HIV testing, neoliberal governance, and the new moral regime of gay health in Taiwan

2012-08-07 18:04:07

By

Recent developments in global AIDS governance have focused on the need to tackle HIV/AIDS-related stigma, which is regarded as subjecting PLHA to social exclusion and hampering overall prevention efforts. Endorsed by UNAIDS and disseminated by the transnational network of NGOs, de-stigmatisation strategies, either through policy or activism, have come to mark a key aspect of the current glocal response to the pandemic. Significantly, these seemingly progressive moves to combat HIV/AIDS discriminations or to enshrine PLHA rights have also precipitated a new mode of neoliberal governance. In this piece I examine some of the regulatory effects it engenders in the specific context of Taiwanese responses to HIV/AIDS.

This pile of ‘Rainbow scourers’, made and sold by the gay health centre Rainbow Paradise, is for ‘scrubbing and washing off stigmas’, making you ‘sparklingly clean’!

This newly emerged trend of AIDS governance in Taiwan pertains to the close partnership between the Taiwanese state and the AIDS service industry. I have chosen Taiwan AIDS Foundation (locally known as the Red Ribbon Foundation and hereby abbreviated as TAF) as the focal point

of my analysis of this new biopolitical condition. Founded in 2005 by the former CDC director and health minister Dr. Twu Shiing-jer, TAF immediately established itself as the leading player within the AIDS service industry, which only came into formation over the last decade, largely in the absence of local AIDS activism. By involving the business sector (including the Rotary Club of Taiwan, *Standard Chartered Bank, GlaxoSmithKline* and the *retail franchise 7-Eleven)* in their prevention campaigns, this semi-official nongovernmental organisation has engendered a new *entrepreneurial* culture of health through savvy social marketing that penetrates deep into the space of the national-popular. Although the 'progressive' players in the industry are unhappy with TAF's espousal of the official ABC prevention principle, they have not been able to effectively challenge TAF's hegemonic ascendency. To interrogate why that is the case, I have opted for a conjunctural analysis so as to open up a space of sexual dissidence. By focusing on TAF's operations, I hope to question the norms and values that are tacitly shared by the industry. In what follows, I tell a story about how this mode of state-NGO co-governance gives rise to a new culture of gay health, a mainstreaming process wherein the politics of sexual shame is at stake.

Over the last few years, Taiwan's CDC, having finally recognised the internet as a key sexual medium, began to commission NGOs like the Tongzhi Hotline, the largest gay organisation in Taiwan, and TAF, to run a safe sex website targeting the MSM population. In 2010, under the CDC's new initiatives, three gay health centres – 'Gisneyland', 'Rainbow Paradise' (renamed in 2012 as 'Taichung GDi LGBT Resource Centre'), and 'Queer Sunshine' – were further set up in different regions under the management of TAF, Lourdes Association, and Love Hope Association respectively.[1] These ASOs differ in the way they position themselves within the space of civil society. For instance, while TAF has always sided with the state, the others have formed an alliance in early 2011 called 'AIDS Action Coalition' to contest the state's proposed plan to discontinue its free dispensation of HAART. Despite this, all these gay health centres, well-versed in the neoliberal language of (global) gay equality and LGBT diversity, share the same brand image of the homonormative.[2]

Recently TAF cooked up a slogan headlining their website for gay men: 'Gay men are blessed in their life with three attributes of sex: legitimate, pleasurable, and responsible.'[3] This slogan neatly captures current mainstream thinking on HIV prevention in Taiwan, for we note that, under the epidemic condition, the legitimacy of gay sex and the possibilities of pleasures depend highly on the proviso of responsibility. Yet historically, this talk of responsibility on the part of gay men has always been a duty, because male homosexuals, like female sex workers and migrant workers, were legally obliged to undergo mandatory HIV testing under the AIDS

Prevention Act (1990).[4]

Intriguingly, in the Act Concerning HIV Prevention and PLWA Rights Protection (2007), the making of which heavily involved the AIDS service industry, while sex and migrant workers still remain on the list of mandatory testing, the category of homosexuals are now replaced by that of 'illicit drugs users involved in group sex'.[5] This new category is the product of the moral panic triggered by the highly sensationalised police raid of a private gay sex party in Taipei in 2004. In what is known as the Nongan Street Incident, 92 party goers were arrested and 28 HIV positive people, all registered on the CDC's surveillance list, were immediately tracked down and prosecuted for intentional transmission of HIV. Although the prosecution failed due to insufficient evidence, the intensification of sexual stigma has since led one defendant to commit suicide during the trial while subjecting the underground party culture to the much abused (but rarely contested) policing technology of entrapment, frequently deployed in internet chatrooms and social networking Apps on smart phones. In other words, if you are a good homosexual these days, you can be exempted from the violence of the state checking up on you, but a new category of deviance – the sex/party subject – is formed.

