

Chapter 1

Introduction: Sexuality as a Contested Political Domain in the Middle East

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In September 2007, Iranian president Ahmadinejad delivered a speech at Columbia University in New York that made headlines worldwide. Ahmadinejad stated, ‘In Iran, we don’t have homosexuals like in your country. We don’t have that in our country,’ claiming there are no homosexuals in Iran. Ahmadinejad’s denial of homosexuals in Iran, which drew both ridicule and protests from around the world, was not a statement of personal conviction or manipulation but a political one, reflecting the stand of the majority of Middle Eastern governments on sexual freedom and rights.

Over the last couple of decades in various Middle Eastern countries, as is the case in a number of African and Asian countries, homosexuality has increasingly been constructed as a ‘Western’ practice that is ‘imported’ from the West, which threatens the social and moral order, although there is extensive evidence of sexual relations between people of the same sex, and of transgender cultures, throughout these countries, even if the way these practices and cultures are labeled and understood varies from place to place, and may well differ from Western lesbian, gay, bisexual and transgender (LGBT) identities and cultures.¹ Ironically, centuries ago, claims were made in the West that homosexuality was an Oriental or Muslim vice.²

Sexuality and gender equality, matters that are inextricably linked, have been highly politicized issues in almost all Middle Eastern nations ever since reforms towards modernization and/or Westernization were initiated in the nineteenth century. Although a general consensus on the need for modernization efforts in the technical, administrative and economic domains has been remarkably visible even among antagonistic political actors and movements, reforms targeting gender relations and the private sphere have remained notably controversial.³ While

1 Sylvia Tamale, ‘Out of the Closet: Unveiling Sexuality Discourses in Uganda,’ *Feminist Africa*, 2 (2003), <<http://www.feministafrica.org/fa%202/02-2003/sp-tamale.html>>; and Ruth Morgan and Saskia Wieringa, *Tommy Boys, Lesbian Men and Ancestral Wives: Female Same-sex Practices in Africa* (South Africa: Jacana Media, 2004).

2 Douglas Sanders, ‘Flying the Rainbow Flag in Asia’ (paper presented at the Conference on Sexualities, Genders and Rights in Asia, Bangkok, July 7–9, 2005), <<http://bangkok2005.anu.edu.au/papers/Sanders.pdf>>.

3 On controversial aspects of gender reforms in Muslim societies, see John L. Esposito, ‘Introduction: Women in Islam and Muslim Societies,’ in *Islam, Gender and Social Change*, ed. Yvonne Yazbeck Haddad and John L. Esposito (New York: Oxford University Press, 1998); and Nikki R. Keddie, ‘Introduction: Deciphering Middle Eastern Women,’ in *Women*

modernists have in general argued for gender equality and, to a degree, for sexual liberation, traditionalists/Islamic conservatives have subsequently and deliberately attempted to exert their control on issues related to sexuality, struggling to preserve their interpretation of their respective society's 'religious and moral values,' and to maintain, or in some cases regain their dominance especially in the private sphere, namely, regarding the status of women in the family and the regulation of sexual behavior.

The Middle East shows a great degree of diversity in the formulation of legal codes and their application to women's everyday lives, as is also the case in the rest of the Muslim world. The scope of the legal reforms that have redefined gender relations varies greatly between countries. While in Turkey, for instance, modernization included the adoption of Western legal codes and aimed at complete secularization, most Gulf countries preserved their interpretation of Islamic legal jurisprudence as the fundamental law in all juridical areas. It is striking that most other nations in the region abandoned Islamic jurisprudence but retained an 'Islamic' interpretation of the 'personal status law,' which includes mainly the laws on family (that is, the private sphere and the status of women), but with certain reforms, as in Egypt or Iran during the shah's reign. The reforms in Turkey were the most comprehensive, followed by those in Tunisia, and in Marxist Yemen, Syria, and Iraq.⁴

Despite the positive impact of all modern legal, educational and economic reforms on the position of women and the growing strength of feminist movements, the majority of women living in the region have not benefited from the opportunities created. In terms of the Gender Empowerment Measure (GEM), introduced by UNDP, the Arab region ranks lower than any region except sub-Saharan Africa. Arab countries have the lowest rate of women's participation in the workforce and the lowest rate of representation in parliaments. More than half of Arab women are illiterate.⁵ The situation in Turkey, a non-Arab country in the region, is no different from its Arab neighbors. Turkey ranks 92nd out of 177 countries in the Gender Empowerment Measure of the Human Development Report for 2006.⁶

In this picture, the collective mechanisms aimed at controlling women's bodies and sexuality continue to be one of the most powerful tools of patriarchal management of women's sexuality, and a root cause of gender inequality in the region.

In the last decades, issues related to sexuality and women's bodies have increasingly become sites of political contestation in the Middle East due to the contradictory impacts of socio-economic and political developments. The rise of the

in Middle Eastern History, ed. Nikki R. Keddie and Beth Baron (New Haven: Yale University Press, 1992).

4 Valentine M. Moghadam, *Modernizing Women: Gender and Social Change in the Middle East* (Boulder: Lynne Rienner Publishers, 1993); John L. Esposito, 'Introduction: Women in Islam and Muslim Societies,' in Haddad and Esposito, *Islam, Gender and Social Change*, ix–xxviii; and Nikki R. Keddie, 'Introduction: Deciphering Middle Eastern Women's History,' in Keddie and Baron, *Women in Middle Eastern History*, 1–22.

