

Back to Where We've Always Been: Sex/Gender Segregation Amid Covid-19

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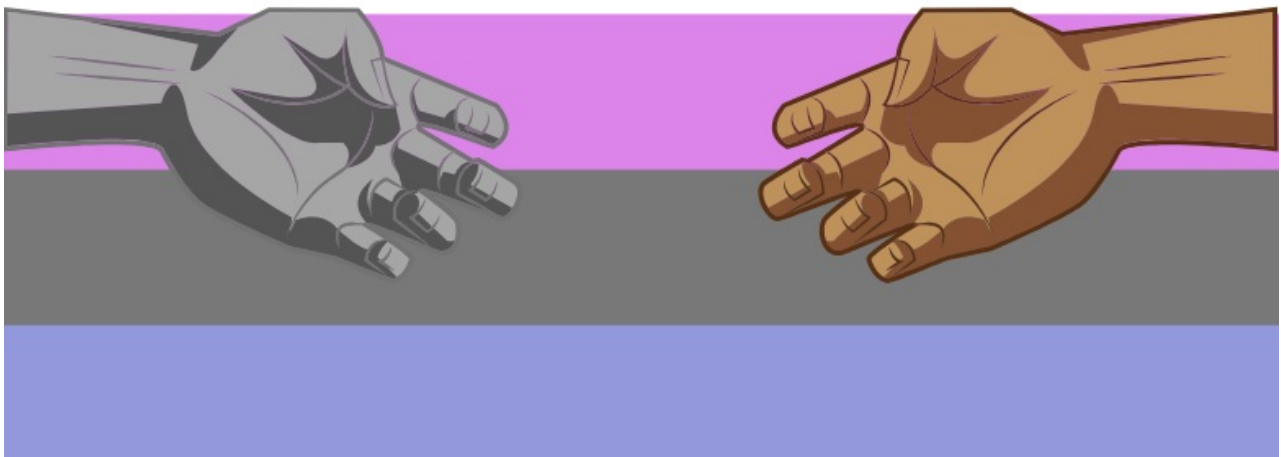


Illustration via Bot Populi

Restricting movements of citizens on the basis of sex/gender reactivates the cultural norms on which the sexual division of labor and gendered inequalities are based.

“But, people die, don’t they? Yes, indeed. However, the current naturalization of death erases thinking.”

—Santiago López Petit

In the first week of April, the international press reported that, in order to reduce drastically the circulation of people, the governments of Panama and Peru defined a sex/gender criterion to establish the rotation of who can or cannot leave home each day of the week. With good reason, and very quickly, the deleterious effects of this measure on the lives of travestis, non-binary and trans people were denounced and critically analyzed, provoking debates in a few regional conversations of which I am part of.

These discussions have inspired me to write this brief note in order to explain, in a more orderly manner than what can be done in the always-truncated exchanges that take place in WhatsApp groups, why I consider these measures unacceptable. In fact, I

want to make a call for these measures to be severely contested by all persons and organizations involved in the struggles against unequal, hierarchical and authoritarian gender and sexual orders. I should note as well that, as this text was being published in English, the news came that the same sex/gender segregation rule will be applied in Bogotá.

Before sharing my ideas, I want to remind that I have written them not just as a feminist but also as Brazilian. That is, as someone who is experiencing the Covid-19 crisis as both a pandemic and a political pandemonium created by one of the four “presidents” who deny the gravity of the current crisis, putting the population of their countries in danger (the other three negationists are Nicaragua’s Daniel Ortega and Belarus’s and Turkmenistan’s dictators).

In Brazil, I – like thousands of other people who do not comply with this insanity – am strongly defending social isolation measures in a context where, like in many other places, the government has not prepared itself for this crisis. Tests, hospital beds and respirators are lacking and the prospect of what can happen to the poorest population, which is the majority, is horrifying.

I fully recognize the urgency of sanitary measures such as social isolation. I also believe that states must act with great amplitude and pulse, because, as Brazilian social scientist Angela Alonso argued, under Covid-19 conditions no State can afford to be neoliberal, because it is crucial to guarantee access to health, social protection policies in relation to income and food security, and establish restrictions to efficiently contain the spread of the virus. However, this does not mean abdicating from developing critical reflections on the many and profound implications of the abnormality and exceptionality that has taken over the planet as a result of the pandemic.

The Covid-19 crisis reactivates, adjourns and radicalizes the biopower and biopolitical apparatuses concerning the large-scale management of population, as well as the micro-disciplinary devices for the surveillance of social and individual bodies.

The crisis we are experiencing is sanitary and economic, of course, but it is also political and biopolitical. As we know, Covid-19 provides various authoritarian and autocratic regimes existing in the world today justification and legitimacy for amplifying arbitrary and coercive measures, such as, for example, Duterte’s “order to kill” those who disobey the quarantine in the Philippines. It also brings to light the totalitarian temptations which, as thinkers like Hannah Arendt and Michel Foucault remind us, lie dormant beneath democratic formations. These temptations are certainly more palpable and easily incited in Latin America because our democracies have been, for some time, experiencing more or less intense processes of erosion. This can be illustrated, for example, by Bukele’s behavior in El Salvador.

On the other hand, the Covid-19 crisis reactivates, adjourns and radicalizes the biopower and biopolitical apparatuses concerning the large-scale management of population (such as the containment of agglomerations and circulation), as well as the

micro-disciplinary devices for the surveillance of social and individual bodies. In that respect, it is worth recalling that sexuality and gender – as pivots that articulate individuals to the species – are at the core of these apparatuses and devices.

