor*. And I keep wondering, where *is* my citizenship? I am Peruvian, but I cannot reinsert myself into my country. I live in Mexico, but I do not fulfill the legal requirements for even dignified residency, much less nationality. What does nationality mean in both strictly juridical and in practical terms in my case? The right to a passport? A passport is a daily reminder that I am neither from here, nor from there.

Although international law defines a "refugee" as an individual that is prevented from returning to his or her country due to persecution for reasons of

race, religion, nationality, or belonging to a particular social or political group,¹ asylum may be granted to those persons whose governments are not capable of protecting them from persecution by non-governmental actors (including death squads or armed guerrilla groups). "Persecution" includes murder, torture, sexual violence, rape, arbitrary arrest, unjustified prison, beatings, etc. But these grounds for asylum take into account only evidence of physical violence, not daily social and family discrimination or limits on professional and work life that affect the psychological, moral, and economic spheres.

As in my case, self-exile is the only way many sexual dissidents can exercise their sexual-gender identity, which is difficult or impossible to profess in one's place of origin; it is the only way many have access to a dignified life. I am not talking about isolated cases, but a social phenomenon that implies human rights violations, paths to social mobilization, transformation of economic structures, and a quest for freedom, among many other characteristics—in other words, a social problem we might call "migration because of sexual preference".

Migration due to sexual preference, as with any other type of political exile, implies a search for freedom. However, as long as such migration is not legally recognized as political asylum, and the migrant isn't granted refugee status, sexual dissidents' self-exile will continue to prevent them from exercising

¹ United Nations Convention Relating to the Status of Refugees, July 28, 1951, 19 U.S.T. 6259, 189 U.N.T.S. 137; United Nations Protocol Relating to the Status of Refugees, January 31, 1967, 19 U.S.T. 6223, 606 U.N.T.S. 267; Office of the High Commissioner for Refugees, Handbook on Procedures and Criteria for Determining Refugee Status Under the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees, U.N. Doc HCR/IP/4/Eng. Rev. 1 (1988). The United States is a party to the 1967 Protocol and establishes its definition of "refugee" in the Refugee Act of 1980, Pub. L. Na96-212, 94 Stat. 102 (1980) (codified as amended in scattered sections of 8 U.S.C.).

do
citizenship—even though they may express their sexual and gender identity more freely than in their place of origin.

For those who migrate because of sexual preference, carrying a passport from a country in which we no longer reside—a passport that marks permanent difference—matters little. Voting for a government matters little when we can't enjoy the benefits of its public policy. Nor does having a nationality matter much; not even the fine for failing to vote draws me closer to my country. Those who migrate because of sexual preference can only salvage roots torn from a soil to which they cannot return, a historical heritage we vindicate with melancholy more than pride.

LGBTB
(LGBTB)
Surely the experiences of hundreds of Latin American lesbians, gays, trans-genders, and bisexuals who experience direct persecution are harsher, whether due to penalization of homosexuality, police harassment, or the social persecution that occurs daily in Latin American countries. The International Commission on Gay and Lesbian Human Rights, as part of its *action alert* campaign in Latin America, published denunciations of homophobic human rights violations in eight Latin American countries. These violations include death threats; arbitrary detainment; murders of activists, mostly transvestites; propaganda calling for the murder of homosexuals; letter bombs sent to organizers of the Gay Pride March; violent disruptions of the Gay Pride march on the part of police; and denial of legal standing to activist organizations, and others.²

² - In El Salvador, death threats against gay activist William Hernandez and other members of "Among Friends" (*Entre Amigos*).

