

# **Cuba: A Revolution of Sexualities, Sexes/Genders and Bodies<sup>1</sup>**

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## **SUMMARY**

The following contribution focuses on Cuba's sex/gender policy as it has been reflected in the project 'Centro nacional de educación sexual', CENESEX for short, since 1989. It reveals how transsexuals in Cuba have been able to change their name, how the project CENESEX helped to depathologize transsexual persons, and which perspectives approaches such as these can provide.

## **INTRODUCTION**

When I first met J.R. he complained of being a man trapped in a woman's body. He suffered familial and social conflicts that resulted from the continuous contradiction between his female biological sex and his male sex/gender identity. After having worked for 40 years in the metal industry he is now retired. His older brother describes how from a very early age he strove for as masculine an appearance as possible, something frequently reported in the stories of Cuban transsexual persons. In 1972, at the age of 23, J.R. was recognized by CENESEX as transsexual. This enabled him to change the picture and the name on his identity card. He was the first Cuban to receive institutional help in the legal recognition of his male identity. The changes in his identity card greatly facilitated his social integration. In those days, sex/gender reassignment surgeries were not yet performed in Cuba. His employer provided a number of testimonies emphasizing his human qualities and his excellent professional performance. This was also very helpful in the following steps that we took together with him. In a letter to the Ministry of Health from 1983 he wrote:

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<sup>1</sup> | Original version in Spanish.

"You cannot imagine how much I am suffering. [...] Cuba helps other people in other countries, so why don't I get any help, although I'm Cuban? My problem is not the result of a whim, it is a humanitarian question. Because I can only feel like I am a fully valid human being if I get surgery."

He wanted to undergo surgery at all costs. I quote from the same letter: "[...] even if I'm already old and lose my life in the process." He said he would be prepared to sign the necessary documents in order to be buried as a man in case he should not survive the operation.

Similar to other transsexual persons, J.R. expresses the great suffering and discomfort that was caused by his body's nonconformity and that drove him to turn to the health authorities. We do not make diagnoses as we do not regard transsexuality as pathological. As a government institution we support these people, discuss their situation with them and offer them guidance tailored to their needs. Since the victory of the Revolution in 1959 the state and the government have shown the political will to address different forms of discrimination as they were detected in specific moments of history.

### **Development of the project CENESEX**

The issues of trans- and homophobia have been on the agenda since around the turn of the millennium. Before that time, they had often not been noticed as forms of discrimination. Since the introduction of the public health system in 1979 the National Workgroup for Sexual Education, with its specialized medical and psychological assistance, has been a governmental contact point for trans persons. In 1989 this unit was affiliated as 'National Center for sex education' (CENESEX) to the Ministry of Health. Before this it was part of the 'Federation of Cuban Women', an important NGO. When the issue of sex/gender education was included in the political agenda, the center joined the Ministry of Health in order to be able to budget the political activities in the field of sex/gender education. The efforts undertaken by this women's organization and the National Center for Sex Education in providing practical assistance to transsexual persons enabled CENESEX to redirect its approach in order to better meet the needs of transsexual people, and made it clear that it was necessary to overcome the internationally prevailing biomedical model and develop a social and legally anchored perspective on transsexuality. This called for a paradigm shift with respect to our understanding of transsexual persons as pathologized and manipulated human beings, as well as a focus on social problems and in particular on the power relationships that deprive transsexual persons of their rights.

Against this background, today's situation of transsexual persons in Cuban society, their social integration and the possibility of full exercise of their rights is no longer only a personal, familial and medical issue, but requires a public response in the form of a specific social policy. In 2004, in accordance with the accepted criteria of scientific discourse, we renamed ourselves 'National Commission for the Treatment of Persons with a Gender Identity Disorder'.

We are however aware that psychiatry continues to regard transsexuality as a disorder of gender identity.