5 United Nations Development Program, *The Arab Human Development Report 2002* (New York: UNDP, 2002).

6 United Nations Development Program, *Human Development Report 2006* (New York: UNDP, 2006).

Islamic religious right and the increasing mass support for religious right ideologies, which has recently gained new dimensions due to increased militarization and new wars in the region, including the US occupation of Iraq and the Israeli attack on Lebanon in 2006, has tightened the existing space for liberal reforms, including those concerning sexuality. On the other hand, the rise of new feminist and civil movements, globalization, the increasing influence of a global human rights discourse, and changing socio-economic conditions affecting population patterns have led to the emergence of new discourses, demands and patterns regarding sexual behavior, and a growing push for change from below.

Since the beginning of the 1990s, an increasing number of NGOs in the region have started advocating for sexual and bodily rights, on issues including the eradication of customary practices such as honor killings,⁷ female genital mutilation (FGM) and forced virginity tests; sexuality education; penal code reforms to ensure legal recognition of women's sexual autonomy; and the human rights of LGBT persons.

Recently, sexual politics in the Middle East and customary practices such as honor crimes, FGM, or the stoning of adulterers have increasingly drawn media, academic and political attention in the West. The post-9/11 context has contributed significantly to the erroneous portrayal of such practices as Islamic, or as resulting from the conservative culture of the 'other,' that is Muslim. It is strikingly paradoxical that such practices are regarded as 'Islamic' in the West, considering that they have in fact come to the international agenda as a result of successful campaigns by Muslim feminist or LGBT movements, struggling to raise public consciousness that these practices are not only blatant human rights violations, but are also in contradiction with the essence of Islam.

The post-9/11 context has also increased the dilemmas faced by activists, scholars and health professionals advocating for human rights issues related to sexuality in Muslim societies, such as the eradication of customary practices, promotion of women's autonomy over their bodies, and recognition of different sexual identities. While on the one hand globalization has created an environment where international networking for human rights has gained importance, on the other, many feel that international engagement in the promotion of these rights ironically serves to exacerbate existing stereotypes both about the women living in the region – as suppressed, passive or unable to defend their rights – and about the region as a whole – as backward, static, and having a culture that is irreconcilable with 'Western values.'

The tendency in the West to view Islam and so-called Muslim culture as the sole parameters that determine sexual politics in Muslim societies, and the portrayal of the sexuality of Muslims as the 'other' remains strong and pervasive. For example, it is striking that although the Bush administration and its Christian conservative allies, including the Holy See, Poland, Malta and Ireland in the European Union, as well as certain Latin American countries attack issues such as sexual autonomy, sexual orientation, and the right to safe abortion at the national, regional or international levels, conservative and religious right politics on issues of sexuality tend to be

7 Honor killing is a term used for the murder of a woman suspected of having transgressed 'acceptable' sexual behavior as defined and imposed according to tradition – specifically engaging in a pre-marital heterosexual relationship or suspected extra-marital affairs.

primarily and often exclusively associated with Islam, rather than with right-wing conservative ideologies.

A recent article by Norris and Inglehart, published in *Foreign Policy*, goes so far as to argue that the basic cultural fault line that divides the West and Islam concerns issues of sexual liberalization and gender equality, and not, as Samuel Huntington asserts in his popular thesis on ‘the clash of civilizations,’ political values.⁸ Norris and Inglehart conclude that ‘the cultural gulf separating Islam from the West involves Eros far more than Demos.’⁹ An editorial in *Middle East Report* responding to Norris and Inglehart’s article declares that their conclusions serve to obscure ‘the endlessly bitter battles that rage within the US’ over gay marriages and abortion.¹⁰ As Radhika Coomaraswamy, the United Nation’s Special Rapporteur on Violence against Women notes:

The fight to eradicate certain cultural practices that are violent to women is often made difficult by what may be termed ‘the arrogant gaze’ of the outsider. Many societies feel that the campaign to fight cultural practices is often undertaken in a way as to make the third world appear as the primitive ‘other,’ denying dignity and respect towards its people... This ‘arrogant gaze,’ many feel, has increased since 11 September.¹¹

Contrary to the prevalent view in the West, in recent decades, there has been a surge of scholarly interest and activism in the Middle East and North Africa around issues related to sexuality. For instance, a mere two weeks after 9/11, a conference was held in Istanbul with academicians and representatives of prominent women’s NGOs involved in advocacy and lobbying on issues related to women and sexuality in the region.¹² The meeting aimed at an analysis of women’s human rights issues related to sexuality, power, and gender roles. While many meetings in the region and around the world were cancelled for fear of further attacks and possible military escalation after 9/11, the great majority of invited participants were adamant that the meeting should not be postponed despite the atmosphere of threat and insecurity, underlining the significance of sexuality as a political issue for women activists in the region.

8 Pippa Norris and Ronald Inglehart, ‘The True Clash of Civilizations,’ *Foreign Policy*, 135 (March–April 2003): 63–70. For Huntington’s thesis on ‘the clash of civilizations,’ see Samuel Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York: Simon and Schuster, 1996).

9 Pippa Norris and Ronald Inglehart, ‘Islam & the West: Testing the ‘Clash of Civilizations’ Thesis’ (working paper, John F. Kennedy School of Government, Harvard University Faculty Research Working Papers Series, 2002).

10 ‘Editorial,’ *Middle East Report*, 230 (Spring 2004): 46.