Reinforcing the “Natural” Sex/Gender Order

The decision of the Panamanian and Peruvian governments to restrict the right of people to come and go on the basis of sex/gender criteria must be, therefore, situated in relation to this broader range of issues and risks. It is not trivial, for example, that during the last few weeks, a large number of people have been arrested in these two countries for disobeying the quarantine rules ([here](#) and [here](#)), including Peruvian health professionals that have denounced the lack of protection to respond to the crisis. Consequently, we should seriously question why these state authorities have chosen this criterion for restricting movement. Why these measures and not others?

Surely, there would be many other alternatives. One of them would be, for example, to resort to the latest registration number in the ID card, designating odd and even numbers for each day of the week. Another, easier to understand by most people, would be to segregate circulation on the basis of the months of birth: all people born between January and June can leave home on Mondays, Wednesdays and Fridays, while the rest can leave on the remaining days. These options would be much more appropriate because they are “objective” measures. They do not rely on categories contaminated by the biases and distortions that make gender and sexuality objects of arbitrary segregation, violence and discrimination.

In my opinion, these governments have chosen sex/gender simply because this is “how things are”. As feminist theorists have emphasized for so long, sexual dimorphism is a hallmark of social distinction, a constantly reiterated marker of social differentiation. It is the so-called “natural difference” par excellence. From an instrumental reasoning perspective, typical of the State logic, the use of a sex/gender criterion facilitates surveillance: it is enough to see the person to verify “who is man and who is woman” (which dispenses with, for example, the consultation of identity documents). However, after decades of struggle for gender justice, social justice and sexual democracy in the world and in Latin America, this reading of the sexual difference is not automatic because what people see does not capture the inner truth of who we are.

In Butler’s words:

“We are assigned a sex, treated in various ways that communicate expectations for living as one gender or another, and we are formed within institutions that reproduce our lives through gender norms. So, we are always “constructed” in ways that we do not choose. And yet we all seek to craft a life in a social world where conventions are changing, and where we struggle to find ourselves within existing and evolving conventions. This suggests that sex and gender are “constructed” in a way that is neither fully determined nor fully chosen but rather caught up in the recurrent tension between determinism and freedom.”

By imposing the sex/gender segregation rule, the governments of Panama and Peru inevitably reiterate the biological determinism of sexual dimorphism. The measure immediately puts non-binary people in a “non-place”, in contexts of high risk and vulnerability, especially because State violence and coercion are now amplified. Notwithstanding, trans activists were the first to contest these measures, as they enable and incite stigma and violence against travestis, trans women and trans men. The deleterious implications of the sex/gender segregation measure can be illustrated by Barbara Delgado’s experience in Panama, who was arrested and humiliated by police officers because her gender identity did not correspond to that on her identity card, as reported by [HRW’s Cristian González Cabrera](#).

These allegations must be heard, valued and responded to by State authorities and replicated in solidarity by all of us who are involved in research and activism on matters related to gender, sexuality and human rights. In the case of Peru, it should be said, when president Vizcarra announced the segregation measures, he declared that efforts would be made to curb transphobia and homophobia. This commitment, although welcome, is insufficient. As trans and non-binary people who deal with law enforcement in their daily lives know, these principles are not easily transferred from high politics to the streets and marginalized communities, especially in the exceptional conditions of a pandemic.

However, there is more to be said. Besides facilitating and inciting stigmatization and violation of the rights of *travestis*, trans and non-binary people, these segregation measures contribute to crystallizing the so-called sex/gender natural order and reactivating deep cultural norms on which the sexual division of labor and the inequalities between men and women are based. To make this argument clearer, let us imagine that in societies deeply marked by structural racism – such as Brazil, Colombia, South Africa or even Panama – segregation measures based on race were adopted: white people would leave on 3 days of the week, black people on the other days. Such a policy would be a scandal, wouldn’t it? However, and most regrettably, in 2020, discretionarily segregating women and men in public spaces sounds natural and normal.

To me this does not sound “normal”, especially in the context of the pandemic, when the imbalance of the sexual division of labor in the care economy becomes blatant, when gender-based violence reaches even higher levels due to the quarantine and when we are witnessing reproductive health and abortion services being shut down. In my own view, we, as feminists, should be as outraged by these measures as are *travestis*, trans women and trans men.

In my own view, we, as feminists, should be as outraged by these measures as are travestis, trans women and trans men.

I also believe that the virulent reaction of the Peruvian anti-gender group #ConMisHijosNoTeMetas (#DontMessWithMyKids) against the president’s commitment to a non-discrimination agenda for LGBT people should not confuse us. I

suspect they repudiate the presidential speech but do in turn appreciate the logic of segregation. In my opinion, their reaction does not justify the blind defense of the segregation rules either. As I told a Peruvian colleague, these are arduous times in which our thinking and acting move on a razor's edge. We must at once recognize the merit of the presidential speech, challenge the arguments of anti-gender forces and severely criticize the measures of segregation by sex/gender.

I am well aware that, in Covid-19 times, it is not an easy task to articulate and vocalize this criticism. Among other reasons, because biopower and biopolitics semantics, which are now dominant, also activate our own hygienist mentality. We have also been caught by the “definitive” argument that measures of containment and isolation must have absolute primacy. This “subjective hygienism”, so to speak, is perhaps what explains why a few weeks ago a video in which El Salvador's president Bukele described the draconian measures he had taken “in the war against Covid-19” was widely shared and praised in Latin American progressive digital circuits. Above all, as we are witnessing, in times of epidemics the fear of death becomes a form of social pedagogy and, as Lopez Petit suggests in the epigraph to this text, critical thinking capitulates in the face of fear. I wrote this note because I am convinced that it is vital to keep our critical thinking alive in the midst of this crisis for us to be able to imagine the world and life after the pandemic.

This article was earlier published in Spanish and Portuguese in Sexuality Policy Watch and in English in LSE's blog Engenderings.

Tags: covid19, news