After thoroughly concerning ourselves with transsexuality as a social reality in Cuba and other countries, we were however able to confirm that transsexual people demand to be regarded as healthy men and women and as fully valid social actors. They do not accept being treated as patients, let alone as a threat to public order. For this reason we changed our name to 'National Commission for the Comprehensive Assistance of Transsexual Persons' in 2005. One of the main reasons for this decision was a meeting I organized of more than 40 transsexual persons and transvestites, who had requested the support of CENESEX for the approval of a surgical sex/gender reassignment and the legal recognition of their sex/gender identity, in order to put an end to the inappropriate treatment by the police in certain public places. At this meeting we suggested educating them as sex advisers as well as cooperating in the framework of the national program for the control and prevention of sexually transmitted diseases such as HIV (Human Immunodeficiency Virus) and AIDS (Acquired Immune Deficiency Syndrome). The aim was to strengthen their role as social actors in the prevention of the AIDS epidemic as persons who do not only have access to certain benefits but who contribute to the effort themselves. Later they were also offered a training for the promotion of the sexual rights laid down by the 'World Association For Sexual Health' (WAS). Thanks to these trainings, the transsexual persons participated in the implementation of a political strategy against the socio-cultural climate of ignorance and discrimination which led to transphobia and thus to the discomfort of these people. This is also how 'TransCuba' was created, a project carried out by activists engaged in the field of sexual health who have been enriching our work with very valuable ideas. With their active participation transsexual persons are making an important contribution to political change with respect to these issues. Cuban specialists had already successfully performed a first sex/gender reassignment surgery on a female transsexual person in 1988. This operation was presented and discussed at a scientific conference, but the news was published by a paper whose coverage was inappropriate. This provoked protest letters from the public and the Ministry of Health retracted

its approval to perform further operations. 20 years passed before Cuba's trans population was once more able to make use of this service. Due to resistance from Cuban institutions against a legal recognition of the sex/gender identity of transsexual persons it was only in 1997 that a few agreements could be concluded with the Ministries of the Interior and Justice. These agreements finally enabled 13 transsexual persons, whose applications had been submitted a long time before, to change their names and photos in their identity documents. However, this did not involve a complete modification of official documents. The entries in the civil register remained unchanged, because the laws were (and are) always interpreted in the sense that the morphology of the genitals determines the legal sex/gender. For this reason a change of the name and sex/gender entries in the civil register is only possible if a sex/gender reassignment surgery has also been performed.

### **Current situation in Cuba and Implementation of the Project Aims**

- Later, in the course of a restructuring, CENESEX expanded the composition of its interdisciplinary team for the support of trans persons. This also included changes regarding its function as well as the development of a national strategy for comprehensive support which now is no longer limited to medical aspects. This strategy was presented to the Federation of Cuban Women, the Central Committee of the Communist Party of Cuba and various parliamentary commissions in order to hear their assessment and gain their support for a corresponding bill. It comprised the following goals:
- Development of guidelines for the comprehensive medical support of transsexual persons corresponding to international standards and the characteristics of Cuba's health system. Since all health services in Cuba are free of charge, this point was criticized by some people who consider medical support of transsexual persons a luxury and not a medical necessity and therefore demand a cost sharing. The Cuban government however reminded them that cost-free access to medical services is a human right and will remain so in the future, and that the surgeries to be performed every year will be financed by the state budget. To gain access to the health system we do not have to declare ourselves ill. Accordingly, we also do not declare transsexual persons as sick or mentally challenged. They merely suffer from a discomfort and receive the services detailed in the guidelines.
- Promotion of interdisciplinary research on the subject of transsexuality.
- Development of education and publicity campaigns for the promotion of

understanding and respect for transsexual persons on the part of the community and society.

- Implementation of educational programs that sensitize for the realities of transsexual persons and the necessity for their social integration.
- Promotion of legal mechanisms for regulating comprehensive social support of transsexual persons in Cuba.
- Introduction of educational programs for the support of transsexual persons and their relatives. As will have become clear here we regard education as a crucial tool for transforming ways of thinking and culture of contemporary Cuban society, a tool in the struggle against discrimination and for the strengthening of solidarity as well as for the respect of trans persons' dignity and rights.

Most successes of this strategy concern the Ministry of Health. In June 2008 an agreement was passed comprising the medical support of transsexual persons, the responsibilities of this commission and the creation of a center for comprehensive support.

On the basis of the first goal suggested by us, the Centre for the Comprehensive Support of Trans Persons and their Relatives was established, the facilities of which are located in the National Centre for Sexual Education, which is headed by myself. The standards applied here are based on the informed consent given by the person after receiving comprehensive information about hormonal and operative procedures.

In addition, we have developed treatment standards for surgical sex/gender reassignment with the support of experts from the University of Gent, Belgium. This service is covered by the national health system. Since 1979, a total of 210 persons have applied for treatment by specialists. Of these 210 persons, 37 were recognized as transsexual – recognized, not diagnosed – and on fifteen of them sex/gender reassignment surgery was performed in collaboration with doctors of the university of Gent.

In 2011, J.R., the person I mentioned at the beginning, was able to undergo sex/gender reassignment surgery. According to his own account he is now living as a very happy man.

