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Sexual politics and knowledge production

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Abstract

This paper analyses the constitutive effects of 'progressive' sexual politics at international and national levels on sexual epistemology. It contributes to longstanding and continuing debates regarding social constructionist and essentialist approaches, arguing that both oppositional and 'progressive' approaches to 'sexual democracy' have resulted in a revitalisation and increasing authoritative use of the concept of sexual orientation. The paper critically reflects on both global and state level incorporation of this category into 'progressive' laws and policies, recognising that this has important implications for theory and practice. It does so through an examination of four key sites of contemporary knowledge production about sexuality associated with rights-based politics: struggles over sexualities equalities in relation to citizenship status, the adoption of the SOGI framework in human rights discourse, immigration and the claiming of asylum on the grounds of sexual orientation, and population level data collection on sexuality.

Keywords

Sexual orientation, sexual citizenship, human rights, queer data, sexual epistemologies

Introduction

Research has highlighted how in a host of countries social science perspectives have come under increasing attack by governments and heads of state, social movements, as a feature of cultural 'wars' and within academia itself. The fields of critical race theory (Goldberg, 2023) and gender studies (Holvikivi et al., 2024; Kuhar and Paternotte, 2017) are a

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particular focus of critique and contestation. Alongside and associated with these struggles, there has been a revitalisation of essentialist and naturalising epistemologies. This paper considers these broader challenges to social analyses in relation to epistemologies of sexuality. The analytic focus is on how 'progressive'[1] sexual politics at international and national levels articulate rights claims, with specific reference to the use of the concept of sexual orientation. As I will go on to elucidate in the final section of the paper, this is important at a number of intersecting levels: conceptually, contributing to longstanding and continuing debates regarding social constructionist and essentialist approaches to sexuality, in terms of the policy and practice implications of assumptions about what 'causes' sexuality, at the level of individual subjectivities and everyday social interactions and practices and in the (re)production of a particular normative social order.

In advancing the arguments it makes the paper critically reflects on four key sites of contemporary knowledge production about sexuality; struggles over sexualities equalities in relation to forms of citizenship status, focusing on how state level responses to LGBT activism have incorporated sexual orientation in national laws and policies; the incorporation of rights relating to Sexual Orientation and Gender Identity (SOGI) in international human rights discourse; legislative and policy reform allowing people to claim asylum on the grounds of sexual orientation; and recent trends in population level data collection on sexuality. However, before going on to examine each of these four sites I will start by considering what is meant by the term sexual orientation.

Conceptualising sexual orientation

The term sexual orientation has its origins in the theories of biologists, medical researchers, psychologists and sexologists whose work dominated understandings of sexuality during the late 19th century and the first half of the 20th century (Weeks, 2018). It has traditionally been understood as an attribute of the self, an integral aspect of a person that is assumed to be fixed, at least by early adolescence. This is a particular understanding of the 'individual' as someone who 'has' a sexual orientation that translates into a form of being: who one 'is'. It is this orientation that 'explains' sexual desires and identity as arising naturally out of an innate sexual instinct or drive orientated in a particular direction, typically defined in terms of the gender of persons to whom one is attracted. In this approach, populations are subdivided by a heterosexual/homosexual binary (Santos and Craig, 2024), in which heterosexuality is naturalised and normalised as the 'unmarked master term' and homosexuality is implicitly marginalized as the 'marked other' (Weeks, 2018:159). Sexuality is here constituted as an 'integrative device' (Canaday, 2009), in so far as there is an assumption of universality and timelessness of categories of personhood.

The framing of sexuality as having an origin in us, a natural and pregiven characteristic that is part of being human, contrasts with social analyses of sexuality that emphasise the importance of social and cultural factors. The development of such approaches was the result of both academic research and scholarship and political activism. A key aspect of the lesbian and gay and women's liberation movements during the 1970s and 80s was to question common knowledge about sexuality and gender by challenging dominant essentialist constructions of women and medical and psychological concepts of

'homosexuality'. At the same time that social movements were formulating alternative discourses about sexuality, within the social sciences new conceptual frameworks were emerging that offered varied critiques of essentialist concepts and theories. These included feminist, sociological, Foucauldian, lesbian and gay and, from the 1990s, queer scholarship which together constituted a definitive move away from biological determinism towards social constructionist approaches. A key aspect of these epistemological shifts was the problematization of the concept of sexual orientation as a universalising discourse. Within these critiques, sexual orientation was not conceptualised as an attribute but as an idea, a 'fictional unity', constituted through specific historical, social and cultural processes that (re)produce social categories such as homosexual and heterosexual (Foucault, 1979; Weeks, 2018).