In Mexico, for example, although homosexuality is not penalized, the "Citizen Commission Against Hate Crimes and Homophobia" has reported that, according to research based on news articles from 1995 to 1999, homophobic hatred claimed 190 victims (179 men and 11 women), many executed cruelly or tortured to death. In 2001, The International Commission on Gay and Lesbian Human Rights documented 275 murders related to the victims' sexual orientation in Mexico. According to the Commission's Latin American coordinator, to get a true idea of homophobia in the country, we should multiply that figure by five "because many people live and die in the closet."³

Faced with high-risk situations, many lesbians, gays, trans-genders and bisexuals are forced to flee, abandoning their places of origin to search for greater freedom in which to live their identities as sexual dissidents. Some cities (such as New York, San Francisco, Los Angeles, and Miami, in the United States; London, Amsterdam, Paris, Madrid, and Barcelona, in Europe; Mexico City, Sao Paulo, Rio de Janeiro, and Buenos Aires, in Latin America, among

-
- In Cordoba, Argentina, murder of transvestite activist Vanesa Ledesma, which took place in a police station, and threats against Vanesa Piedrabuena, an activist demanding investigation of the murder.
 - In Panama, denial of legal status to the Association of New Men and Women of Panama, the first lesbian and gay organization in the country.
 - In Guayaquil, Ecuador, disruption of the Gay Pride March by the police, which tear-gassed those about to march.
 - In Guatemala, murder of three transvestite sex industry workers.
 - In Curitiba, Brasil, flyers posted in the streets that contained incitements to murder homosexuals.
 - In Aguascalientes, Mexico, an official prohibited gays from entering a public bath and arrested demonstrators who protested against the prohibition.
 - In Sao Paulo, Brasil, letter bombs sent to Pride March organizers.
 - In Jamaica, a campaign to derogate sodomy laws and include sexual orientation in the categories protected from discrimination.
 - In Buenos Aires, Argentina, arbitrary arrest of transvestite activist Marlene Guayas.
- ³ *La Jornada*, October 21, 2001.

7

others) have managed to create alternative gay "environements".⁴ In some cases, they have granted legal recognition to domestic partnerships. These cities especially attract gays, lesbians, trans-genders and lesbians, who aspire to live in the "land of the free."

Confrontation of gays, lesbians, trans-genders, and bisexuals with a sexually more "open" society transforms their gender and sexual identity: the way in which we conceive of and identity ourselves, how we feel pleasure, the variety of sexual practices, having safe sex, how we relate to sexual partners, even our identity as citizens with the right to exercise our sexuality freely.

These transformations of daily life—in our sexual habits and practices, in the free expression of sexual and gender identity, in our perceptions of citizenship—constitute a little explored sphere of knowledge, in spite of the fact that migration has become a matter of concern particularly to the United States. Although there is some research that affords a broad perspective on the problem, knowledge of sexual dissidence and migration is still dim. Information on the spread of HIV/AIDS through migration allows us to penetrate into the mystery, but not to disentangle it altogether.⁵

Issues of sexuality are increasingly important in examining how power works in contemporary society. The history of sexuality has been a history of

⁴ In Mexican slang, the qualifier "de ambiente" refers to gay and lesbian life, organizations, people, nightclubs, etc.

⁵ For information on migration and HIV/AIDS, see Bronfman, Mario, *SIDA en México. Migración, adolescencia y género*, Mexico, 1999; World Health Organization, *Weekly Epidemiological Record*, Geneva, Year 68, No. 3, January 15, 1993; U.S. Department of Health and Human Services, Centers for Disease Control, *HIV/AIDS Surveillance Report*, July, 1992 (with data from July, 1990 – June, 1992); American Immigration Lawyers, Web site, February, 2001; Snider, Mike, "AIDS Top Killer of Young Adults in 64 Cities", *USA Today*, June 16, 1993; CONSIDA, *SIDA: Estado del arte en México*, mimeographed, Mexico, 1988; CONASIDA, Web page.

control, opposition and resistance to moral codes. Examples of this resistance may be found in subcultures and networks of sexual minorities since the end of the Seventeenth Century. These networks played a fundamental role in the rise of modern homosexual identities, expressed explicitly over the past hundred years as opposition movements organized around sexuality and sexual matters.⁶

