



CULTURES & CIVILISATIONS DIALOGUE



ASEF “5th Talks on the Hill”

Coming out in Dialogue: Policies and Perceptions of Sexual Minority Groups in Asia & Europe

Final Report

This is the report of the **fifth Talks on the Hill meeting** organised under the Cultures & Civilisations Dialogue programme developed by the Intellectual Exchange department of the Asia Europe Foundation. This meeting was entitled “**Coming out in Dialogue: Policies and Perceptions of Sexual Minority Groups in Asia and Europe**”, and began on the evening of the 6th of March, and ended in the late afternoon on the 8th.

The 4th Asia Europe Meeting (ASEM) Summit in Copenhagen (2002) stressed the need to promote “Unity in Diversity” among the various cultures represented among ASEM countries. ASEF was asked to accompany this initiative through its own “Civil Society” architecture. The Cultures & Civilisations Dialogue Programme was established with this realisation, and primarily to promote understanding between the two regions of Asia and Europe, and also facilitate leaders of civil society meeting, interacting and engaging with one another and with audiences in the opposite regions. Within this programme, ASEF initiated the “Talks on the Hill” series to allow for frank and open discussion on issues of pertinence to the two regions in a small closed-door setting.

This report highlights the major themes that arose out of the discussions during this meeting. In keeping with the ground rules of the meeting, this report does not quote nor attribute remarks, comments or ideas to specific individuals. In order to facilitate dialogue and communication, the meeting itself, and this report avoids the use of any “jargon” or acronyms.

Process

This “Talks on the Hill” meeting brought together 14 distinguished personalities from research, legal, academic and activist backgrounds to engage in this unique endeavour for a cross-disciplinary brainstorming exchange. The focus of the meeting was on encouraging free debate on this topic with a very high level of engagement by all the participants. The “Talks on the Hill” meeting series was devised to promote the sharing of knowledge on such controversial and often divisive issues. Although these sessions may not necessarily result in consensus and recommendations, the intensity and depth of the debates do result in concrete learning and understanding for those involved.

The following briefly presents the sub-topics, points and major themes that were raised during the meeting. This summary is not an attempt to cover the entire substance of the debate, but instead is meant to serve as an introduction to the major strands and sub-themes of discussion and should introduce the reader to the insights and ideas of the group.

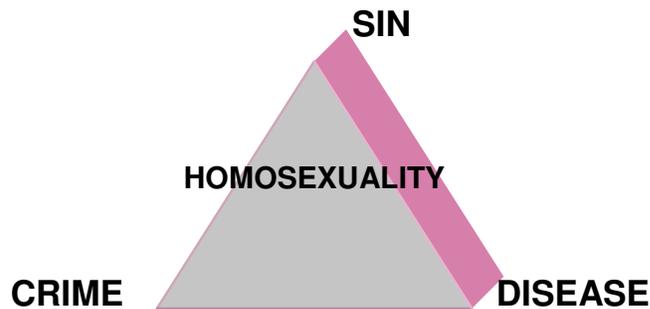
Re-assessing the agenda of the meeting

In this first session, participants were asked to go over the agenda of the meeting presented to them, and to offer suggestions as to what could be added and changed. It was stressed that there was an important need for the participants to “own” the outcomes of this meeting.

