Volume 1

Sexuality and Politics:

Regional Dialogues from the Global South

Editors: Sonia Corrêa, Rafael de la Dehesa, Richard Parker

SEXUALITY POLICY WATCH

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Revisiting the SPW Regional Dialogues on Sexuality and Politics

Sonia Corrêa, Rafael de la Dehesa and Richard Parker

Between March 2009 and October 2010 SPW sponsored a series of three Regional Dialogues on Sexuality and (Geo) Politics in Asia (Hanoi, March, 2009), Latin America (Rio de Janeiro, August, 2009) and Africa (Lagos, October, 2010). These were followed by an Interregional Dialogue (Rio de Janeiro, September, 2011), which brought together participants from the previous events. This exercise aimed at sharing knowledge, analyses and research findings. It immediately followed the 2004– 2007 global research project that resulted in *SexPolitics: Reports from the Front Lines* (Parker, Petchesky & Sember, 2007)[1], in which the units of analysis were individual countries and global institutions, explored through case studies. The Dialogues were not designed as a research project, in conventional terms, but rather as an opportunity to enhance collective processes of reflection on sexuality and politics, involving academics and activists engaged in diverse areas of sexuality research and advocacy. The aim was to break through the boundaries of the nation-state so as to better capture the transnational forces and trends at work in these intersecting realms.

The conceptual framework that oriented these exercises had as its central premise the understanding that sexuality is always related to power, whether defined in political, cultural, scientific or religious terms. On the one hand, cultural norms, values and beliefs, as well as laws, institutions and policies influence sexual behaviors, name identities and often circumscribe sexual freedoms. On the other, states and political processes, economies, religious doctrines and practices, and science are also

1 Available at http://www.sxpolitics.org/frontlines/home/index.php

culturally constructed artifacts. As such, they not only have an impact on, but also are also strongly affected by the socio-cultural systems in which they are embedded, which are inevitably gendered and sexualized. Based on this premise, the proposal was that the dialogues would look into four sets of intersections: (1) sexualities and the state/political processes, (2) sexualities and religion, (3) sexualities and science, and (4) sexualities and economics.

The Dialogues also intended to contribute to the further development of sexuality-oriented knowledge networks in Africa, Asia and Latin America. The meetings were thus organized in close discussion and partnership with SPW collaborators and colleagues in the regions, who defined the meetings' agenda and composition. These regional taskforces adapted the overarching conceptual framework, with its four axes of discussion, in ways that reflected conditions prevailing in sexuality research and politics in each context, perceptions in relation to priorities and relevance, the availability of pre-existing research and analysis that contributed to the dialogues, as well as the composition and profile of participants at the meetings and of the taskforces that organized them. This adjustable model inevitably produced refractions in terms of how the framework and its intersections were addressed in each region.

One first and obvious caveat, of course, concerns the problematic limits of 'region' as a meaningful construction. As a geographical and policy/political category it certainly has a rather robust correspondence with global governance structures, in particular, of the United Nations and its various machineries. In the last twenty years, the prospects that regional governance structures such as those built in the European Union would emerge in the various continents must also be taken into account. Regional and sub-regional structures have been effectively established across the globe, even if their solidity and capacities for governance remain extremely uneven. In particular, when examining trends in relation to sexuality and human rights, it is not at all trivial that regional human

rights architectures exist in Europe, the Americas and Africa[2], whose premises, treaties and modus operandi overlap with and complement international human rights law and related instruments, institutional bodies and procedures.

That said, the limitations of the 'region' as a framework for analysis did not escape the attention of the Dialogues' participants. "What is Asia?" was the very first question raised at the Hanoi Dialogue. From there on, the question of how to engage in conversation on sexuality and politics in regional terms, given the backdrop of deep heterogeneity in terms of political regimes, cultural norms, histories of state formation, religious traditions, (often competing) projects of 'development,' as well as systems of gender and sexuality, underlay the discussions at the Asia meeting, and was later reiterated in the Latin American and African conversations.

Despite the admitted limitations of the Dialogues, it is fair to say that their outcomes in some ways reflect the state of the field. The research findings and analyses brought in to contribute to discussions at the meetings, for example, were predominantly anthropological and micro in scope, a feature that somewhat mirrors frames prevailing in research on sexualities in the global south. Yet, in all regions, more cross-disciplinary and meta-analytic studies were also presented in relation to states and political processes, and science and technology. It was also the original intention that in each region religion would be an important focus, albeit with distinctive contours and focuses, although this proved ultimately to be highly variable. Perhaps most striking, nowhere were the intersections between sexualities and economics examined through more structural lenses – in other words, in ways that fully engaged with or contested dominant epistemologies of economics, again, reflecting certain gaps in sexualities research more broadly.