11 Radhika Coomaraswamy, *Integration of the Human Rights of Women and the Gender Perspective: Violence against Women* (report to United Nations by the UN Special Rapporteur on Violence against Women, Doc. E/CN.4/2003/75. Geneva: Commission on Human Rights, 2003).

12 The meeting ‘Women, Sexuality and Social Change in the Mediterranean,’ was organized by Women for Women’s Human Rights (WWHR)–NEW WAYS, and held in Istanbul between 23–27 September 2001. The participants included NGO representatives and academicians from Algeria, Egypt, Lebanon, Morocco, Pakistan, Palestine, Syria, Tunisia, Turkey, Yemen, and the UN.

This was also reflected in a press statement issued at the end of the meeting, emphasizing the link between sexuality and political power:

Sexuality is not only a private issue, but it is also linked to systems of power politics and domination in society. The means to control sexuality are institutionalized not only in cultural and social norms and customs, but also in legislation and the administration of justice. For instance, various legal systems sanction crimes committed against women, such as early and forced marriage, virginity tests, discriminatory divorce laws, female genital mutilation, or murders committed in the name of family honor... During periods of militarization and war, oppression of sexuality is exacerbated because such systems promote rigid notions of masculinity and femininity and perpetuate a culture of aggression and intolerance.¹³

The solidarity network Coalition for Sexual and Bodily Rights in Muslim Societies (CSBR) that emerged in the aftermath of the Istanbul meeting has expanded to include more than 60 leading women's and human rights NGOs and academics in the Middle East, North Africa and South/Southeast Asia since 2001, aiming to break taboos on sexualities and sexual rights in the Muslim world.¹⁴

Sexuality as a Contested Political Domain in the Global Arena

The notion of 'sexual rights' first appeared on the international agenda during preparations for the 1994 United Nations International Conference on Population and Development (ICPD) held in Cairo. Put forth by advocates from the international women's health movement, the term was ultimately not incorporated into the final consensus document of the conference, the ICPD Program of Action, as reaching a consensus on the term 'reproductive rights' proved challenging enough; however, the document did include several allusions to sexual rights.¹⁵ A year later, 'sexual rights' became a topic of major debate at the Fourth World Conference on Women held in Beijing in 1995, where an alliance of conservative Muslim and Catholic delegations strongly objected to its use. Issues of sexuality – especially sexual orientation, women's control of their bodies, and abortion – were the most controversial issues at the Beijing conference. Barbara Klugman, a participant at both conferences, identifies several key factors that influenced delegates' positions on the concept of sexual rights: the relative openness of their constituency to public discourse on

13 'Press statement,' 30 September 2001, <http://www.wwhr.org/meetings_conf_workshops.php> (accessed 26 October 2007).

14 For more information on the activities of the network, see Liz Erçevik Amado, *Sexual and Bodily Rights as Human Rights in the Middle East and North Africa: A Workshop Report* (Istanbul: WWHR–NEW WAYS, 2004); and WWHR–NEW WAYS, 'The Coalition for Sexual and Bodily Rights in Muslim Societies,' <<http://www.wwhr.org/csbr.php>> (accessed 26 October 2007).

15 Barbara Klugman, 'Sexual Rights in Southern Africa: A Beijing Discourse or a Strategic Necessity?' *Health and Human Rights*, 4, 2 (2000): 145–73; and Sonia Correa, 'From Reproductive Health to Sexual Rights: Achievements and Future Challenges,' *Reproductive Health Matters*, 5, 10 (November 1997): 107–16.

sexuality; the impact of religion on women's ability to make independent decisions regarding their sexual and reproductive lives; and the perceived importance of sexual rights as a development priority within their society and the prevailing social attitude towards discrimination based on sexual orientation. As well, many representatives from various organizations and nations were concerned that inclusion of 'sexual rights' in the text would mean the creation of new rights at the UN level.¹⁶

Despite fierce opposition from conservative forces to the inclusion of 'sexual rights,' a global alliance of women from all religious and cultural backgrounds succeeded in the inclusion of paragraph 96 in the Beijing Platform for Action: 'The human rights of women include their right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence.'

The Vatican and conservative Muslim and Catholic states, backed by some African and Latin American countries, have continued to oppose inclusion of diverse sexual rights in UN documents since the Beijing Conference. Several subsequent UN events – the Beijing+5 conference in 2000, the UN General Assembly Special Session on HIV/AIDS in 2001, the UN Special Session on Children in 2002, the Fifth Asian and Pacific Population Conference in 2002, the 59th and 60th Sessions of the UN Human Rights Commission held in 2003 and 2004 and the 10-year review and appraisal of the Beijing Platform for Action by the 49th session of the UN Commission on the Status of Women (CSW) held in March 2005 – witnessed ferocious battles over issues of sexual rights, sex education, abortion, and sexual orientation.

The battle-lines dividing the delegations on issues related to sexuality have displayed oscillating patterns over the years. The existence of strong national women's movements and the influence of effective lobbying of official delegations by national NGOs play a critical role in changing the attitudes of particular states. For example, at the Beijing+5 Conference in 2000, as a result of the powerful and effective pressure of women's groups, Turkey, a country with a predominantly Muslim population, became a proponent of sexual rights for the first time and played a key role in the inclusion of marital rape, honor crimes and forced marriages in the outcome document.¹⁷ This was the first time honor crimes and forced marriages were addressed in an international consensus document.¹⁸ Moreover, for the first time in its history, Turkey supported language on sexual orientation, that is the inclusion of sexual orientation in the list of barriers women encounter in enjoying their human rights, along with European countries, the US, Canada, New Zealand, Japan, South Africa, and Cuba.