- An important point that was highlighted at the outset was the need **for a clear definition of the term “sexual minority” groups**. It was pointed out by one of the participants that the term “sexual minority” groups could also be used in reference to paedophiles and sado-masochists, for example – groups of people who fall outside the scope of this particular meeting. **We therefore clarified the term for the purposes of this report and the meeting to deal exclusively with homosexual relationships involving consenting adults and/or adolescents**. In relation to adolescents, the meeting would discuss instances such as the sexual age of consent in some countries and sexual self-determination among other points that pertain to this issue.
- **It was also reiterated that for the purposes of this meeting, rights relating to bisexuals are broadly included within the discussion of homosexuals, as the issues that are raised most often pertain to their same-sex relationships.**
- An important dimension to the debate that was added at this point was the **question of identity**. Some participants explained the rather restrictive understanding of the term “gay identity” as pertaining to belonging broadly within the framework of the American left-wing identity. An example that was highlighted was the difference in the understanding of the term “gay” as opposed to **“men who have sex with men” (MSM)**, which could include many other individuals who may not be classified as “gay”. It was noted that an identity could take on two aspects, one being **society-driven labels** and the other being **how one feels about himself**.
- Another dimension that was highlighted as deserving mention was the **phenomenon of globalisation, its effects on the gay identity, and the trend toward adopting heterosexual norms**. By this it was explained that as heterosexual communities become more open to homosexuality, there is **an increased pressure for homosexuals to conform to heterosexual ideas/values on social organisation** such as marriage, family, etc.
- Further, the globalisation of the gay identity does not take into account other more traditional or historical forms of homosexuality as increasingly the mainstream gay identity takes over.

Session I History and Sexual Minority Groups

Following the review of the agenda, the group delved into the **first session** dealing with the **history of homosexuality**. Participants were asked to discuss how societies have traditionally reacted to homosexuality. Has the historical argument been skewed in favour of a particular agenda? What role did colonialism and the spread of certain religions play in shaping modern perspectives on homosexuality?



Starting off, an explanation of the diagram above was offered by one participant as an explanation of the various interpretations/perceptions of homosexuality over time.

Beginning with the religious notion of homosexuality in Europe, it was seen as “sin” by the Judeo-Christian religions. Over time, as the church and state joined, the sin was translated into a crime, as it was incorporated into the criminal system. The next step in this evolutionary process was when the medical establishment then got involved, and homosexuality came to be classified as a mental disease. The starting point of medicalisation – with the Ulrich’s in the 1860’s – was about naturalization of homosexual behaviour to decriminalise; but by making this “natural” preference into pathology, the main group of medical people added the medical to the religious and legal prejudices.

Following the overview, another participant explained that in Asia, before the foreign influences were felt, the concept of homosexuality did not exist, although sex between men, as well as sex between women and transgender forms did exist within the framework of other socially organised settings, such as rituals, cultural performances and relationships (that often took place side by side with polygamy) in marriage.

It seemed to be widely agreed upon that the taboos and criminalisation of homosexuality in Asia happened as a result of foreign influences primarily in the areas of religion and criminal codes primarily from Britain that eventually colonised many countries in Asia. An interesting observation made by one of the participants was in relation to how societies always perceived

“negative” behaviours such as homosexuality as coming from the “Other”. When the British first came for example, they referred to these practices as a “**Chinese vice**”, while conversely Asian countries now often refer to homosexuality as a result of “**western influence**” and as an **affront to traditional “Asian values”**.

Box 1. The Bissu of Sulawesi (Indonesia)

A participant spoke about the very interesting beliefs and practices of the Bissu in Indonesia that traditionally believed in the existence of five genders: namely male, female, effeminate men, masculine women and the last, which is a combination of all four. It was believed that those who could combine all four had magical powers, and they would be called upon to perform religious rituals, etc. The necessity of this was in the fact that they did not know what gender spirits were, and therefore the need to embody all genders when attempting to communicate with them.

Also from a historical perspective, another participant pondered on the acceptability of homosexuality and its connection with women’s rights, or the status of women in society. Two differing observations were put forth:

- The first was that **as the status of women in society improved, the acceptance of homosexual acts decreased**. This was presented in the setting of societies where men traditionally were married, but where having sex with other men (or adolescent boys) was the norm. In this setting, women had low status in society and sexual pleasure was seen to be enjoyed between men (e.g. ancient Greece). As the status of women improved, as there was an increased tendency towards gender equality and monogamy in marriage, these practices decreased.

- On the other hand, an argument was put forward that **as the status of women improved in society, so did the acceptance of homosexuality**. This was explained on the reasoning that sex between men was perceived by society as actions that made them more feminine, passive and weak, as they were seen to be adopting the role of a woman. In this setting, as the status of women improved, likewise did that of homosexuals, as they were no longer seen as “weak”.