2 There is no regional human rights architecture in Asia. But many Asian countries have established national human rights institutions and almost all of them belong to the Asian Pacific Forum of National Human Rights Institutions that has played quite a relevant role in terms of regional and transnational exchanges.

Altogether, the Regional Dialogues involved 85 researchers and activists from 25 countries[3], whose names are listed at the and of the second volume. In the course of these debates, thirty-seven papers were presented and debated. In the case of the Asian and African Regional Dialogues, the main outcomes have been published as executive reports on the Sexuality Policy Watch website[4] (and the papers written for and discussed at the Latin American Dialogue were published in the e-book, *Sexualidade e política na América Latina: histórias, interseções e paradoxos* (Sexuality and politics in Latin America: histories, intersections and paradoxes), published in the original Portuguese and Spanish (Corrêa & Parker, 2011).[5]

The final product of this extensive process of exchange and discussion is a two-volume publication in e-book format. This first volume comprises six papers selected from those presented at the Dialogues and this short overview. The second volume offers a more comprehensive and expanded overview of the debates at the Dialogues, which pulls together major threads of discussion raised at those meetings, connecting them with theorizing and research on these topics developed by a wide range of thinkers and authors whose lines of work also explore the four dimensions SPW's partners and collaborators examined in Hanoi, Rio and Lagos.

We are grateful to all participants of the three Dialogues who contributed to these discussions by sharing their ideas and experiences. In particular, we want to express our deep gratitude to Rafael de la Dehesa, as without his knowledge and patience these publications would not be possible, and also to Rosalind Petchesky for offering her wisdom and editing skills to enrich and refine the ideas we had developed in this exercise. We also thank the Ford Foundation for having supported this project, in particular, Barbara Klugman who was the Program Officer for Sexual and Reproductive Health and Rights when this cycle of debates took place. Most especially, we would

3 Australia, China, Argentina, Brazil, Cameroon, Colombia, China, Egypt, Gambia, Ghana, India, Indonesia, Kenya, Nigeria, Senegal, Malaysia, South Africa, Paraguay, Peru, Puerto Rico, Philippines, Thailand, United States, Venezuela, Vietnam, and Zambia (see Volume 2 last pages).

4 Available at http://www.sxpolitics.org

5 Available at http://www.sxpolitics.org/es/?=1725&cat=29

like to recognize Gabriela Leite, the longtime activist and leader of the sex worker movement in Brazil, who participated in the Latin America Dialogue and who collaborated closely with us in SPW and at the Brazilian Interdisciplinary AIDS Association (ABIA) prior to her untimely death just before we finalized this text. Her courage and solidarity were an inspiration to us, and her thoughts and influence are present throughout these pages.

It is our expectation that these twin volumes will contribute to the continuing interrogations on the connections between sexuality theorizing and research and political change, highlighting blind spots and pitfalls but also breakthroughs and gains, however limited and provisional they may be.

Sonia Corrêa, Rafael de la Dehesa and Richard Parker
Rio de Janeiro, July 2014

Overview

The current volume begins with Sylvia Tamale's chapter providing a comprehensive analysis of the state of sexuality research in Africa. While it charts African sexualities and related contemporary politics, it also delves into colonial legacies and the post-colonial condition in terms that are not exclusively African. In her own words:

> Nowhere were assumptions regarding the 'knower,' the 'known' and the 'knowable' taken more for granted than in sexuality research conducted on colonized populations such as those found in Africa ... Generally speaking, research in the colonial context was conducted along a traditional hierarchy of power between the researcher and the researched. It was almost always assumed that the researchers knew the researched individuals and that they were always naive 'subjects'. It was further presumed that only the former could create legitimate, scholarly knowledge, usually through written reports and publications with little or no acknowledgement of the role the researched played in the process.

Tamale shows how these biases, which can be traced to the colonial enterprise, are systematically revived in the context of contemporary structural disparities between north and south. Global power asymmetries play out in terms of national research capacity and the very logics of sexuality research financing, priorities, and topics. Tamale critically examines the modalities and biases of research focusing on population growth, HIV and AIDS, and female genital mutilation on the continent, which have added grist to the mills of long-standing stigmatizing narratives of Africans' purported "uncontrolled sexuality" and "promiscuity". We selected Tamale's reflections to be the first chapter in this collection as a cautionary note with regard to the traps and pitfalls of sexuality theorizing and research, from which the narratives on sexuality and politics that have emerged from the Dialogues may not be entirely exempt.

The next two chapters, one written by S.N. Nyeck, the other by Mario Pecheny and Rafael de la

Dehesa, offer critical views on the inscription of sexuality into historic processes of state formation and contemporary technologies of governmentality. Both chapters examine the paradoxes of rights language and claims, guided by questions concerning how state administrative techniques interweave with sexual matters and instrumentalize sexuality and how the subjects of sexual politics engage with and are located in relation to real political processes of recognition, exclusion and cooptation. Yet there are also relevant distinctions to be noted between the papers in terms of theoretical perspectives, contextual conditions, time frames, and emphases.