In the meantime, recent years have seen a key shift in official policy on HIV testing. While the government continues to enforce mandatory testing, it has also started to expand the scale of anonymous testing, a move that was started off by TAF's launch of the US style National Testing Day Campaign in 2007.[6] Installed as part of this enlarged HIV testing apparatus, the new gay health centres are therefore given the mission to raise the testing rate of the MSM population and to responsibilise gay individuals at the same time.[7] With the elimination of the homosexual from the list of mandatory testing, this responsibilisation of the gay self means that, according to Rainbow Paradise's manifesto, he is now entitled to 'enjoy healthy sexual pleasures', insofar as he takes up the ethical duty of 'pursuing physical health, mental hygiene, spiritual growth, so as to become a truly happy person'.[8] What could be more normative, one must ask, than enjoining people to live a happy life?[9]

Importantly, in order to maintain such a pristine self-image, such an upward-looking gay man (regardless of his serostatus) needs to distance himself from those seen as having no willpower or self-control over drugs and sex.[10] In essence, what a 'good', responsible homosexual ought to be doing is to purge the sexual stigma that has hitherto linked to HIV, for this is the auratic truth of TAF's campaigning of the 'New MSM movement', with the term 'MSM' being given a new spin as 'Mitigate Stigma Myself'.[11] Meanwhile, 'safe sex', the key mechanism deployed in this new health culture, has gradually become a new form of sexual moralism that does not tolerate any degree of risk. Significantly, oral sex,

which used to be regarded as low risk practice, has come to be problematized as dangerous behaviour by those 'gay friendly' public health experts working closely with both the CDC and the AIDS industry.[12]

The problem with this neoliberal kind of gay health culture is that while taking self-care and the pursuit of pleasure as a project of self-realisation, it continues to pathologise certain sexual practices by rendering them as bad choices. Consequently, those gay men who are unable or unwilling to follow the royal path of health come to be reprimanded as irresponsible, lacking in moral legitimacy. Significantly, neoliberal governance of self-care, together with the state's wielding of what Kane Race terms as 'exemplary power' in its claim over moral sovereignty, have given rise to a new disciplinary regime that deepens the shaming force of the stigma around HIV/AIDS.[13] Despite all its talk of health as human rights and its endeavour to mobilise gay people in AIDS prevention, the CDC is in fact sending out a message to the gay individual like this:

You'd better behave yourself, because as a second class citizen, you cannot afford to catch STDs or HIV (STD patients are now included in the mandatory list). It's true that I shall let you live, but on condition that you be contact-traced and treated as sexual suspects for the rest of your life. Should you have no self-respect and get involved in party-and-play, mandatory testing will be activated immediately and you shall be named and shamed before being sentenced to the maximum penalty of 12-year imprisonment. Meanwhile, I will feed you with outdated medicine with debilitating side-effects while letting you bear the stigma of being a drain on the nation's precious resources. I shall not let you die an ugly death, but nor will I let you live a life with dignity.

Such is the biopolitical reality of HIV in present-day Taiwan.

So, faced with this new sexual moralism, what prevention tactics could queers in Taiwan develop? Forging a shame-friendly community, I suggest, can be a starting point. As Heather Love reminds us,

> *Shame, rather than being a last lingering burden we need to throw off, is more like a stubborn material imprint—a mark. This feeling is a psychic and corporeal reminder of what would need to change in order to render shame actually obsolete.*[14]

By seeing how stigma is hierarchically structured and works on differently positioned subjects, we learn to live through difference and transform, collectively, the lingering sense of queer shame.[15] Hence the ethic of community care developed from the gay group sex party culture ought to

be celebrated and promoted. Such a bottom-up grassroots movement and the responsibility it fosters is categorically different from the top-down, purifying prevention initiatives currently implemented by state-ngo governance. In concrete terms, as Kane Race has argued within the Australian context, given that there is no such thing as absolute safety, one self-reflexively adopts different techniques of risk-reduction depending on the scenarios one is in, while in taking into account of the new AIDS context mediated by HAART.[16] Crucially, the new trend of sexual governance in Taiwan and the heightened stigma of HIV it produces has actively impeded the building of a local queer counterpublic where embodied practices/knowledge of risk reduction can be openly discussed and disseminated, a project made all the more urgent politically given the increasing biomedicalisation of HIV prevention and the privatisation of the gay (partying) scene.

In conclusion, the civilising missions undertaken by both the state and civil society in the name of health must be forcefully challenged. If not, queers will end up with a gentrified gay culture that is pathetically safeguarded by the new army of sex cops and the state's incrimination of PLHA.[17] Cultural questions around AIDS must not be reduced to a matter of individual responsibility. Nor should taking a voluntary HIV test be elevated to an act of civic virtue, as it is currently framed within a neoliberal, authoritarian regime like Taiwan. Otherwise the political responsibilities of the state and NGOs alike cannot and will not be held accountable to anyone.

---

[1] Lourdes Association, formerly a Catholic charity, positions itself as care provider for the community affected by AIDS. Love Hope Association has a strong public health background and provides mainly testing and education services. The latest addition to this new network of gay heath centres in 2012 is the Gay Community Centre Taipei, which is managed by Light of Friendship Association, a close ally of TAF.