16 Barbara Klugman, 'Sexual Rights in Southern Africa.' Klugman was a member of the South African Delegation at the 1994 ICPD and 1995 Beijing Conferences.

17 The author was a member of the official Turkish delegation for the Preparatory Committee Meeting of the 23rd Session of the UN General Assembly, Beijing+5, held in New York in March 2000.

18 Françoise Girard, 'Beijing Plus Five: IWHC's Analysis of Negotiations and Final 'Further Actions' Document,' 11 July 2000, <<http://www.iwhc.org/docUploads/BeijingPlusFiveiwhcanalysis.doc>> (accessed 2 June 2004).

However, what has until recently remained constant is an alliance of conservative Muslim and Christian states with the Vatican, opposing any references to sexual, bodily, and reproductive rights. This has shifted of late, as under the current Bush government the US has become a powerful champion of this perspective, particularly in its stand against abortion and sex education, and its promotion of sexual abstinence as the best form of HIV/AIDS prevention, as evidenced by US rhetoric and policy on related international development and national issues.¹⁹ By various means, including intimidation, censorship on research, pressure on Christian organizations working overseas, and selective funding limited to research and NGOs which support its ideology, the Bush government has attempted to hinder the use of condoms and pushed for abstinence-only programs for HIV/AIDS prevention, though many experts unrelentingly criticize this approach as endangering the lives of millions of people across the world.²⁰ US-based HIV/AIDS groups that do not abide by the Bush administration's moralistic messages on sex are being harassed by the US Health and Human Services Inspector General, through investigations to determine 'if their program content is too sexually explicit or promote sexual activity.'²¹ Organizations that have worked for years on sexual health are threatened with reduced funding if they disagree with the administration's policies on sexuality.²² The so-called ABC approach to AIDS prevention, adopted by Bush under the influence of the Christian right, calls for A – abstinence, B – being faithful and C – condoms, but condoms are to be used only for high risk groups, such as sex workers and drug abusers, while sexual abstinence should be the objective for all unmarried young people.²³

Since 2001, the US government has been withholding its obligatory contribution to the United Nations Population Fund (UNFPA), claiming – falsely – that the UNFPA supports coerced abortion in China. In 2004, in an attempt to isolate the Population Fund, the Bush administration quietly threatened to cut its financing to other key agencies, including UNICEF, if they continue to work with UNFPA.²⁴

19 For a detailed study of the Bush government's policies on sexuality, see Francoise Girard, *Global Implications of US Domestic and International Policies on Sexuality* (New York: International Working Group on Sexuality and Social Policy, 2004); and IWHC, 'Bush's Other War: The Assault on Women's Sexual and Reproductive Health and Rights,' 10 June 2005, <<http://www.iwhc.org/resources/bushsotherwar/index.cfm>> (accessed 26 October 2007).

20 See for example Center for Health and Gender Equity (CHANGE), *Debunking the Myths in the US Global AIDS Strategy* (MD: CHANGE, 2004); Robert Walgate, 'Bush's AIDS Plan Criticized for Emphasizing Abstinence and Forbidding Condoms,' *British Medical Journal*, 329 (2004); Ed Susman, 'Analysis: US AIDS Message Draws Ridicule,' *The Washington Times*, 13 July 2004; and Peter Gill, 'Experts Attack Bush's Stance in AIDS Battle,' *The Observer*, 11 July 2004.

21 Girard, *Global Implications*, 15.

22 Mireya Navarro, 'Experts in Sex Field Say Conservatives Interfere With Health and Research,' *New York Times*, 11 July 2004.

23 Ibid.

24 Christopher Marquis, 'US is Accused of Trying to Isolate UN Population Unit,' *New York Times*, 21 June 2004.

On the issue of sexual orientation, however, a majority of Muslim states remain at the forefront of opposition to any attempts to recognize sexual orientation as a UN-protected human right. At the 1995 Beijing Conference, the majority of the twenty states opposed to the inclusion of references to sexual orientation in the outcome document were Muslim, and not a single Muslim country was among the thirty-three states expressing support for their inclusion.²⁵ Five years later, at the Beijing+5 Conference in 2000, sexual orientation was again one of the two most contentious issues (the other being abortion), and the opposition was led by Pakistan, Libya, Iran, Iraq and Sudan in alliance with the Vatican and Nicaragua.²⁶ In 2003 and 2004, a resolution introduced by Brazil at the 59th and 60th Sessions of the UN Commission on Human Rights in Geneva, urging states to protect and promote the human rights of all persons regardless of sexual orientation, created a storm. The first attempt to introduce the resolution in 2003 was blocked by Pakistan, Saudi Arabia, Malaysia, Libya, Egypt, and Bahrain, with the support of various other countries under pressure from the Vatican. Mexico and Costa Rica, which initially stood in favor, eventually bowed to pressure from the Vatican to oppose the resolution.²⁷ Speaking in the name of the Organization of Islamic Conference (OIC) states, Pakistan stated that the text directly targeted Islam and that they were not 'going to let them impose this system of values.'²⁸ In a letter addressed to all delegates, the OIC urged them to vote against the resolution, claiming it was politically incorrect and 'a direct insult to the 1.2 billion Muslims in the world.'²⁹ A year later in 2004, the resolution was postponed yet again, in the face of pressure from the OIC, Arab states and the Vatican. Middle Eastern states, in particular, Iran, Egypt, Pakistan, Libya, Iraq, and Sudan, have taken the lead in opposing any rights related to sexual orientation.