Given that the concept of sexual orientation has been extensively critiqued over many decades (see Waites, 2009; Weeks, 2011, 2018) it is of note that, to date, there has been relatively little critical attention to the incorporation of this category in contemporary knowledge production about sexuality associated with rights-based politics that, I argue, has the potential to reify assumptions and conceptual authority previously associated with essentialist frameworks. There has been work that attempts to rethink the concept of sexual orientation including queer critiques (e.g. Ahmed, 2006), as well as arguments for more plural and diversified understandings of sexual orientation that are non-gender centric and incorporate other sexual preferences or 'orientations' besides gender-based preferences and practices (Better and Simula, 2015). However, this pluralization does not of itself undermine the idea of sexual orientation as something everyone 'has'. As an inclusive category it is possible to regard sexual orientation as an essentialised category, a universal reality, that can incorporate diversity. Indeed, in much of this literature it is the utility of the current model of sexual orientation that is questioned rather than the concept itself.

One area where scholars have analysed knowledge production about sexuality associated with contemporary sexual politics has been in relation to the rise of resistance movements to what is termed 'gender ideology' or 'gender theory', as witnessed in many parts of the world. Though they take specific forms in different countries, these so called 'anti-gender' movements are associated with a 'backlash' against advances in women's and LGBT rights (Corredor, 2019; Holvikivi et al., 2024; Kuhar and Paternotte, 2017; Verloo, 2018). Significantly, in relation to this paper, they also campaign against certain forms of *theorising* about gender and sexuality, in particular scholarship that critiques essentialist and naturalising assumptions about gender and sexuality (Kuhar and Paternotte, 2017). Such attacks on gender and sexuality scholarship have led to the closing down of gender and women's studies courses in some countries, for example in Hungary (Paternotte, 2019; see also Kovàts and Pető, 2017 for a more general discussion of anti-gender movements in Hungary).

In considering the political drivers of certain sexual epistemologies, we need to situate debates over meanings of sexuality in the contemporary context of both opposition *and* progressive movements to 'sexual democracy'. Over the last 30 years much has changed in relation to sexuality, with the introduction of progressive measures aimed at achieving greater equality. As a consequence, as I shall go on to examine, the concept of sexual

orientation has gained increasing prominence in national and international legislation and policy making. This can be mostly understood as a response to the dominance of the equal rights discourse in LGBT activism in many parts of the world (Stychin, 1995; Richardson, 2017). However, other generational shifts in sexual politics have contributed to the endurance of essentialist ideas about sexuality. Once central to lesbian and gay activism in the 1950s and 1960s, the last two decades have seen a return to 'born that way' arguments in LGBT campaigns seeking recognition of rights claims, especially in the US (Wuest, 2023). Others point to deconstructionist queer perspectives having led to a 'taxonomical renaissance' associated with a proliferation of gender and sexuality identity categories, especially among young people, that upholds a classificatory logic which, some argue, paradoxically supports essentialising systems of knowledge about sexuality (Amin, 2023).

In the remainder of the paper, I examine some of the current tensions in contemporary understandings of sexuality through analysis of four different sites of knowledge production, starting with sexual citizenship.

Sexuality and the turn to citizenship

Since the 1990s, as noted above, a rights-based approach has become the dominant discourse of sexual politics in many parts of the world (Paternotte and Tremblay, 2015). This move towards a politics of citizenship has involved the making of new coalitions under the LGBT acronym (now expanded to LGBTQAI+)[2], where activism is focused on seeking social change primarily through demands for access to equal rights of citizenship and formal equality before the law. Historically, lesbians and gay men have been granted partial citizenship at best. However, in recent decades there have been unprecedented legislative and policy changes concerning the equality and human rights of LGBT people in many countries, with a primary focus in the West on relationship-based rights over partnership recognition, including civil partnership and equal marriage rights, and legal protections against discrimination such as, for example, in the provision of goods and services.