Pecheny and de la Dehesa emphasize the depth and breadth of transformations resulting from contemporary sexual politics in Latin America in the context of the processes of formal political democratization that swept the region since the 1980s, the effects of the HIV epidemic, and the transnationalization of discourses on rights, gender, sexuality, and reproduction. The authors remind us that these recent changes must be situated in relation to longer arcs of history and processes of state formation, briefly tracing the imbrication of gender, sexuality, race, and ethnicity with normative projects and political dynamics since the wars of independence in the 19th century. They then locate contemporary sexual politics in relation to some key features of Latin American polities, including various projects of modernization, the persistence of political clientelism in formally democratic contexts, and the consequent blurring between private and public spheres that plagues policy formation and political institutions.

Finally, Pecheny and de la Dehesa call attention to the ways in which rights language has become a lingua franca of LGBTQI and feminist activists, underscoring certain blind spots and contradictions implied by this trend. Liberal human rights frames privileging individual and negative rights, for instance, are generally incapable of redressing the sharp inequalities and extreme violence prevailing in many areas of Latin America. In the authors' view, it is thus impossible to discuss gains in the formal recognition of sexual rights without, at the same time, calling attention to the abyss that remains between law and formal policy and daily realities shaped by the inequalities and structures of privilege that characterize Latin American societies.

S.N. Nyeck's chapter also explores the conceptual and political tensions surrounding contemporary sexual politics in Africa, including the growing appeal and use of rights language. Nyeck starts by problematizing the notion of "failed states", which to a large extent dominates mainstream academic and media narratives on African politics, countering with the more calibrated notion of imperfection. She thus suggests that the politics of rights and sexuality on the continent might be framed in terms of political games involving imperfect states, imperfect rights, and imperfect actors. She also asks whether the global discourse on state homophobia that has been intensively deployed in the last ten years has sufficient explanatory power to account for the caveats, discrimination and extreme violence experienced by persons of non-conforming gender/sexuality in African societies. Instead, she suggests that it is necessary to bring other elements of African social and political arenas into the picture.

To illustrate her point, she reviews data collected by the Afrobarometer to assess policy preferences in six countries – Malawi, Nigeria, Uganda, Senegal, South Africa, and Zimbabwe – where issues of sexual orientation and gender identity are prominent, in some instances provoking hate speech and state or societal violence. The data collected by the Afrobarometer shows that in all these countries the majority of people consider poverty, state protection and education as priority policy issues, superseding political rights or discrimination. Nyeck underscores that these political preferences cannot be understood as a rejection of freedom but rather, that they raise questions about the intersections of vulnerabilities, once again raising underlying questions about the differential access to rights and to 'choice' experienced by different sectors of society. Nyeck thus interrogates the validity and efficiency of state-centered human rights strategies to achieve protection of persons whose sexual identity and conduct do no conform to dominant norms. In her view, more horizontal and ground-level work as well as more emphasis on social and economic rights is required for states to respond positively to LGBTQI rights claims.

Both Juan Marco Vaggione and Jayashree Ramakrishna also addressed – though highlighting different dimensions – the intersections of the state, technologies of governmentality, and gender

and sexual orders. Vaggione analyzes the crucial role played by religion, particularly conservative faith-based activism, in contemporary Latin American sexual politics, while Ramakrishna analyzes the interconnections among statecraft, market forces, and the medicalization of sexuality in India.

Examining some of the same themes examined Pecheny and de la Dehesa, Vaggione looks more closely at the long history of entanglement of religious and political authority in Latin America, which has rendered laicization and secularization partial or incomplete in most countries. He specifically highlights recent and ongoing transformations in the Catholic Church's engagement with politics, particularly sexual politics, in the region, calling attention to its growing influence in public life. While noting that these transformations are in part the effects of doctrinal changes enacted at the Second Vatican Council, Vaggione argues that they primarily reflect a "reactive form of politicization" that gained strength under the papacies of John Paul II and Benedict XVI, aimed at reversing the advances made by sexual and reproductive rights movements. One notable dimension of the Church's contemporary political articulations is its Janus-faced nature. On the one hand, it claims a privileged status as a religious institution vis-à-vis other religions whose presence has expanded in the region in recent decades, rooted in its official status in Iberian colonial enterprises; at the same time, it organizes its faithful as civil society actors, among others, claiming a legitimate role in democratic public debates.