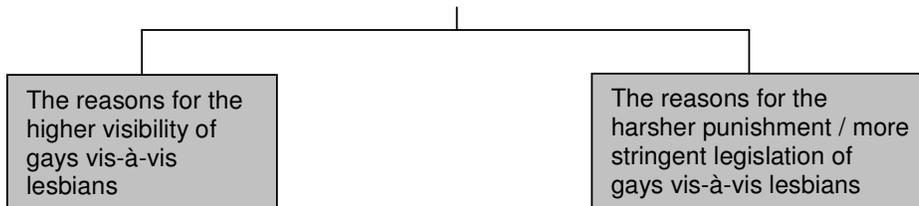
This led to a broad discussion of the **social organisation of both “men and women” and “lesbians and gays.”**

It was put forth that lesbians and gays (restricted in meaning here to men who have sex with men) have very different histories largely due to the perceived fact that being gay has been criminalised and has had taboos associated with it, far more than lesbianism has.

The facilitator of the meeting suggested at this point that the group take this opportunity to break-into buzz-groups. The question that was put forward was:

BUZZ-GROUP 1 - “Reasons for the discrepancy in the representation and visibility of lesbians and gays”

Overall, the discussions and conclusions of the buzz-groups were presented along two lines.



One reason that was presented upon return from the buzz-groups was the **differing roles for men and women in society**. In general, it was argued, men were a lot more visible than women in public space. Therefore it was natural that as a function of this, gays were more visible in public space than lesbians. Related to this, it was further argued that men in general were commercially stronger i.e. they have more money than women. Therefore, gay men are in a stronger position to push their agenda than lesbians.

A second reason that was put forward following the buzz-groups was that **gays and lesbians organised themselves differently in society**. From the participants’ observation, it was thought that gays tended to have a more public side to their sexuality while lesbians had a more private side. For example, many gays go to gay clubs, gay baths, etc, which tend to be public and visible spaces. On the other hand, lesbians tended to organise privately between themselves, such as having private house parties etc. It was also observed here that while gays tended to be more **socially visible**, lesbians tended to be more **politically active** in some societies.

On another note, a reason for the visibility of the gay issue more than the lesbian one could be a **result of the structure of a male heterosexual society**. This hypothesis starts from the premise that the dominant, most powerful group in society is the male heterosexual, and therefore that they are in a position to structure society to their advantage. It was thought that while gay acts may seem offensive to them, lesbianism on the other hand would not, and on the

contrary cater to their needs. Therefore gay acts are more likely to be persecuted by the heterosexual male than lesbian acts. In fact, it was further discussed that lesbian acts were often enjoyed by heterosexual males, as evidenced by the fact that much heterosexual pornography often features lesbian acts.

A last reason that was attributed to the reasons for discrepancies is the difficulty in defining “lesbian sex”. In at least the heterosexual understanding, sex requires a penetrative act. It then becomes difficult to draw the line in establishing exactly when sex between lesbians happens as opposed to gay sex.

SESSION 2

Cultural Traditions and Religious Beliefs

The second session of the meeting approached the topic from the background of cultural traditions and religious beliefs.

The session started with the facilitator asking each participant to say a few words about the impact of religion on society’s view on homosexuality in their home country. On one end of the spectrum, some participants maintained that religion in some countries still had a very strong influence in the shaping of policies and perceptions of sexual minority groups (through powerful lobbying groups for example). On the other end of the spectrum, in some other countries it was felt that religion did not influence state policy or perceptions as much, as religion became a very private affair for most of citizens. Of course, most other countries fell somewhere in between of the spectrum with some influences felt from lobby groups countered by strongly secular tendencies in the population.

In relation to how religion and cultural traditions affected the homosexual – there was a distinction made between the notions of “**guilt**” and “**shame**”. Most participants felt that religious beliefs resulted in homosexual feelings of guilt – while cultural traditions that were not accepting of homosexuality resulted in notions of shame. The connotations of shame were intertwined with perceptions of “bad karma” and being an embarrassment to one’s family and society, while guilt was more closely linked to notions of committing sin.