Associated with these shifts towards the normalization of LGBT equalities measures is the development of the concept of sexual citizenship and a literature on sexuality and citizenship that has grown to become an important area of scholarship across several disciplines (Bell and Binnie, 2000; Richardson, 2017; Stella et al., 2016). In addition to empirical studies analysing specific rights claims, this work includes critiques of a focus on legislative change and access to citizenship as a narrowing of political space (Lalor, 2011), the role the normalization of LGBT equal rights performs in nation building discourses and 'border work' (Ammaturo, 2017; Puar, 2017) and scholarship on how subjectivities are changed through rights processes: what it might mean, say, to identify as lesbian or gay. This incorporates feminist and queer critiques of 'sexual democratization' that claim this represents new forms of neoliberal governance over sexual citizens (Duggan, 2002; Sabsay, 2012).

Of more significance to this paper's focus on challenges to social analyses of sexuality are critiques of the concept of sexual citizenship itself, including work that has highlighted how Western ideas about individualisation and liberalism underpin dominant

constructions of sexual citizenship. Within this normative framework of the rights bearing subject the emphasis is on the 'choosing sexual citizen' typically abstracted from cultural, economic and social conditions (Plummer, 2005; Sabsay, 2016). As I have argued elsewhere, this Western-centric way of thinking about sexual citizenship represents a decontextualised as well as an individualized view of sexuality that obscures the social processes and relations through which sexualities are (re)produced (Richardson, 2017). Here, I extend critiques of sexual citizenship as a regulatory concept in knowledge production about sexuality in focusing on the central role of the state to rights politics, whereby the authority and source of rights granted is provisioned through state legislation and polices based on sexual orientation in the rolling out of equalities measures in many parts of the world. In this case, sexual orientation is functional in providing a stable category around which rights claims can be based.

In the UK, for example, the concept sexual orientation has become central to progressive legislation and policy making including for example, the Equality Act (2010). Along with a number of other equality strands or 'protected characteristics', the Act placed a new duty on public sector organizations to promote equality and foster 'good relations' on the basis of sexual orientation. Other examples in the UK context include the Employment Equality (Sexual Orientation) Regulations, 2003, prohibiting employers from unreasonably discriminating against employees on the grounds of sexual orientation or perceived sexual orientation, and the Equality Regulations (Sexual Orientation) 2007 affording legal protections against discrimination on grounds of sexual orientation in providing goods and services. In all these examples of legislative change sexual orientation is defined as a sexual orientation towards persons of the same sex, persons of the opposite sex, or persons of the same sex or the opposite sex. This represents a more inclusive use of the term than in laws and policies where it refers specifically to 'same-sex' populations, which in some countries still includes anti-sodomy laws.

One of the main ways in which sexual citizenship has been addressed is at the level of the nation-state. In recent years, however, there has been a scaling up of debates about sexual citizenship as appeals for human rights recognition and protections have become an increasingly significant route of advocacy and activism in sexual politics, with international and transnational movements mobilized in seeking gender and sexuality equalities through the language of human rights. This forms the second site of this paper's analysis of contemporary knowledge production about sexuality.

Sexuality as human rights discourse

Since the early 1990s, global concerns for issues of sexual orientation and gender identity have grown (Petchesky, 2000) expressed through the framework of SOGI rights, now expanded to include gender identity and expression (SOGIE)[3]. An important initiative in this regard was the publication of the Yogyakarta Principles on the application of International Human Rights Law in relation to Sexual Orientation and Gender Identity (Correâ and Muntarbhorn, 2007), which assisted 'in pushing 'sexual orientation' and 'gender identity' onto the international agenda' (Waites, 2009: 141). Over the next decade and a half, several key developments followed including the incorporation of rights

relating to SOGI in the European Court of Human Rights and, in 2016, the establishment of the office of an Independent Expert on SOGI which has a recognised status within the UN Human Rights Council (Langlois, 2018).

These developments have been productive of a relatively new literature on sexuality, human rights and international politics. The influence of political agendas and strategies of the transnational and international lesbian and gay movements claiming LGBT rights, often defined as global though originating in the West, has received a lot of attention within this body of work. Here the concern is not only the imposition of Western sexual categories, but also the circulation of political agendas primarily from the US and Europe whose rights demands and strategies may be highly problematic in other geo-political locations (Altman and Symons, 2016; Long, 2009; Massad, 2007). However, while the concept of LGBT rights has been extensively critiqued, the mobilization of the concept of sexual orientation in global human rights claims has to date received relatively little critical attention, even within scholarship that problematises the idea of rights claims in terms of *specific* sexual orientations (see Sabsay, 2016; Waites, 2009). Arguably, one of the reasons for this is that the term sexual orientation offers a means to counter critiques of Western exceptionalism via a seemingly more culturally inclusive 'neutral' term to encompass and represent sexualities that are not meaningful in terms of Western categories such as the LGBT acronym.