The taboos surrounding sexual orientation in the Middle East constitute a profound example of hypocrisy, as there is extensive evidence and general, widespread recognition that homosexuality has been widely practiced in the region for centuries. Despite the relative visibility of male transvestite popular singers and artists, the 'public' silence shrouding non-heterosexual behavior remains exceptionally strong. However, whether the picture drawn by the voting patterns of Middle Eastern

25 The twenty states opposed were Algeria, Bangladesh, Belize, Benin, Cote d'Ivoire, Egypt, Ghana, Guatemala, Iran, Jordan, Kuwait, Libya, Nigeria, Senegal, Sudan, Syria, Uganda, United Arab Emirates, Venezuela and Yemen. See Douglas Sanders, 'Human Rights and Sexual Orientation in International Law' (2003): 24, <http://www.ai-lgbt.org/resources_other.htm> (accessed 12 July 2004).

26 The International Service of Human Rights, 'Special Session Beijing+5,' *Human Rights Monitor*, 52 (2000): 10–11.

27 Daniel J. Lee, 'Human Rights and Sexual Orientation,' *Combat Law*, 2, 4 (October–November, 2003), <http://www.combatlaw.org/information.php?article_id=330&issue_id=13> (accessed 25 June 2005).

28 'Muslim Countries Block UN Move on Sexual Orientation,' *Pakistan Daily Times*, 24 April 2003.

29 Aide-Memoire sent by Pakistan's ambassador to the member states of the United Nations Human Rights Commission, on behalf the Organization of the Islamic Conference, <http://www.thegully.com/essays/gaymundo/030425_UN_gay-res_pak_let.html> (accessed 25 June 2005).

governments at UN meetings on issues related to sexuality is representative of general attitudes in the region is questionable. Over the last decade, despite a threatening environment and laws criminalizing homosexuality except in Turkey, Tunisia and Iraq, sexual minorities have become more and more visible. In Turkey and Lebanon, there are various NGOs and initiatives with the publicly declared aim of working for the recognition of human rights of LGBT people.³⁰ The effective use of the Internet by sexual minorities has contributed significantly to the creation of new informal and formal networks, information channels and opportunities for gays, lesbians and transgender people on both the national and regional levels, even in countries where homosexuality is criminalized. Yet, the strong threat of legal prohibitions, as well as social stigmas associated with homosexuality, continue to severely constrain public advocacy efforts by members of LGBT communities. Nonetheless, despite prevailing taboos and stigmatization, Asma Jahangir, the UN Special Rapporteur on Extrajudicial, Summary and Arbitrary Executions, a Muslim woman from Pakistan, was the first UN rapporteur to include individual cases of human rights violations of sexual minorities in her reports to the UN Human Rights Commission.³¹

Sexual Politics and the Changing Context in the Middle East

In the Middle East, policies and practices that aim to control sexual autonomy and confine sexuality within the framework of marriage, lead to human rights violations of women, young people and those with non-conforming sexualities. The Coalition for Sexual and Bodily Rights in Muslim Societies (CSBR) demands the right to non-conforming sexualities in Muslim societies, calling for an inclusive approach.³²

In particular, considering the national contexts in the Middle East and South/Southeast Asia, where sexuality per se and sexual rights are repeatedly being oppressed and manipulated with ever rising conservatism, nationalism and militarism, a single faceted or fragmented approach to sexual rights ... may be even detrimental to advocacy efforts around sexual rights and freedoms. Thus, adopting ... forming fruitful alliances rather than reinforcing divisions are ... more useful choices. The right to non-conforming sexualities should include all sexualities which fall outside the heteronormative, patriarchal social constructs of 'expected or accepted' sexual behavior. In this respect, in addition to LGBTIQ, the term also refers to women, and in some instances men, who choose to live outside the norms of a heteronormative patriarchal society, e.g. women who choose not to get married, women with multiple partners, women who express their sexual desires openly, young women who experience their sexuality different than what is already defined by their families and society etc.

30 For example, Lambda and Kaos GL in Turkey, and Helem in Lebanon.

31 Douglas Sanders, 'Human Rights and Sexual Orientation in International Law,' *International Journal of Public Administration*, 25 (January 2002): 13–45.

32 Liz Erçevik Amado, 'Inclusive Approaches to Sexualities in Muslim Societies' (report of the Consultation Meeting organized by Hurriyat Khasa and Women for Women's Human Rights (WWHR–NEW WAYS), Beirut, 16–18 December 2005).

Despite changing socio-economic factors and demographic and epidemiological patterns – including increased premarital sex among young people and the spread of sexually transmitted diseases (STDs) and HIV/AIDS – that necessitate programs addressing sexual health and sex education, and despite the growing number of NGOs involved in such efforts, reforms addressing sexuality are met with various obstacles: social taboos, particularly concerning any sexual behavior outside of marriage including adolescent sexuality, non- and extra-marital or same-sex relationships; alliances between political systems and conservative religious groups; male attitudes and traditional gender constructs; legal and policy restrictions; and finally, the threat of stigmatization for those working on issues related to sexuality.³³ Increasing militarization, often used by autocratic regimes to restrict the space for liberal reforms, augments the strength of nationalist ideologies, further constricting opportunities for advancing reforms concerning sexuality.