Moving on from this topic, the organisers of the meeting related to the group, even if this groups’ eventual make-up and opinions were clearly diverse, the difficulties they faced in getting participants for this meeting **who were opposed to the development of homosexual rights** – either on religious grounds or because they were supporters of “traditional family values”. The organisers asked the group to comment on this and elaborate on what they thought the reasons for this were. Going further, the organisers asked if it was so “politically correct” now to be supportive of the homosexual movement that opponents to it had little possibility to express their views without encountering sanction. Essentially – can the two have a dialogue?

Most participants felt that the reason for the unwillingness of those individuals that were opposed to the homosexual movement to participate is that it was **a strategy to avoid negotiation on this topic**, and secondly that they felt that **engaging in such a dialogue would give this issue a legitimacy** that they did not believe in.

In general the issue of the pressure to be “politically correct” was largely dismissed.

On the other hand, a few participants had the feeling that the issue of political correctness was not to be dismissed so easily. In some European countries in particular, one participant elaborated on how governments were increasingly supportive of the pro-homosexual

movement to the extent that opposing groups were increasingly sidelined. It was therefore politically correct to be in favour of the homosexual movement.

This did lead to some concern that both groups seemed to be operating mainly **within their own spheres within which they each have their dialogues, publications, advocacy and lobbying - with little or no avenues for communicating between these spheres**. One participant wondered if this would eventually lead to a clash between the two. Unfortunately there were no suggestions as to possible ways to bridge the two and avoid this from happening.

SESSION 3 Policy and Human Rights

In the 3rd session, the group discussed issues of policy and human rights. It should be noted that at the outset of this session, many of the participants expressed reservations about breaking down the topic into the different sections of employment, marriage, etc. The overarching feeling seemed to be that the essential issue boils down to a discussion on basic human rights. However, as there was a desire by the organisers to deal first with specifically with sector-related issues, it was decided that the session would continue as planned, while acknowledging that there will be overlap between some issues and that the foundation of all these areas would be human rights.

Touching first on the topic of employment, the session began with one the participants giving a general introduction to the European Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation.¹

Two definitions or explanations in particular were deemed to be relevant to the following discussion on this topic. First was that **employment should not be understood solely as the hiring process but should also include more broad opportunities in the environment to start one's own business, and traineeships for example**.

The second important point was the necessity to take into account “**direct**” and “**indirect**” discrimination. While direct discrimination refers obviously to disadvantaging an individual based on his sexual orientation, indirect discrimination is explained as a policy that may appear to be fair and objective, but actually unfairly affects homosexuals – such as a “marriage supplement salary”.

On the topic of discrimination against homosexuals, on the field of employment, the following were some of the views that were presented:

1. In the case of discrimination in employment, it was important to note that there are **two stages** to consider – the hiring stage and the stage of promotions. Whilst the law could put in place legislation against discrimination during the hiring period, it was more difficult to monitor discrimination at the stage of promotions as these could be because of colleagues or other more subtle biases.
2. It was further noted that the **legislative** does not have as much influence as the **executive** body in some countries and that it actually requires steps to be taken first by the executive in order for change to happen with regards to employment.

¹ http://europa.eu.int/comm/employment_social/news/2001/jul/dir200078_en.html

3. **Transgender people** were the most likely group of people to be discriminated against in employment. For non-transgender homosexuals, it was noted that sexual orientation often can be hidden.
4. It was also suggested by a few participants that in some sectors of the job market, such as broadcasting and the arts, the perception is that it is often advantageous to be gay, and in fact these sectors may even practice **reverse discrimination**.
5. A rather heated debate ensued when one participant suggested that quotas had been put in place in the police force of an ASEM country – much as has been done for women and ethnic minorities in some countries. Most of the participants vehemently disputed that anywhere quotas for homosexuals were in place. Also it was said that the lesbian and gay movements would not call for such quotas.
6. A participant added to the debate that while legal provisions to prevent discrimination against sexual minority groups were important, they were not enough. He pointed out the resorting to legal recourse was often only available to people with resources, so disadvantaging those without or those that do not know about such laws. Further, such actions tend to be very much in the media spotlight, and this is likely to put many people off from highlighting the issue.