Regarding the second goal formulated by us, several standards and research projects were created during the realization of this strategy, for instance an evaluation of the strategy for a comprehensive support of transsexual persons as a sociopolitical program in Cuba, studies on the societal representations of sexu-

ality, carried out by a group of trans persons from the capital Havana, as well as a smaller study on family and transsexuality in Cuba. Work with the relatives was very intense and very important, particularly for the support of transsexual persons during and after surgery. There were also smaller studies conducted on non-normative sexuality and violence as well as transsexuality and employment, etc. These studies are published in the scientific journal *Sexología y Sociedad* as well as on the homepage of CENESEX.

In order to approach the third goal formulated by us, CENESEX has been organizing the International Day against Homophobia and Transphobia (IDAHO) on the 17th of May of every year since 2007. Since 2008 we have also been working on a national education strategy for the promotion of respect of the right to free sexual orientation and sex/gender identity as a training for social justice and equality – with active participation of LGBT activists as well as intersex and heterosexual persons. Thus the Cuban LGBTIH<sup>2</sup>-movement was established under the leadership of CENESEX. Besides IDAHO numerous other events are also organized. In June we are always very exhausted from all the work!

In addition, the trans activists contribute their voices and experiences in expert discussions in which the strategy is presented. Here they become present and engage in a dialogue with society. We train them in methods of participatory education so that they may share the knowledge of their experiences in the debates and help to constructively shape the discussions. They attended, for instance, the last three Cuban conferences on education, orientation and sexual therapy, various discussion meetings in the framework of the Latin American film festival 'Cine Pobre', the Outgames of Montreal, Denmark and Belgium, conferences on HIV prevention (as AIDS activists) etc. They also participated very actively in organizing the various celebrations taking place nationwide for the International Day against Homophobia and Transphobia.

Regarding the fourth goal we organized numerous courses, seminars and workshops for sensitizing the staff of the Ministries of Health, the Interior and Justice, the High Court, the Attorney-General, the police schools and the school for training cadres of the Communist Party, the universities for medicine and educational sciences as well as the Latin American School of Medicine (ELAM). In Havana we developed courses for further education for journalists and correspondents, artists, writers, script writers for radio and television, directors of feature films and animated films and employees in other audiovisual media. Thanks to these efforts we now have the wide support of social actors across the entire Cuban population.

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**2** | H for heterosexual persons.

Regarding the fifth goal two bills were drafted that are still awaiting a political decision. One is a legislative decree on sex/gender identity that comprises all aspects which are regarded as fundamentally necessary for the respect of the dignity of transsexual persons. This decree refers to the possibility to make a change in the civil register without performing sex/gender reassignment surgery, since not all persons desiring a change in the civil register wish to or are able to undergo surgery. We are still waiting for a decision by the legislator on this decree. A second proposal aims at the revision of family law. Making use of its legal power anchored in the Cuban constitution, the Federation of Cuban Women has in the past 20 years spearheaded a process of revising and redrafting of family law which was promulgated in 1975 by popular vote. Because of the importance of this revision for the full exercise of our civil rights regarding our protection and well-being as well as on the basis of general human rights and our social responsibility, we advocate the adoption of a new article concerning the rights of sex/gender identity and sexual orientation. An inclusion of the core aspects of this new strategy in a legal structure such as family law permits the acknowledgement that it is within our family that we all make our first experiences of learning and socialization which fundamentally shape us for the rest of our lives. Thus it can be acknowledged that it is the responsibility of the family as an institution to protect all its members without any form of discrimination.

## PERSPECTIVES

At the suggestion of the National Commission for the Comprehensive Support of Transsexual Persons, the CENESEX and the sexological scientific community, Cuba has joined the worldwide campaign for the depathologization of transsexuality in 2010 with a declaration of intent that embraced our arguments published on our homepage.

At the conference of the Communist Party of Cuba held in January 2012, a guideline for combatting every form of discrimination was adopted, which for the first time in our history also included sexual orientation and sex/gender identity. While this guideline was included in the political agenda of the Communist Party, we are at the moment still working on its actual implementation. The mere fact that this aspect is now on the political agenda is not sufficient.

To conclude I would like to emphasize that due to the special social significance and the high humanistic content of this strategy, we demand that it become an

integral part of social policy and is also reflected in the national legislation. I refer to José Martí who observed: “Justice does not bear delay. Whoever defers its execution directs it against themselves.”<sup>3</sup>

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**3** | Cuban thinker, publicist, philosopher and poet of Spanish descent, symbol of the Cuban independence movement. URL: <http://akifrases.com/frase/190649> [26.11.2013].