The increasing adoption of a human rights SOGI framework as a 'master script' for resolving conflicts around sexuality has important implications for how sexuality is socially constructed and regulated. Human rights instruments have been critiqued for confirming conventional views of sexuality and deploying a definition of sexual orientation which is a relatively essentialist framing (Langlois, 2018; Otto, 2017; Waites, 2009). In other words, within the naturalising and universalising framework of human rights discourse we are offered an idea of sexualities as somehow beyond history and culture, even though sexual orientation is of course itself a concept associated with Western modernity. The following section extends these considerations in examining how, in some nation states, the SOGI framework has been influential in reconfiguring immigration practices.

Sexuality and migration

There is a well-established literature on the role of immigration laws and procedures in the reproduction of racial, ethnic and class distinctions. By contrast, analysis of immigration and sexuality is a relatively recent development. This literature includes research and scholarship examining how sexuality shapes the decision to migrate, the migration process itself, questions of nationalism and border making, and analysis of how migration provides crucial insights into how states can devise and operationalize epistemic norms of sexuality (Bell and Binnie, 2000; Cantú 2009; Cruz-Malavé and Manalanasan, 2002; Ferreira, 2023; Llewellyn, 2017; Luibheid, 2008; Manalanasan, 2006). For example, sexuality based immigration exclusion shows how national borders can become a site for the regulation of sexual identities, categories, practices and norms. This is evidenced by studies of the history of immigration policies that have documented how those whose

sexual and reproductive practices contested dominant racialized and gendered heterosexual norms tended to be viewed as a threat to the nation state and, consequently, were likely to be denied entry (Canaday, 2011; Chavez, 2010; Luibheid, 2002).

In recent years, there is a new relevance of sexuality in immigration policies that has advanced research agendas. Whereas a person's actual or perceived sexuality has previously resulted in strict border-monitoring practices, it can now be invoked as a justification for seeking asylum. The United Nations 1951 Convention Relating to the Status of Refugees sets out that an asylum claim must be based on a person having a well-founded fear of being persecuted on return to their country of origin based on their membership of a 'particular social group' (UNHRC, 2012). The first time persecution on the grounds of belonging to 'a particular social group' founded on sexual orientation was legally recognised was in 1981 in the Netherlands. Gradually other countries in Europe and elsewhere started granting international protection including refugee status to SOGI asylum claimants, for example, Canada in 1991, Australia and the US in 1994, and the UK in 1999 (McGhee, 2001; Held, 2016; Danisi et al., 2021; Powell, 2021).

Associated with these developments, there is a growing literature on the experiences of LGBT refugees and asylum claimants (Rodriguez, 2023). Much of this this work focuses on how SOGI claims are addressed within asylum systems, particularly the issues faced by claimants in establishing their credibility based on their sexuality. Research shows that there is perceived to be a 'culture of disbelief' in asylum claims systems (Danisi et al., 2021; Jobe, 2020), which becomes more significant in contexts where migratory restrictions around the globe have intensified and there is anti-migration rhetoric in the media and political discourse focused on decreasing levels of immigration. The distinction between 'genuine' and 'bogus' asylum claims – the 'deserving/legitimate' and 'underserving/illegitimate' migrant- applies to all claimants but has a particular resonance for those applying through the SOGI framework given that, unlike claims based on more independent verification, this requires the determination of the sexuality of the applicant (Ferreira, 2023). Implicit in this process of establishing authenticity - that the claimant 'really' is lesbian or gay -is a certain understanding of the 'truth' of sexuality (Fassin and Salcedo, 2015). The discursive construction of the 'truth' of someone's sexual orientation involves a variety of actors in the asylum system. It depends, of course, on how immigration officials perceive claimants in assigning a sexuality to them, but policy makers and governments, legal practitioners and NGOs also play a central role in the construction of frameworks of knowledge by which sexual authenticity is assessed.