Moving on from the topic of employment, a participant introduced to the meeting, the concept of “**sexual citizenship**”. This concept creates a bridge between the sexual and the political – two domains most often seen as separate. He explained that sexual citizenship is made up of four elements:

- a) Self-determination: physical and mental identification
- b) Freedom of relations and sexual behaviour
- c) Freedom of organisation
- d) Mental and Physical Space use

Self-determination refers to the ability of an individual to make his or her own sexual choices
Freedom of relations refers to his freedom to form relationships according to his desire, as well as to engage in sexual acts. In addition, it was important to have **organisations** that cater to him as well as media that offer a diversity of same-sexual representations and lastly **space**, which caters to his needs such as bedroom, civic organizations, shops, etc.

A related concept was introduced by another participant who elaborated on “**sexual rights**,” which is a concept developed from the ideals of the French revolution and the concept of human rights enshrined in the case law of the European Court of Human Rights. Concerns were also raised about current threats to sexual citizenship/ sexual rights as reflected in restrictive sex laws (esp on pornography, prostitution, public sex, sexual relations of adolescents etc). The concern was that as this progresses, there may be increased acceptance of homosexuality but an overall anti-sex (as opposed to pro-sex) society.

The idea of space then led into discussion on homosexuality being a sub-culture. In the media, it was observed, although one is increasingly able to see gay characters in movies, television, etc, there were still many boundaries that remain to be crossed in terms of stereotypical or even ridiculous portrayals. For example, gay characters are often portrayed as single.

SESSION 4

Projections of the future of the homosexual movement

The final session of the Talks on the Hill meeting asked participants to share their projections for the future of homosexual issue. Two factors were quickly identified as being tools that may influence the trends in the future, the “**Pink Dollar**” and the “**Pink Vote**”, with the pink dollar referring to the economic strength of the gay community and the pink vote referring to the sector of voters who were gay. Of course, the sensitivities of these two concepts were highlighted by the group at the outset.

While it has been widely accepted that in Asia in particular, the Pink Dollar has been a driving force in motivating countries to relax their rules towards homosexuality. There was some feeling among the group that this will be the main cause of Asia opening up. There was concern over this however as some members of the group pointed out that this sort of economic motivation **does not change the mindset of the people and may lead to tolerance instead of acceptance.**

A major concern that was raised in relation to the Pink Vote is the danger that the society becomes divided into “**pro-gay**” and “**anti-gay**”. This was likened very much to the American system, and most members of the group expressed a desire to avoid that situation in their countries.

One participant also offered an opinion that the pattern of voting would eventually become that of the “**fair vote**” instead of the “**pink vote**”. By fair vote, he explained that the issue of homosexual equality and rights would likely be combined into a broader agenda of issues that would include human rights, environment, etc, and that it will be this “way of life” that people would vote for.

BUZZ-GROUP 2 – Projections: “What will the situation in Asia and Europe be in 2015?”

In order to further clarify the ideas and projections for the future, the facilitator called for buzz-groups asking participants to project the situation in Asia and Europe in 2015.

Upon return from the buzz-groups, the following were some of the major ideas presented:

- **A change in the family structure** – It was felt that the traditional family structure of husband–wife–children will likely undergo some change and by 2015, families will take the varying forms and that this will be increasingly the norm, and acceptable or ed au leiu de-able.
- **Informal freedom of expression** – In Asia it was felt that there would be more informal avenues and spaces for freedom of expression; although there was doubt that by then the homosexual issue would have gained formal or governmental recognition. Some participants did feel however that there could be the possibility in Asia of the full legalisation of homosexuality; even allowing for registered partnerships.
- **Enlargement** – In Europe, it was felt that as the European Union continues to enlarge, there will be an increased population that will promote more “traditional” ideas and

values on this topic. Overall it was felt that this could **reduce the pace of progress** towards full equality and rights for homosexuals in Europe.