Most importantly, perhaps – in light of debates at play in global sexual politics – Vaggione problematizes the classical liberal view that secularity requires that religion (like sexuality) remains confined to the private sphere. Despite this long-standing idealized premise, he notes, both sexuality and religiosity have been increasingly politicized, as reflected in the fierce battles underway around abortion, emergency contraception, and same-sex marriages. In this rapidly shifting context, demanding respect for or even the reconstitution of *laicité*, or secularity, of the state cannot provide a solid basis for the exercise of sexual and reproductive rights, as he explains:

> While campaigns in favor of *laicidad* (laicité) are necessary, they are not sufficient to capture and countervail religious opposition to sexual and reproductive rights. The challenge is to break with secularism and laicism in order to expand our understanding of religion as a legitimate element of contemporary politics. Despite antidemocratic religious practices, it is not possible to exclude conservative religious voices from public arenas, even when they oppose pluralism. Normative frameworks must be revised to open the space for religious actors and discourses on the political playing field.

In her chapter, Jayashree Ramakrishna uses the recent history of condoms and Viagra in India as a window to explore the imbrications of state power, medical technologies, market forces, and gender and sexuality in the country. Before examining the current scenario in which these two products are reshaping and reifying sexual norms, she reminds us that any discussion of the medicalization of sexuality in contemporary India must be placed against the long history of population control in the country. Reflecting the global neo-Malthusian obsession of the Cold War era, population control was posited as a "key to development" and a means of making India a modern country, where poor families would be able to control the "hubris" of excessive fertility.

Turning then to the contemporary panorama, she underscores the ongoing and occasionally paradoxical ways in which notions of gender and sexuality both shape and are shaped by the circulation of medical technologies. While an Indian company produces one of the few available options of female condoms and the problem of the feminization of the AIDS epidemic has been debated for quite some time, for instance, the female condom has never been systematically promoted in the country. Moreover, the state guidelines for condom distribution remain focused on male sexual intercourse outside marriage and "most at-risk populations" (MARPs). Women, except sex workers, are not considered because they are viewed as "asexual", as wives and procreators. Underscoring the transnational dimension of some of these moralizing visions, Ramakrishna notes, for example, the influence of USAID restrictions defined under the Bush administration. These prompted the Indian government's adoption of ABC guidelines in part because they found resonance among

conservative sectors of Indian society, despite its not being a predominantly Christian society.

In contrast, Viagra circulates in the market without much regulation. Its logic and principles converge with a wide range of traditional Ayurveda products aimed at enhancing male sexual fluids and sexual performances. At the same time, the local production of generic versions of sildenafil citrate is so successful that Pfizer, the company that produces Viagra, was unable to capture the Indian market. Ramakrishna, therefore, identifies a sort of 'division of labor' between the state and the market in terms of sexual regulation and disciplining. If the market, on the one hand, is in charge of the medicalized enhancement of male sexuality, without restrictions, the state, on the other hand, is responsible for the micro-disciplining of the condom distribution to men, in particular to those men whose sexual conduct is perceived to be higher-risk. At this complex intersection, Ramakrishna correctly identifies medicalization and the regulation of sexual life by medical technologies as key features of the contemporary landscape of gender and sexual politics, which must be understood in relation to the profit-oriented logic of local and transnational pharmaceutical companies.

Michael Tan, in the last chapter of the collection, also explores the technological dimensions of contemporary landscapes of sexual politics in a sweeping analysis of the trajectory and skyrocketing effects of the informational and digital technology revolution, as materialized in the Internet. Tan retraces the thread of sociological and political research on new technologies of communication to Marshall McLuhan's theorizing in the 1960s, before describing how new Information and Communication Technologies (ICTs) are transforming the structures of public spheres in Asian polities. In examining the current landscape Tan contends that new technologies can reinforce as well as undercut underlying class disparities, depending in part on the technology in question. He notes, for example, that while cellphones have been much more widely disseminated, only 13% of people in the "developing world" had access to the Internet in 2007.

Tan's chapter also charts the various ways in which e-commerce, widespread access to cellphones, and social networking sites, among other innovations, have transformed sexual landscapes and

created arenas for people to "[build] identities around gender and sexuality". Tan offers a typology of digital spaces that are allowing for sexual exchanges, politicizing, knowledge-gathering, and greater plasticity in the Internet: libraries, recreational sites, market places, social networking, performance platforms and political arenas. These spaces and the changes they trigger not only allow for an intense political and market mainstreaming of sexual matters but also, in many instances, have given rise to new "subaltern counter public" communities that produce alternative understandings of identity, which through political contestation may come to influence public debates around sexual plurality and erotic justice. Lastly, Tan examines the politics of digital spaces, providing a bird's eye view of the growing trends toward stricter regulation and censorship of the Internet, quite often triggered by moral panics around sexuality, as in the case of online pornography, particularly child pornography.

This brief overview cannot do justice to the wealth of ideas and data presented in the six chapters included in this volume. Rather, it offers brief snapshots to entice the reader to enjoy and more fully explore the reflections developed by these authors. The second volume of this publication expands on these themes, offering a much broader, crosscutting analysis that draws as well on all the presentations and debates at the various dialogues that were not included in this volume.