Claimants are also part of this process. Studies have demonstrated the need for people claiming asylum to tell the 'right story' and meet racialized and gendered stereotypic norms of sexual self-presentation to be considered credible (Morgan, 2006). Applicants whose stories reinforce the dominant culturally specific Western-centric 'sexual script' (Gagnon and Simon, 1973) of 'gayness' are more likely be viewed as genuine and be successful in their application for refugee status than those whose narratives do not fit these scripts. Specific factors identified as indicators that can undermine someone's asylum claim under the SOGI framework include being openly religious; no 'proof' of gay relationships or living an openly gay lifestyle; appearing to be gender conforming; past heterosexual relationships and having children (Giametta, 2017; Prearo, 2021;

Spijkerboer, 2013; Stonewall, 2010). This is a particular problem for women in establishing that they are 'genuine' lesbians where there are cultural and economic pressures that make heterosexual marriage a key livelihood strategy (Held, 2016; Llewellyn, 2017). Research has also shown that the decision making process often depends on essentialist constructions of sexuality as a fixed and immutable identity characterised by coherence and linearity, where credibility is associated with a narrative of gradual sexual realization by early adulthood and coming out as a certain kind of person and sexual identity and sexual behaviour are consistent (Berg and Millbank, 2009; Held, 2016; Llewellyn, 2017; Murray, 2014). In other words, asylum systems highlight how the state and state actors reproduce and reinforce a particular sexual ontology in the process of establishing whether a person's sexual orientation is 'genuine' or 'fake' (Ferreira, 2023; Murray, 2014).

This is, in part, an effect of the law's need for categorisation that reproduces a discourse of fixed groups under the SOGI framework, in this case refugee law which 'evinces a preference for static and concrete identity groupings' (Berg and Millbank, 2013: 122). Indeed, underlying the concept of a 'particular social group' is the assumption that members possess common fixed characteristics fundamental to their identity (Morgan, 2006). And yet paradoxically, as studies of claims for asylum in relation to the 'undeserving' applicant demonstrate, the process of 'establishing' the authenticity of a person's sexuality highlights the social and cultural construction of sexual orientation. The final and fourth site of knowledge production this paper examines involves recent attempts to collect population data about sexual orientation, data practices that can also be understood as involving the construction of 'truth' about sexuality.

Data practices

Historically, the collection of information about sexuality was motivated primarily by concerns about 'risks' posed to society and the need to provide data as evidence in addressing issues such as disease control and health, criminality and 'threats' to moral values (Westbrook et al., 2022). Beyond this focus on issues and populations regarded as problematic, there have been few national surveys that have collected data on sexual orientation, in part due to considerations about how appropriate and acceptable it would be to ask people questions about something considered to be a personal and private matter (Schönpflug et al., 2018). In Australia, for example, the proposal to include a voluntary sexual orientation question for adults in the 2021 census became a matter of some political controversy, leading to the 'dumping' of questions about sexual and gender diversity by the government; a position that has been restated for the upcoming 2026 census (Allen, 2024). There are now signs that this is changing, with growing interest in data collection relating to sexual orientation, more especially about LGBT populations (Browne 2008, 2016; Guyan, 2022; Truman et al., 2019). The case for LGBT data collection is one that has been made both by governments seeking to address inequality and monitor implementation of equality policies and legislation, and by LGBT organisations such as, for example, in the UK Stonewall's (2019) *Do Ask, Do Tell* guide. The main argument advanced for the collection of data is that this will provide an evidence base for positive

action, informing policy decisions about resource allocation and access to services, helping to bring about change to address inequalities and improve the lives of LGBT people. The inclusion of LGBT people can also be seen as constituting an important form of social recognition and access to cultural citizenship through greater visibility. This is important in states and regions where the existence of LGBT populations is denied, with evidence from population level data making it harder to claim a lack of need to address LGBT equalities issues (Richardson and Monro, 2012). There is also a 'business case' for data collection enabling commercial interests to target LGBT populations as specific consumer groups to sell products and services.

Recently these arguments have begun to be addressed through systematic attempts to collect data about sexual orientation (and gender identity) by nation-states, as well as attention being paid to this issue by international organisations and committees (e.g. EU, 2023). The UK was the first country in the world to introduce state data collection practices in relation to sexual orientation via the national census, which collects population-level data every 10 years. In 2021 (2022 in the case of Scotland) the census included voluntary questions about sexual orientation, marking a key moment in the collection of data about LGBT populations by a nation state (ONS, 2023). People were asked what best describes their sexual orientation out of the following categories: straight/heterosexual, gay or lesbian, bisexual, or other sexual orientation. A few other countries have adopted similar data practices since then such as, for example, Ecuador in 2022 and New Zealand in 2023.