Moreover, the post-9/11 context has enhanced already existing antagonism towards the West in the region, and further facilitated the construction of the West as a threat, and its perceived culture as an ‘enemy.’ This perceived threat has been exploited by religious right movements, enabling them to reconstruct a Muslim identity based on extremely polarized notions of so-called ‘Western’ and ‘Muslim’ values, particularly targeting the regulation of sexuality and gender relations. Efforts of the religious right to reconstruct a ‘Muslim’ sexuality that opposes ‘Western’ sexuality includes increased pressure on women to become bearers of (constructed) national or religious identities – for example, through the most visibly political symbol of veiling; by claiming diverse customary practices that aim to control women’s sexuality are Islamic; and the portrayal of sexual autonomy and homosexuality as products of the West that will undermine and degenerate Muslim societies.

However, efforts of the Islamic religious right to redefine and tighten the parameters of ‘appropriate’ sexual behavior constitute only a fragment of a complex and contradictory picture, and are challenged by numerous elements of change regarding sexual behavior and politics in the region. As indicated by many authors in this volume, changing socio-economic conditions and demographic patterns necessitate urgent reforms. In many Middle Eastern societies, the ’90s witnessed the emergence of new feminist movements that are increasingly questioning the control of women’s sexuality by men and society. Emerging social movements such as the gay and lesbian movement are challenging the strong taboos that surround sexual orientation. Moreover, international pressure on governments in the region to tackle issues of sexual and bodily rights has also increased considerably in recent years.

In the 1980s and early 1990s most governments in the region, even secular ones, responded to the challenge of the fundamentalist movements by incorporating religious conservative politics and policies to undercut the Islamist opposition and retain or regain legitimacy. In this context, the most easily compromised issues were seen to be those related to gender equality and sexual autonomy.

33 Faysal El-Kak, ‘Sexuality and Sexual Health: Current Status, Obstacles and Opportunities’ (paper presented at the Meeting on Sexual and Bodily Rights as Human Rights in the Middle East and North Africa, Malta, May–June 2003).

Challenges and Discourses around Sexuality in the Middle East: Multifaceted Dynamics

The main concern of this volume is to explore the contemporary political and social dynamics pertaining to sexuality in the Middle East. The chapters illustrate that the discourses, debates and challenges that surround sexuality are complex, and cannot be reduced to a single underlying factor, be it religion, culture, or a simple binary opposition between the religious right and advocates of feminism – or secularism. Thus, examining the impact of both common and diverse legal, political, social and religious aspects that shape sexuality in various countries in the region remains a crucial endeavor.

The book begins with a chapter by Sherifa Zuhur, which is the first comparative study to offer an in-depth historical and contemporary analysis of criminal laws, women, and sexuality, as well as constructions of gender and sexuality in the penal/criminal codes in the Middle East.

The criminal or penal code of a given country is often a good indicator of how sexuality and gender is constructed by that state. Laws related to the definition of sexual crimes such as rape, sexual abuse in the family, and sexual harassment; the parameters of ‘permissible’ sexual relations and conduct, with regards to adultery; the range of sexual behaviors criminalized; same-sex relationships and population policies related to abortion are all addressed and regulated by criminal law. However, although there has been much debate and activism on the reform of the civil codes or family laws, or personal status codes in many countries in the region, actual attempts at penal or criminal code reform have until recently remained very rare.

Zuhur provides a historical perspective and insight into the amalgamation of tribal, religious, colonial laws and their impact on the existing criminal/penal codes in the region, arguing that the criminal codes in the Middle East consistently remind us that the primary social identification of women is as reproductive and sexual beings who are constrained by men, the family, and the state.

Regarding the development of existing penal/criminal codes in the region, she maintains that the current codes, despite their diversity, often reflect the dual influence of Ottoman legal codes and the impact of the colonial regimes of Britain and France and their penal codes at the time. Providing a thematic comparative study on the constructions of and the penal codes in the region regarding honor crimes, adultery, rape, sexual abuse of children, sexual harassment, homosexuality, transgender people, abortion, new reproductive technologies and sex work/trafficking in women and female genital mutilation (FGM), she explores how human rights violations in the domain of sexuality are legitimized by law.

Zuhur argues strongly that these codes require re-evaluation and reform, as they continue to legitimize human rights violations related to sexuality in both the private, and the public spheres.

The next two chapters attempt to capture the complex and multifaceted political and social dimensions of two nationwide campaigns on issues related to sexuality and penal codes, initiated by platforms of women’s groups in Turkey and in Jordan at the turn of the twenty-first century; the Campaign of Turkish Penal Code from a

Gender Perspective (2002–2004) and the Campaign to Eliminate So-called Crimes of Honor in Jordan.

In Chapter 3, Pınar İlkkaracan discusses how the Campaign for the Reform of the Turkish Penal Code from a Gender Perspective, spearheaded by a broad coalition of women's organizations as well as LGBT groups, was successful in achieving a holistic and groundbreaking reform of the Turkish Penal Code, with more than thirty-five amendments in the code towards recognition of women's right to sexual and bodily autonomy, despite strong opposition from the governing Islamist Justice and Development Party.

The former Turkish Penal Code of 1926, adapted from the Italian Penal Code after the foundation of the Turkish Republic in 1923, constructed sexuality, especially women's sexuality as a potential threat to public order and morality that had to be regulated by laws. The premise of the Code was that women's bodies and sexuality were the property of men, family or society, and this was apparent in several articles. The campaign, led by more than 30 women's and LGBT organizations in Turkey, was successful in achieving a radical reform of the Turkish Penal Code despite Turkey's ruling religious conservative government, radically transforming the code's underlying philosophy and the state's conception of sexuality in Turkey. Major accomplishments of the campaign include the transformation of the underlying philosophy of the law so as to recognize all women's autonomy over their bodies and sexuality; a radical shift from 'the law as the protector of the nation's morality' to 'the law as the protector of people's sexual and bodily integrity,' and the removal of all references to traditions such as morality, chastity, honor or virginity in the Code.