[2] Extending its critique of normative ideals that sustain the heterosexual way of life as given, queer studies has used the term 'homonormativity' to underscore the regressive aspects of mainstream gay politics in its assimilation of oppressive heterosexual institutions. Current global campaigns for the legalisation of gay marriage are a prime example of this. Incidentally, TAF has tapped into this trend in their latest campaign entitled 'the Gay Happiness Month' in June 2012, calling on the LGBT community to pursue the ideal of monogamous coupledom, which is construed as conducive to HIV prevention.

[3] See Enjoysex Newsletter No. 3, http://www.enjoysex.org.tw/static/upload/newsflash/epaper_03_2.html, accessed June 25, 2011.

[4] In practice this often occurred within the context of police intervention in public spaces frequented by male homosexuals, but those working in the sex industry were especially targeted.

[5] It is particular of importance to note that with its adornment of PLAH rights, the new act raises the maximum penalty of intentional HIV transmission from 7-year imprisonment to 12-year.

[6] Because HAART is free (paid out of a special annual budget, instead of national health insurance) for those registered on the CDC's surveillance list, anonymous testing has come to be seen an indispensable means to supplement confidential testing, insofar as those tested positive through anonymous testing will eventually, according to the CDC rationale, be 'captured' by the system when they need treatments.

[7] On the question of responsibilisation in neoliberal governance relating to HIV/AIDS, see Gary Kinsman (1996) ' "Responsibility" as a Strategy of Governance: Regulating People Living with AIDS and Lesbian and Gay Men and in Ontario', *Economy and Society* 25.3: 393-409; Christopher J. Colvin, Steven Robins, and Joan Leavens (2010) 'Grounding "Responsible Talk: Masculinities, Citizenship, and HIV in Cape Town, South Africa', *Journal of Development Studies* 46.7; Steven Robins (2006)

‘From “Rights” to “Ritual”: AIDS Activism in South Africa’, *American Anthropologist* 108.2: 312-323.

[8] http://www.totrp.org.tw/index.php?mode=data_about, accessed August 21, 2010.

[9] See Sara Ahmed (2010) *The Promise of Happiness*, Duke University Press, Durham & London.

[10] In a speech addressed to the crowd at the 2011 Taipei Gay Pride March, an exemplary HIV positive gay man, cultivated by Lourdes Association’s POZ empowerment program, strongly denounced the use of recreational drugs and promiscuity as he calls on POZs to think and act ‘positively’. As HIV coming-out is only a very recent phenomenon in Taiwan, the emergence of this normative HIV subjectivity is highly significant. See http://www.peopo.org/quendigay/post/92567, accessed Oct 30, 2011.

[11] This new take on MSM was proposed by public health expert Dr. Chih-Yin Lew-Ting. See *Getting to Know Tongzhi: 2009 Tongzhi Citizen Movement Handbook,* Taipei: Taipei City Government and Taiwan AIDS Foundation, pp. 50?51.

[12] Readers are referred to the work of Dr. Nai-Ying Ko, who has executed many CDC-funded research projects on the local MSM population. She is also in charge of running the Queer Sunshine Centre.

[13] Kane Race (2009) *Pleasure Consuming Medicine: The Queer Politics of Drugs*, Duke University Press, Durham & London.

[14] Heather Love, 'On the Politics of Emotions: Feeling Backward, Feeling Bad',

Talk delivered at National Tsing Hua University, Taiwan, Dec 16, 2010.

[15] Even a state-endorsed institution like Rainbow Paradise could not be exempted from being tainted by queer shame. In December 2011, the health centre lost its tenancy as the administration committee of the local residential community decided that such a 'homosexual club', a term connoting the sleaze of the 1980s underground male homosexual culture, was not welcomed in their neighbourhood. An anti-homophobia LGBT march, the first of its kind in central Taiwan, was subsequently staged in protest of the centre's expulsion. Yet, instead of countering the sexual stigma relating to HIV/AIDS, the march appealed in the main to the liberal rhetoric of multiculturalism, global civility, and gender equity.

[16] Kane Race, 'Revaluation of risk among gay men', *AIDS Education and Prevention* 15.4 (2003): 369-81.

[17] Taiwan CDC has just announced a new plan to recruit the employees of gay saunas as 'sex cops' to patrol and ensure condom uses on the premises. See Li Shuren, 'CDC: Sex Cops in Gay Saunas', *United Daily*, July 22, 2012,

http://mag.udn.com/mag/life/storypage.jsp?f_ART_ID=403431, accessed July 27, 2012.

AMA citation
. HIV testing, neoliberal governance, and the new moral regime of gay health in Taiwan. *Somatosphere*. . Available at: . Accessed August 10, 2012.

APA citation
. (). *HIV testing, neoliberal governance, and the new moral regime of gay health in Taiwan*. Retrieved August 10, 2012, from Somatosphere Web site:

Chicago citation
. . HIV testing, neoliberal governance, and the new moral regime of gay health in Taiwan. Somatosphere. (accessed August 10, 2012).

Harvard citation
, *HIV testing, neoliberal governance, and the new moral regime of gay health in Taiwan*, Somatosphere. Retrieved August 10, 2012, from <>

MLA citation
. "HIV testing, neoliberal governance, and the new moral regime of gay health in Taiwan." . Somatosphere. Accessed 10 Aug. 2012.<>