In addition to critiques that focus on issues of data collection methods, in particular formulating questions about sexual orientation and analytical practices, more fundamental questions have been raised about these developments. Characterised as a progressive move that is supportive of LGBT equality, a more critical reading of the collection of data about sexual orientation suggests that in the context of the focus by governments and funding bodies on Big Data there is a risk that small numbers might be used as an excuse for providing little or no support to LGBT communities rather than improving access to services and forms of representation (Browne, 2016; Kitchin, 2014). Such data practices have also led to some questioning the need to prove evidence of the existence of LGBT lives and experiences (Ahmed, 2016), to the extent that some advocate an abolitionist approach (for discussion see Guyan, 2022).

Significantly, in terms of the argument advanced in this paper, analysis of these new trends in state practices has also focused on the construction of knowledge about sexuality. The consequences of data collection for the surveillance and regulation of populations are, of course, not new issues. Foucault's work on governmentality highlighted the role that knowledge production plays in facilitating practices of state governance and the regulation of people's lives and identities (Foucault, [1977] 1995, 1979; May, 2014). Building on this work, various writers have questioned the role of the census in collecting data about LGBT populations arguing that such data practices do not merely capture knowledge about sexuality but are a means through which the state reinforces normative classification systems in a way that essentialises and fixes the identities and categories being 'measured' (Browne, 2008; McDermott, 2017). Put simply, the assumption is that sexual orientation is a pre-given to be measured through classificatory systems that are

validated through state administrative practices. This has led to critiques of the limited range of identities and sexual orientations being counted, though not necessarily the concept of sexual orientation itself (Westbrook et al., 2022). A further concern is that the association of data with 'objectivity' – the authority of numbers- and 'official' discourses about sexuality constructed through state level data practices mobilises legitimating power to population data, where being counted reinforces a particular 'truth' of sexuality.

Conclusion

This paper provides an analysis of the constitutive effects of progressive sexual politics on sexual epistemology through an examination of four key sites of knowledge production about sexuality. It argues that despite longstanding and extensive critiques of the concept of sexual orientation, the dominance of rights-based sexual politics in recent decades has resulted in a revitalisation in the use of this term. As I have outlined, there has been both global and state level incorporation of this category into progressive laws and policies. There is a substantial literature on the role of the law in the regulation of sexuality, and the limits of legislative change in achieving social justice (Ashford and Maine, 2024; DeLaet and Cramer, 2019). What is key here is the increased significance of law's effects in the new progressive relationship between the state and social movements campaigning for LGBT rights and the institutionalization of sexual rights at a global level through the SOGI framework. These developments at national, international and transnational levels, I argue, have important implications for epistemological frameworks in (re)establishing conceptual authority to sexual orientation as a category and reinforcing essentialising and naturalizing assumptions about sexuality that emphasizes coherence, fixity, linearity and authenticity.

And yet, as I have argued, there has been relatively little critical attention to the increasing incorporation of sexual orientation in contemporary knowledge transformations. Why does this matter? This paper began by highlighting broad challenges to social analyses, often analysed in relation to 'anti-gender' movements. The focus in this paper, however, has been on what might be regarded as the conceptually regressive effects of progressive sexual politics on sexual epistemology, given the legacy of research and scholarship over many decades critiquing essentialist modes of thinking. When read uncritically, this has potential (unintended) consequences for future development of theoretical and conceptual frameworks. In particular, through processes of conceptual oversimplification that limit contextual social analysis of the social and cultural meanings and normative social structures that are productive of sexualities. This includes the development of intersectional approaches, where the conceptualisation of sexuality through a single axis of 'difference'-sexual orientation- hinders understandings of how gender, class, race ethnicity, dis/ability and other social categories intersect with and constitute sexualities in complex ways. In other words, I would argue that there is an epistemological disconnect between what Plummer (2012) refers to as 'critical sexuality studies' and sexual politics advanced through the frame of LGBT and SOGI rights.