Researching and theorizing sexualities in Africa

Sylvia Tamale

Introduction

Researching human sexuality without looking at gender is like cooking pepper soup without pepper – it might look like pepper soup but one sip will make it clear that an essential ingredient in this Nigerian specialty is missing. The hot, tantalizing taste that makes it real and detectable only to the sensitive tongue and palate is absent. In the same way, without a gendered analysis, the 'dish' of sexuality research is flat, empty and morose.[6]

Sexuality and gender go hand in hand; both are creatures of culture and society, and both play a central, crucial role in maintaining power relations in our societies. They give each other shape and any scientific enquiry of the former immediately invokes the latter. Gender provides the critical analytical lens through which any data on sexuality must logically be interpreted. Things that have an impact on gender relations – such as class, age, religion, race, ethnicity, culture, locality and disability – also influence the sexual lives of men and women. In other words, sexuality is deeply embedded in the meanings and interpretations of gender systems.

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6 This essay was first published in *African sexualities: A reader*. (S. Tamale (Ed..), Pambazuka Press, 2011). I wish to thank Jane Bennett, who was my primary source of inspiration for writing this essay, for her generosity in reading the first draft and providing valuable comments.

This truism generally recognized by African feminist scholars of sexuality is by no means universally accepted. Many researchers still view sexuality within the narrow spectrum of the sex act without exploring the extraneous factors that impact and shape our multifarious sexualities. Some scholars caution against oversimplifying and essentializing the practice and discourse of sexualities in Africa, urging a reading of their multiple and contextual meanings (Oinas & Arnfred, 2009; Mama, 2007; Helle-Valle, 2004). Reference to sexuality in the plural does not simply point to the diverse forms of orientation, identity or status. It is a political call to conceptualize sexuality outside the normative social orders and frameworks that view it through binary oppositions and labels. Thinking in terms of multiple sexualities is crucial to disperse the essentialism embedded in so much sexuality research.

The various dimensions of sexuality include sexual knowledge, beliefs, values, attitudes and behaviors, as well as procreation, sexual orientation, and personal and interpersonal sexual relations. Sexuality touches a wide range of other issues including pleasure, the human body, dress, self-esteem, gender identity, power and violence. It is an encompassing phenomenon that involves the human psyche, emotions, physical sensations, communication, creativity and ethics.

Given that sexuality is a deeply complex phenomenon, studies around it must be specialized to reflect its nuances, and its contextual and multilayered nature. Because the topic of sexualities is often wrapped in silence, taboos and privacies, researchers need to hone specific techniques and methods to reveal invisible, silenced and repressed knowledge. Because in Africa many acts associated with sexualities are criminalized or highly stigmatized, analysts need to tread the territory with care and sensitivity. Most importantly, researchers need to recognize that there is no uniform or monolithic way of experiencing sexualities within one culture or community, or even among individuals, therefore the premise of multiple sexualities provides a starting point for any study. It is also crucial to note that gender as a research variable is not a substitute for sex. Nor can we make homogenized assumptions about African sexualities based on other intersecting factors, such as race, ethnicity, socio-economic status, age, religion or other categories. Common sexual stereotypes

find their way into study projects, research designs and, ultimately, theory. Examples include:

- Human beings engage in sex for reproductive purposes only.
- She is disabled and therefore has no sexual desire.
- He is a man and therefore desires only female sexual partners.
- He is a 45-year-old bachelor and therefore must be gay.
- She is menopausal and therefore asexual.
- She wears a religious veil and is therefore sexually submissive.
- She is wearing a dress and high heels and is therefore biologically a woman.
- He is openly gay and therefore his life is exclusively defined by the sex act.
- He is her father and therefore cannot have sex with his daughter.
- Sex workers are nymphomaniacs who cannot survive without sex.
- They are in a childless marriage and therefore she must be barren.
- Her hymen is intact and therefore she's a virgin.
- She is a feminist and is therefore sexually frustrated.
- Sexual activity that does not involve a penis or penetration is not real sex.
- Men naturally have more sexual libido than women.
- Black men have larger penises than white men.

The list goes on and on.

Another important point to note for knowledge production on African sexualities is the issue of language. The fact that the language of Western colonialists has dominated sexuality discourses means that the shape and construction of the meanings and definitions of related concepts necessarily reflect realities and experiences outside Africa. Foucault (1976) instructed us decades ago that it is through language and narratives that knowledge (and hence power) is produced. This poses serious limitations to researchers of African sexualities, who have to collect data in local languages and present their findings in the foreign language of the academy. Inevitably, rich

cultural connotations, ambiguities and multiple meanings are lost in translation. A good example is the different meanings attached to the concept of silence. In the dominant Western tradition voice is valorized and silence constructed as a total blank, while in many African cultures silence can be as powerful and as empowering as speech. Studies have shown there is a legitimate silence surrounding the sexualities of some African women that is ambiguous and not able to be engaged (Tamale, 2005).