The public debate generated by the campaign underlined the tension between the traditional nationalist and religious conservatives' use of sexuality as a major tool in constructing national or religious identities in Turkey, and the efforts of feminist and LGBT groups to reconstruct notions of sexuality. The campaign triggered three years of widespread and intensive national debate concerning the reconstruction of sexuality in Turkey, and entered international political arenas when, shortly before the reforms were to be accepted in parliament, the religious conservative government attempted to re-criminalize adultery. This initiative drew sharp criticism of the European Union (EU), from whom it was seeking membership, and prompted the biggest crisis between Turkey and the EU since accession talks began, illustrating how sexuality might become a site for transnational and global political conflicts and debates.

Stefanie Eileen Nanes documents a recent campaign against honor crimes in Jordan, using this as a departure point from which to explore the potential for, and limits to, the development of civil society and democratization in the country. The Campaign to Eliminate So-called Crimes of Honor was initiated by Jordanian activists in 1999 and aimed at the annulment of Article 340 of the Jordanian Penal Code that granted reduced penalties to perpetrators of honor crimes. Nanes argues that the campaign constitutes a unique example of the emergence of a democratic, civil society in Jordan, underlining the campaigners' emphasis on voluntary action, democratic participation and national citizenship, which contributed to overcoming the kinship ties and communal loyalties that dominate the Jordanian politics. The campaigners attracted a large number of supporters and stimulated public debate on

an issue that was until then considered taboo, by collecting signatures for a petition calling the government to repeal Article 340. As was the case in the campaign against FGM in Egypt, the effort incited vociferous opposition from the conservatives and the religious right in both parliament and society. Nanes observes that the interventions of the Jordanian state throughout the campaign had a significant impact: through the imposition of restrictive measures the state not only limited the campaigners' ability to act, but also co-opted the campaign through an unpopular rally, organized by the royal family when it became evident that there was dissent on the issue within parliament. The intervention of the royal family weakened the campaign and divided the campaigners. While some supporters believed the backing of the royal family was crucial for success, others were adamant that the campaign should remain an independent movement, autonomous from the state.

Chapters 5 and 6 explore the contested nature of sexuality through an analysis of competing discourses between various social and political actors – modernists and traditionalists, Islamists and feminists, religious authorities and health professionals – and look at the impact of social, demographic and socio-economic transformations on these discourses. Azzah Shararah Baydoun presents a sophisticated account of the controversial public debate in Lebanon on sex education, ignited at the end of the 1990s as a result of a proposed sex education curriculum, prepared by a Lebanese coalition of over 30 experts and representatives from various backgrounds, who came together under the umbrella of the Educational Center for Research and Development (ECRD). The curriculum met with strong opposition from Muslim religious leaders, who exerted pressure on the political authorities to halt its implementation. Beydoun argues that the Muslim leaders were tacitly supported by leaders of the Christian schools, despite the fact that some of them actually participated in designing the curriculum, but were ambivalent about its adoption. Muslim leaders of various Lebanese sects argued that sex education would provoke students to perversion, encourage a light-hearted attitude toward sexual practices, and be synonymous with surrendering to the dominance of the corrupt 'promiscuous West.' Beydoun's analysis shows that the Lebanese government intervened early in order to abort debate between supporters and opponents of sex education, withdrawing the program from the middle school curriculum and introducing a modified version at the high school level, thus overlooking sex education entirely for twelve-to-fourteen-year-olds, the program's intended target audience.

Hammed Shahidian's elaborate analysis of the impact of the Islamic revolution on discourses of sexuality in Iran sheds light on the growing public discussion of sexuality in post-revolutionary Iran. Through a critical review of the increasing number of books and essays on sexuality published in recent years, he highlights some basic similarities and differences among competing Islamic, scientific and feminist discourses of sexuality in the Islamic Republic of Iran. Shahidian illustrates how recent Islamic authors, who are faced with the novel challenge of monitoring the construction and regulation of sexuality within the context of *shari`a*, try to accommodate new scientific and pseudo-scientific information on the physiological, medical and psychological aspects of sexuality with cultural norms, religious beliefs and *shari`a* laws in Iran. He argues that this Islamist discourse is counteracted by a scientific discourse – mostly based on Western literature – emanating from health

professionals, as well as a feminist discourse, engaging head-on with sensitive and taboo issues including virginity, sexual violence against women, prostitution, and the double standards in relation to sexuality in general. Yet, as he points out, the Islamist and the scientific discourses converge not only in their aim to categorize and regulate sexual behavior – though for dissimilar reasons – but also in their approach to sexuality, where both women’s and men’s individual voices on how they experience and define their sexuality are muted. Shahidian notes that personal voices are audible only in feminist texts on sexuality, where women and men are encouraged to speak from their own intimate experience and search for commonalities.