This is not only a matter for theoretical development and academic research and scholarship. Theories about what 'causes' sexuality have important political and policy implications. The relevance of ontological debates about sexuality is evident in arguments

in support of liberal reform, where essentialist assumptions about sexual orientation have been used in upholding laws extending rights to LGBT people, and in rationales for opposing access to rights and freedoms. This can be seen, for example, in debates over the age of consent (Waites, 2005), conversion ('corrective') therapy (GOV.UK, 2021) and over continuing investment in research seeking neuro- endocrinological and genetic determinants of sexuality (Clare et al., 2023). It also includes debates over the location of concepts and theories of sexuality. For example, the claim that homosexuality is un-African and a consequence of Western imperialism has been espoused by several African leaders, including in Zimbabwe, Kenya and Uganda, who have sought to outlaw the 'promotion of homosexuality' (Matebeni, 2014; Nyanzi and Karamagi, 2015; Nyeck and Epprecht, 2013; Rao, 2020; Tamale, 2015). In this case, by contesting essentialist understandings in claiming that homosexuality is culturally imposed learned behaviour that can be unlearned, arguments for the denial of rights afforded other citizens have been made. (Elsewhere (Richardson, 2017), I have critiqued sexual politics based on essentialist arguments and focused on a narrow agenda of legal rights rather than broader social justice based struggles, however debates over political strategies and activism are beyond the scope of this paper).

That progressive policies which aim to advance inclusivity and equality may inadvertently reinforce essentialist views of identity also has important implications for people's everyday lives. It may lead to a marginalization of more fluid understandings of identities and risks simplifying complex and diverse identities by reinforcing binary categories. There is also the potential for these policies and their effects to be reinforced and 'weaponised' in political and cultural contexts where there is resistance and opposition to LGBT and women's rights associated with anti-gender movements, religious discourses and mobilizations, and right-wing populist politics -or a combination of these. In the US, for example, one of the first executive orders signed by Donald Trump in taking office as President in January 2025 proclaimed that, as part of restoring 'biological truth', the federal government would recognize only two genders on the basis that there are only two biological sexes, male and female, denying the experiences of trans, intersex and gender diverse people. In this sense, the revitalisation of the concept of sexual orientation, used in a narrow rather than pluralistic way, risks closing down understandings of the complexity of everyday lives in ways that can be used to reinforce the minoritization of groups of people and erase sexual and gender diversity.

More broadly speaking, beyond specific rights claims, debates regarding social constructionist and essentialist approaches to sexuality are also relevant to the (re)production of sexual/social regimes. One of the main ways in which sexual orientation has been analysed is as a discourse that serves to legitimate a particular social ordering of populations into 'majority' and 'minority' groups. This has led some writers to argue that through fixing these relative categories the essentialist concept of sexual orientation represents a 'condescending othering discourse' that can be used as a means of creating hierarchies of value and relative importance attached to certain issues, people and politics (Petchesky, 2009: 109). As I have outlined, contemporary sexual politics of LGBT movements in most countries has sought social change through demands for 'equal rights' through a reconfiguration of citizenship, linked to the notion of a stable and exclusive identity. Although the lives of some LGBT people may have been improved through civic inclusion, these

processes of normalization of LGBT equality operate as a minoritising discourse that not only reaffirms discrete identity categories of persons, but also a particular (hetero)normative social order (Duggan, 2002; Richardson 2017; Richardson and Monro, 2012).

This re-essentializing of sexuality associated with the normalization of LGBT equality that we have witnessed in many parts of the world in recent decades clearly matters, for all the above reasons and more. Indeed, at a time when challenges to social understandings of sexuality are increasingly voiced, and we are witnessing a revitalisation of essentialist and naturalising epistemologies, the task of developing critical theory is particularly prescient.

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Notes

1. 'Progressive' is used here to refer to sexual politics of inclusion and recognition through which LGBT and SOGI rights have been articulated, primarily through legalistic understandings of 'progress' in terms of the legitimation of 'equal rights' by the nation state. Thereafter I use the word without quotation marks.
2. The LGBTQIA + acronym refers to lesbian, gay, bisexual, transgender, queer/questioning, intersex, and asexual. It may also include 2S, meaning Two Spirit. Whilst recognising this expansion, the use of LGBT in this paper is reflective of how mainstream national and international political progressive developments have largely been made under the framework of LGBT rights.
3. In the last few years, many organisations such as, for example, the Council of Europe and the UN have expanded the acronym to include 'sex characteristics' (SOGIESC).

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