In this essay, I retrace the key historical developments in researching and theorizing sexualities in Africa to help understand the present, the continuities and the changes. A historical analysis further illuminates some enduring assumptions and beliefs that underlie many of the studies and theories about African sexualities. Later, I discuss some pertinent issues about researching sexualities in an ethical, balanced and sensitive manner. I conclude by looking at future prospects of researching sexualities in Africa.

Researching sexualities in Africa: a historical trajectory

Perhaps a good place to begin is to ask the question: why do we engage in research at all? There are probably as many answers to this question as there are types of researcher: a university lecturer might do it as a license to academic titles and promotion; a policymaker does it to support and monitor policies; a company does it to improve its product and marketing; and so forth. The primary and most important reason for conducting research is to create knowledge and explain physical and social phenomena. So, for example, a sexuality-related research study would seek to increase our knowledge about issues including: how human beings relate sexually; what influences people's choices of whom they have sex with, how and when; how sexuality influences relationships, laws and policies; how sexualities are reflected in social norms, identities and attitudes; how intimate relationships are regulated and controlled; what causes sexually-transmitted diseases; and so forth. The research process creates knowledge and provides explanations relating to various aspects

of sexuality, ultimately producing theories of sexuality. How, where and by whom the data were collected and for what purpose are all critical in determining the usefulness and validity of such theories.

Nowhere were assumptions regarding the 'knower,' the 'known' and the 'knowable' taken more for granted than in sexuality research conducted on colonized populations such as those found in Africa. In *Decolonising Methodologies*, Linda Tuhiwai Smith (1999) writes from the vantage point of a colonized indigenous Maori (of Aotearoa New Zealand):

> The term "research" is inextricably linked to European imperialism and colonialism. The word itself, "research", is probably one of the dirtiest words in the indigenous world's vocabulary. When mentioned in many indigenous contexts, it stirs up silence, it conjures up bad memories, it raises a smile that is knowing and distrustful. (p. 1)

Generally speaking, research in the colonial context was conducted along a traditional hierarchy of power between the researcher and the researched. It was almost always assumed that the researchers were all-knowing individuals and the researched were naive "subjects". It was further presumed that only the former could create legitimate, scholarly knowledge, usually through written reports and publications. There was often little or no acknowledgement of the role the researched played in the process.

Examining these methodological and epistemological issues is extremely important to determine the legitimacy of the knowledge that has been constructed about African sexualities. Through methodologies such as those used in Marxism, post-colonial theory, feminist theory and post-structuralism, such hierarchical frameworks in research have been challenged and deconstructed.

As in all research, studies on sexualities have been motivated by ideological, political and/or social

agendas. In Africa, the majority of these studies have been programmatically and/or donor-driven (Arnfred, 2004; Undie & Benaya, 2006). The hypotheses, research questions, research methods and analysis techniques are heavily influenced by these agendas. This is demonstrated by further framing the discussion so that it more or less follows the historical sequence that has informed sexuality research on the continent. Each sub-theme addresses the overall objective of the research, the players, the target audience and the methods, funders and agendas involved.

Sexuality and the colonizing project

A great deal of rich information about African sexualities lies in ancient histories that live through griots, ighyuwas, imbongies, jelis, igawens, guewels and other orators around the continent.[7] Historical accounts of African sexualities are alive in folklore, traditional songs, dance, folk art, body markings, clothing, jewelry, names and naming systems. Yet these systems of knowledge are denigrated in the theoretical and normative domains of mainstream research. In fact they have been "reclassified as oral traditions rather than histories" (Smith, 1999, p. 33).

Perhaps the earliest written records of studies on African sexualities were those archived from colonial explorers and missionaries who traversed the continent in the latter half of the 19th century.[8] During this period of imperial expansion and colonization, African bodies and sexualities became focal points for justifying and legitimizing the fundamental objectives of colonialism: to civilize the barbarian and savage natives of the "dark continent" (McClintock, 1995; Young, 1995).

7 These are different names of traditional story tellers/entertainers from various parts of Africa.

8 There is archaeological evidence to prove that written traditions existed in ancient Africa, e.g., in Timbuktu, Ethiopia and Egypt. However, such records are too under-researched to provide a useful academic resource. The 54 countries in Africa were at one time or another colonized by a European imperial power (Britain, France, Germany, Belgium and Portugal), with the exceptions of Liberia and Ethiopia. Liberia was created in the 1820s as a nation for freed slaves from the United States of America, and Ethiopia repulsed attempts by the Italians to colonize it in 1896. However, the Italians occupied Ethiopia briefly between 1936 and 1941.

These colonial expeditions were financed by the imperial governments of Britain, Germany, France, Portugal, Spain and Italy and private companies, such as the Imperial British East Africa Company.