The search for freedom to express sexual dissidence means principally rejecting binary oppositions (gay/hetero, men/women), which make it impossible to construct identities different from those already established. Fixed categories of identity are the basis upon which oppression is exercised and, simultaneously, the basis upon which political power rests. Given that sexual identities are social and historical products, and not natural or intra-psychological, lesbians, gays, trans-genders and bisexuals will search for collective referents to restructure and redefine their identities; hence, their search for collective spaces of acceptance. Melucci and others sustain that collective identities are not only necessary for sexual collective action, but are also frequently an end in themselves. Collective identity, in this model, is thought of as a "continual process of recomposition more than a given" and "a dynamic aspect, an emerging of collective action." Research on ethnicity affirms that people's conception of their own ethnic identities is situational and subject to change. Thus, limits, identities, and cultures are negotiated, defined, and produced.

Our society constantly reformulates itself; at the same time, it is morally obligated to reformulate its laws, regulations, and *modus operandi* to offer an inclusive co-existence in which individual identities are respected and human

⁶ Weeks, Jeffrey, *Sexualidad*, Paidós, 1998.

rights ^{perennial} guaranteed. Collectivities and collective spaces should not be the sole

guarantees for the possibility of dissidence. *That is, sexual dissidence should be possible, and enjoy guarantees, not only in the great metropolises such as Mexico City or New York, but also in Arriquite, ^{Tuscan} or any indigenous village.*

Norma Mogrovejo
University of Mexico City

March 15, 2002

Dear Norma Mogrovejo:

It is with pleasure that I invite you to participate in our Sex, Race and Migration Conference. The conference takes place on April 5th and 6th in Tucson, Arizona. The University of Arizona and the Rockefeller Foundation will be co-sponsoring the event in relationship to the Sex, Race and Globalization Project at the University of Arizona.

We are very excited to be able to sponsor so many international scholars in order to discuss the state of migration in the age of globalization and we look forward to your participation in this conference.

Sincerely,

Miranda Joseph, coordinator

Dear Norma Mogrovejo,

Thank you for applying for our Rockefeller Fellowship in Sex, Race and Globalization. The decision making process is underway and I expect to be able to inform you of our decision within a couple of weeks. Meanwhile, I am writing for another purpose. I would like to invite you to participate in a conference that will take place here at the University of Arizona, April 5-6, 2002. The conference is part of the ongoing Sex, Race and Globalization Project. The focus of the conference this year is Migration. A full description of the theme and goals of the conference is included below.

This conference will be a small working conference -- we expect to bring in approximately 12 participants from across North America and there will be approximately the same number of local scholars and activists participating. It will not be widely advertised as the purpose is to have all of those present actively engaged in a creative discussion throughout the 2 days. We are asking all participants draw on their own work to address the questions posed in the statement below and not merely to present their conference paper of the moment.

I very much hope you will be able to participate as I believe you would bring crucial expertise and perspective to our discussions. I can pay you \$250 for your participation and, of course, we will cover all travel expenses. Feel free to contact me for any additional information you might want.

Best wishes,

Miranda Joseph
Coordinator, Committee on LGBT Studies
Director, Sex, Race and Globalization Project
Associate Professor, Women's Studies

SEX, RACE, AND GLOBALIZATION
FOCUS: MIGRATION

The migration of peoples is one of the central social, economic, and political processes shaping the contemporary world. Though migration is motivated by a range of causes -- for instance, the need for economic survival and political pressures such as war and persecution -- the regulation, experience, and outcomes of migration are centrally determined by regimes of gender, sexuality, and race. However, even as migrations presuppose and reiterate gendered, racial and sexual formations, they also function to transform them.

Hi all -- Here, once again, is the statement describing the theme of the conference. Best, Miranda
SEX, RACE, AND GLOBALIZATION
FOCUS: MIGRATION

The migration of peoples is one of the central social, economic, and political processes shaping the contemporary world. Though migration is motivated by a range of causes -- for instance, the need for economic survival and political pressures such as war and persecution -- the regulation, experience, and outcomes of migration are centrally determined by regimes of gender, sexuality, and race. However, even as migrations presuppose and reiterate gendered, racial and sexual formations, they also function to transform them.