The impact of militarization, war and nationalist ideologies on the construction of sexuality and gender relations, as reflected in state policies, popular culture and women’s lives, is the common theme of the following three chapters. Achim Rohde detects two critical turning points in the construction of sexuality and gender in Iraq under the Ba’th regime: first in 1974, when the regime sought to solidify its grip on society and enforce its version of state-sponsored feminism aimed primarily at enlarging the labor force; and then in the mid-1980s, when the regime’s push for gender reforms was greatly reversed under the impact of the war with Iran. Drawing from material that appeared in the Iraqi media, he argues that a controversial public debate concerning issues of (female) sexuality surfaced in the Iraqi print media during the early years of Ba’thist rule, within a general atmosphere of departure from traditional social norms, bearing connotations of sexual freedom and including feminist voices that demanded women’s autonomy over their bodies and sexuality. However, this debate had disappeared from the Iraqi press by 1974, under the repression of the Ba’th regime. The regime rhetorically continued to refer to ‘women’s liberation,’ but was in fact interested in women only as a potential labor force and carried an ambivalent attitude towards the prevailing cultural norms. Rohde argues that in the mid-1980s, the regime notably departed from its previous policies in support of ‘gender equality,’ and propagated gendered and sexualized images with extremely polarized notions of masculinity and femininity to support the massive militarization of Iraqi society at that time.

Women’s bodies and the ‘sexual’ as a terrain of projection in the construction of nationalist or militarist ideology is the theme of Rubina Saigol’s chapter, which also concentrates on the imagery of desire, eroticism, and the male gaze in poetry, songs, plays, and popular films in Pakistan. Stressing that gender ideology lies at the heart of nationalist and militarist thought, she depicts how women’s bodies come to signify the country and the nation as the object of ‘male desire and gaze,’ reflecting the displacement of private passion into the public sphere of the nation. The complementary construction of masculinity/femininity (as active/passive) is also reflected in war imagery, which associates strength, valor, and bravery with masculinity; and defeat, weakness, and the need for protection with femininity, thus enabling militaristic national ideology to be absorbed by the whole population.

Nadera Shalhoub-Kevorkian examines predominant attitudes toward rape in contemporary Palestinian society, drawing from her first-hand clinical experience with victims of rape in the Israeli occupied territories of the West Bank and Gaza. She analyses the impact of socio-cultural factors on the social and psychological reactions of women rape survivors, as well as on the health professionals who assist

them. She illustrates the critical dilemmas faced by victims and clinicians in dealing with the dualistic perception of women in Palestinian society – on the one hand, the perceived elevated status of women as participants in the political struggle of the nation, and on the other, the fear that Palestinian women are especially vulnerable to exploitation and abuse by the enemy due to their activism. Shalhoub-Kevorkian argues that socio-cultural factors, such as taboos in relation to rape, the significance attached to women's virginity, and a tendency to privatize the crime in order to safeguard family honor and reputation, lead to the silencing and re-victimizing of rape survivors.

In the concluding chapter of the volume, Leyla Gülçür and Pınar İlkkaracan focus on the experiences and working conditions of Eastern European women who travel periodically from the former Soviet Union to Turkey to undertake sex work. After the collapse of the Berlin Wall in 1989, Turkey became both a destination and transit country for tens of thousands of women migrants from the former Soviet Union, due to its geographic proximity and weaker border surveillance and visa requirements compared to other European countries. Shortly after this wave of migration started, these women came to embody the 'other;' portrayed in the Turkish media as 'hot, passionate, blond bombshells available and willing for any sexual acts required of them' (p. 205). 'Natasha,' a generic term to signify all women from the former Soviet Union, became a major topic of national discourse in the 1990s. The name was not only used interchangeably with the word prostitute, but also as a means to refer to all women from the ex-Soviet Republics in Turkey, regardless of whether they were sex workers or not. Using newspaper articles, participant observation, and interviews with key informants including migrant sex workers, the authors document their experiences of sexual harassment; the various forms of violence they are subjected to by Turkish society, clients, pimps, and the police; and their lack of access to health services. The interviews indicate that the majority of women are not trafficked, but migrate on their own, mostly compelled by the need to access economic opportunities. It is argued that policy debates regarding sex work should focus not so much on whether women 'choose' to enter this profession, but instead concentrate on the need to ameliorate migrant women's living and working conditions by addressing restrictive and abusive immigration policies, and decriminalizing sex work.

The chapters in this book analyze diverse issues, debates and discourses on sexuality, as well as the socio-political contexts underlying them, reflecting the diversity in the region. Despite this diversity, common themes emerge throughout the volume. Sexuality remains central to political and social struggles in the Middle East and North Africa. Recent factors such as increased militarization in the region, increasingly autocratic regimes in some cases, globalization, the parallel emergence of opposing social movements, and socio-political changes are some of the factors that have intensified the complexity of these struggles. The religious right and the ideologues of political Islam, in their zeal to gain political legitimacy and power, have placed the construction of an 'Islamic' sexual identity at the top of their agendas. They employ various methods to construct this 'Islamic' version of sexuality and restrict women's sexual autonomy, leading to an escalation of sexually repressive practices and discourses in many Muslim societies. The rise of the religious right has also increased the threat to individual women, and to women's and LGBT groups

who voice demands for sexual autonomy. National governments in general play an impeding role in this state of affairs as they attempt to maintain sole control over reforms and minimize the influence of social movements, while inadequately responding to national and global changes.

As this volume demonstrates, in addition to being a matter of political debate on the international level, sexuality and gender remain highly politicized issues in the Middle East and North Africa, with continuously emerging debates between various national actors, such as modernists and traditionalists, or Islamists and feminists. The outcomes of these political debates will be shaped by the evolving dynamics of national and global politics.