Texts from 19th century reports authored by white explorers and missionaries reveal a clear pattern of the ethnocentric and racist construction of African sexualities. Western imperialist caricatures of African sexualities were part of a wider design to colonize and exploit the black race. Narratives equated black sexuality with primitiveness. Not only were African sexualities depicted as primitive, exotic and bordering on nymphomania (Geshekter, 1995; Mama, 1996; Magubane, 2001; Osha, 2004), but it was also perceived as immoral, bestial and lascivious. Africans were caricatured as having lustful dispositions. Their sexualities were read directly into their physical attributes; these attributes were believed to reflect the (im)morality of Africans (Gilman, 1985; Commons, 1993). The imperialists executed this mission through force, brutality, paternalism, arrogance, insensitivity and humiliation.

The bodies of African women especially worked to buttress and apologize for the colonial project (Commons, 1993) and were fundamental to the consolidation of the imperialism. Juxtaposed with the imported and highly conservative sexual norms of Europe, the relatively unrestrained sexualities of Africans posed huge challenges to the Victorian minds of the early explorers.[9] Indeed, Victorian women were expected to mute their sexuality and be sexually frigid (Wolf, 1991). Their dress, behavior and mores were geared to erasing any hint of sexuality. Women who acted otherwise would immediately be branded prostitutes or courtesans (Rees, 1977).

African women's sexualities, however, were characterized as the antithesis of European mores of sex and beauty and were labeled primitive. The 1860s travel memoirs of English explorer Sir

9 This generalized example by no means signifies a homogenized African or European sexuality.

Richard Burton, for example, described the women that he encountered in the kingdom of Dahomey (present day Benin) as "hideous" and "taken in adultery or too shrewish to live with their husbands". He described their physical appearance as male-like: 'muscular development of the frame … femininity could be detected only by the bosom' (quoted in Blair, 2010, p. 98). Other myths and stereotypes of African female sexualities included that: "African women could give birth without pain"; "Negro women menstruated in greater quantity"; "Negro women had long and pendulous breasts as an inherited physical trait" (Curtin, 1964: 229).

Europeans' depictions of African women as insatiable, amoral, barbaric beings said more about the fears, fantasies and preoccupations with sexuality of the former than anything else. Leah Commons (1993) says of Western fixation with African women's sexualities:

> Rather than being a characteristic of African cultures, sexual obsession was a reflection of the repressed sexuality of the British. By describing the African as a lascivious beast, the Victorians could distance themselves from the "savage", while indulging in forbidden fantasies. More importantly, by laying the blame for lust on women alone, colonizers made themselves blameless for their own sexual relations with African women. (p. 4)

Many Western anthropologists who followed the explorers in the early 20th century picked up from where the latter left off and continued (mis)representing African sexualities as exotic and backward. Historical documents and scholarship that are deeply flawed in their presentations of African sexualities, portrayed in racist, patronizing and morally normative ways have been critiqued by scholars (Owusu, 1978; Lyons & Lyons, 2004; Epprecht, 2006, 2010).

Religion, especially Christianity and Islam, stressed the impurity and inherent sin associated with women's bodies (Goodson, 1991). Through religion and its proselytizing activities, Africans were encouraged to reject their previous beliefs and values and to adopt the "civilized ways" of the whites.

With these new developments came an emphasis on covering and hiding body parts[10] and one of the most effective methods of controlling African women's sexuality has been through regulation of their dress codes. Perhaps the most notorious post-colonial cases on the continent in this regard were the draconian laws on women's dressing sanctioned by dictators Kamuzu Banda of Malawi and Idi Amin of Uganda.[11] A new script, steeped in the Victorian moralistic, antisexual and body-shame edicts, was inscribed on the bodies of African women and with it an elaborate system of control. The instrumentalization of sexuality through the nib of statutory, customary and religious law is closely related to women's oppression and gender constructions. The colonial legacies of African sexualities linger today, seen in contemporary accounts and theories as the ensuing discussion shows (see also Magubane, 2001).

Medicalized sexuality and reproductive health

The baseline of sexuality research in the field of public health in Africa lies in the colonial medicalization of African sexuality and a simultaneous reduction of its purpose to reproduction (Vaughan, 1991; Musisi, 2002). The positivist approach that treats people as objects and is preoccupied with reductionist representations of complex processes dominates studies in this area. The "scientific" prejudices about women's bodies and their reproductive role witnessed in Europe during the period of enlightenment were imported to Africa. The seminal works of philosophers such as Thomas Kuhn (1962), who analyzed the history of science, and Michel Foucault (1976), who articulated the use of the body as a medium of social control and the socialization of reproduction, were significant in

10 This can clearly be seen in religious garb, such as veils, burkas, jilbabs, habits and other wide, ankle-length, full-sleeved loose dresses.