This conference seeks to develop our understanding of migration in several ways. First, we will assume that sexuality, gender and race are essential frameworks for making sense of migration (and we note that sexuality in particular has been relatively neglected in contemporary scholarship on migration). Second, we hope through this conference to generate modes of interdisciplinary inquiry that can bridge the divide between macro-level structural processes, most often studied by social scientists, and micro-level cultural processes, most often studied by humanities scholars. And, third, the complexities and variations in the causes and sites of migration demand that we distinguish different forms of movement such as diaspora, refuge, exile, asylum, displacement, seasonal labor, or indeed, tourism. Keeping such distinctions in mind, this conference will seek to move beyond the focus on immigration to first world countries that currently dominates the academic literature, including in our discussions attention to migrations and refugee populations that challenge or do not fit within this paradigm.

With these broad parameters in view, we invite participants to address questions such as the following: How does the regulation of migration managed through the trans- and sub-national juridical apparatuses of states, also regulate, manage, and transform identity formations organized through gender, sexuality and race? What lines of analytic symmetry and divergence can we draw through a comparative view of diverse forms of migration? In what ways do structural transformations in global capitalism harness or challenge normative regimes of desire through the movement of people? How is the relation between desire and need understood within and transformed by practices of migration? How are notions of kinship ruptured, realigned, or retrenched through migration? As people move across geographic spaces, how do varied idioms, practices, and constructions of sexuality circulate within and across economic, political, and cultural domains at a variety of scales? How might we specify the relations between these domains with regard to migration? How can a reassessment of historical patterns of migration inform our analysis today?

This conference is motivated by a commitment to providing ways of thinking about migration that can intervene in processes of domination and exploitation. Since the possibilities for redressing the

Hi all -- Just wanted to touch base with you about the logistics for the conference. All of you who are flying in will be picked up at the airport, offered dinner by whoever is picking you up, and taken to your hotel.

The conference starts at 9am friday morning and is walking distance from the hotel. Someone will show up at the hotel at 8:30 to walk you over to the conference site. So those of you staying in the hotel please do be downstairs and ready to go at 8:30am on friday morning.

Those of you who are local or who are staying with friends here, please make your way to the conference site by 9am. The conference is taking place in the Special Collections Conference Room of the Main Library on campus. (Enter Special Collections from the plaza in front of the main entrance to the Library.) Coffee and pastries will be provided.

For those of you driving onto campus, there is a visitor parking lot on Cherry Ave right next to the library. (for those entering from Speedway, just go south on cherry. Those entering from 6th, cherry doesn't go through but take the street immediately east of the stadium and drive around the stadium and all becomes obvious.)

If you have any questions about any of this, please let me know. And remember, there is a dinner for conference participants at Radhika Mongia's house on friday night and a dinner/party open to all at my house on saturday (feel free to bring your partners, friends etc).

Looking forward, Miranda

Sex, Health, and the Migrant Body

3:30-5:30 Panel 3: Labor and Geographies of Migration

moderator: Laura Tabili, University of Arizona

Rhacel Parreñas, University of Wisconsin, Madison

The Care Crisis in the Philippines: Children and Transnational Families in the New Global Economy

Geraldine Pratt, University of British Columbia

Family Values, Leaky Bodies, and Double Standards: Filipina Domestic Workers in Vancouver
Canada

Jude Fernando, Arizona International College

Politics of Sustainable Development in the Shadow of Capital: Lessons from Micro-credit and
Empowerment of Women

Saturday, April 6th

9:30 Coffee and Pastries

10-Noon Panel 4: Border Crossing

moderator: Arturo González, University of Arizona

Guadalupe Castillo, Pima Community College

Women at the Border

Raquel Rubio-Goldsmith, University of Arizona

The Arizona/Sonora Border: Impunity Zone

Eithne Luibheid

The 1875 Page Law: A Blueprint for the Sexual Regulation of Immigration

Noon-1 Lunch provided

1-3 Panel 5: Gender and Sexual Identity

moderator: Rosalía Solorzano, Pima Community College