- **Employment, education and access to the military** – Overall it was felt that in these areas, the situation would progressively improve for homosexuals.
- On a social organisation setting, the group recognised that **society will have to cater to the changing needs of the homosexual population**. For example, there would be a need in the future to set-up retirement homes that cater to homosexual couples.
- **Increased tensions from some religious fundamentalist groups** (from all religions).

While this round of buzz-groups produced some excellent ideas on the changes and trends that one could expect over the next decade there was a need to identify the root causes behind these changes.

In the following session, the group again broke into buzz-groups. The question that was:

Imagine that a Martian landed on earth in 2015. Observing the atmosphere on earth to conform to the ideas above, the Martian asks the individuals to explain to him **how it is that the inhabitants of earth managed to get to this stage**.

Again the group returned with major points:

- **More democracy** – In Asia, it was felt that as the countries became more democratic it was likely that the issue of rights and equality of homosexuals would improve. The enlargement of the European Union as well it was thought, would provide greater democracy in the workings of the Union.
- **Lobbying** – Groups in favour of homosexual rights and equality would likely intensify their lobbying of governments and the mass media. This would lead to a change in policy as well as spread knowledge on this issue.
- **Building bridges** – It was recognized that there was a need for the homosexual population to build bridges with the heterosexual population in order first to promote understanding and second to create alliances with other groups. One group that was recognised as being complementary in the agenda was the Feminist movement. In addition, it was recognised that there would also be an important need to work more closely with “gay friendly” religious groups.
- **Court cases** – As the number of court cases involving homosexual rights and equality increases, there would be a greater clarification of the law. This would take away many of the ambiguities that are present in existing legislation and help form a foundation upon improvements can be built.
- **Task-forces** – Participatory in Asia, it was recognised that homosexual groups should set up a pan-Asian task force that would look into these issues at a more macro-level – much as has been done already in Europe.
- **Working with the media** – Closely related to the earlier point about lobbying the media, there could be increased cooperation and work done with the media. This would include increasing the number of gay publications, broadcasts and public education through mainstream programming like MTV.

- **Promoting a culture of relational “coming-out”**. This could include forming gay trade associations for example.
- **Funding** – Recognised as a crucial factor in aiding or abetting the movement, there would have to be an increase in the levels of funding. As the consciousness and exposure of the gay community grows, there will be an increase in the development and tapping of sources of funding.

What can Asians do for Europeans and vice-versa?

In closing, the group was asked to reflect on and compare the various perspectives and lessons that they had learnt from over the past two days about the diverse cultures, traditions and heritages that they had been exposed to in this meeting. In doing so, the group reflected on the lessons that could be learnt and shared between cultures and countries – and particularly on what Asia could share with Europe and vice versa.

The following represent some of the major ideas that participants shared in reflecting on the capacity for learning and mutually supporting homosexual groups in the other continent.

- It was discussed that as a result of colonialism, a lot of Asian historical records were in the possession of European museums, archives and other documents. Closely linked to this, is that a lot of historical records and studies of Asia – at least those done during the colonial period were also in the possession of Europeans. It was important to the Asians that they either get back these records or have access to them, as this would enhance a lot of their understanding of their own history on this subject.
- Quite a few European participants expressed a desire to further learn from the Asians about the diversity of homosexuality that exists in Asia. The feeling was that the homosexual identity in Asia was a lot broader and more fluid, while it seemed to be more stringent in Europe. In general – this broader and more fluid identity was referred to as “queer’ rather than homosexual or gay.
- A suggestion was that Europeans may be ahead of Asians in the legal domain, but at the same time the social worlds of gay and lesbians in Europe (and less so in the US) are stagnating and complacent while their Asian counterparts develop great energy and vibrancy.
- Quite a few Asians also expressed a desire to learn and adopt “best practices” from the Europeans about how they have built and formed European-wide associations, institutions and even an ombudsman. It was discussed how in Asia, there was very little cooperation between homosexual associations in the various countries.
- Related to this was the idea that mechanisms should be set-up to promote exchanges, traineeships and other programmes that may teach promote capacity building.

13th April 2005

Bertrand Fort
Sohni Kaur