11 The Malawian Decency in Dress Act of 1973 and Uganda's decree of 1972 imposed strict dress codes for women during the reign of these two African autocrats. In both cases women were prohibited from wearing shorts, mini-skirts, hot pants, slacks or low-necked garments. The Ugandan decree gave precise definitions and hemline lengths of what was legally acceptable. For example, it prohibited hemlines that rose '5.08 centimeters above the upper edge of the patella' (knee cap) – see section 1 (ee) of the Penal Code Act (Amendment) Decrees of 1972, 1973 and 1974.

unveiling the role of science and sexuality in constructing and perpetuating social power relations.

The main focuses of public health researchers during the colonial era were disease, pregnancy prevention and curbing sexual excesses and perversions. The narrow approach meant that the research by biomedical experts, epidemiologists and demographers ignored (and in the main still ignores) sexual wellness and issues of eroticism and desire, leading to limited theoretical framings of African sexualities (Undie & Benaya, 2006).

In the late 1960s and early 1970s, demographers in the global North, focusing particularly on developing countries, spearheaded rising panic about a population explosion (Ehrlich, 1968; Hardin, 1968). Researchers flocked to the continent to study African sexual behaviors in relation to fertility. Images of oversexed, promiscuous, less moral and less intelligent Africans seemed never to be far from the minds of such demographers and other researchers interested in studies of fertility control.

Some African researchers bought into the imperialist overpopulation discourse and in the process reinforced racist ideologies and stereotypes. This was a period in which great numbers of the African intelligentsia had not decolonized their minds to explore new frontiers of knowledge production. The process of consciousness decolonization involves critical thinking, unpacking common sense knowledge and a radical reconceptualization of dominant ideologies (Mamdani, 1972; Kibirige, 1997).

The global onslaught of HIV/AIDS, with Africa located as its epicenter, brought researchers from the North flocking to the continent in a bid to find ways of curbing its spread; the process engenderied a profound re-medicalization of African sexualities. Policies had to be formulated, national frameworks established, advocacy programs drawn up and sexuality theories revisited and reconceptualized. The bulk of these endeavors were quantitative and epidemiological, largely ignoring the qualitative socio-economic aspects of the epidemic. The World Health Organization (WHO), bilateral partners,

international NGOs, pharmaceutical corporations and Western medical and health professionals competed with each other to tackle this uncharted territory. Their different agendas informed the strategies and meanings that they attached to the epidemic.

The dominant discourses reinforced the epidemiology and stigma of HIV/AIDS (Treichler, 1999). The colonial stereotypic images of a specific African sexuality – insatiable, alien and deviant – to this day inform Western discourses in this area of research. Dilger (2008) observes:

> [A]part from rampant fantasies about prostitution and the red-light districts stretching from Nairobi to Johannesburg and Dakar, the European/North American discourse on sexuality and AIDS in Africa has been fed by images of an enforced, exotic and often violent sexuality said to prevail on the continent: polygyny, female genital mutilation, and especially the (gang) rapes of women and babies in South Africa have made sexual violence and child rape the main issues for international media reports on AIDS in Africa. (p.125)

An excellent example of the essentialist approach, the totalizing perspective and colonizing representations adopted in research on African sexualities is the oft-cited study undertaken by demographers John Caldwell, Pat Caldwell and Pat Quiggin (1989). Their study, which sought to analyze the social context of AIDS in sub-Saharan Africa, developed a theory that African sexuality (an essentialist singularity for Caldwell et al.) is inherently permissive, concluding that such immorality in the sexual behavior of Africans spells doom in the context of the HIV/AIDS pandemic on the continent. Both the conceptual framework and conclusions of the Caldwell study have been subjects of a polemic, stirring up great controversy and criticism in contemporary sexuality scholarship (see Le Blanc et al., 1991; Ahlberg, 1994; Savage & Tchombe, 1994; Heald, 1999; Arnfred, 2004). Nevertheless, their work made abundantly clear the weaknesses in colonial approaches to research on African sexualities and symbolized a watershed moment for reconstructing theory on the subject matter (Undie & Benaya, 2006).

Research in the area of reproductive health on the continent has a long and checkered history. Because reproduction was viewed as the role par excellence for women in heteropatriarchal societies, it became the primary definer of their sexuality. The earliest studies followed the biomedical model, focusing on maternal and child health and divorced from the gendered aspects of epidemiology, access, decision making and health management systems. The driving force behind most of these studies was to curb the high fertility rates that were typical of "traditional" African families and to forge policies that would reduce these rates and put Africa on the road to modernity. Reproductive health was viewed within the confines of the heterosexual family and women similarly reduced to their conventional mothering roles.

The overriding theory developed from this research established a causal link between overpopulation and underdevelopment. Quantitative research methods, such as KAP (knowledge, attitude and practice) surveys associated with the biomedical model, resulted in skewed findings, suspect theories and faulty policies about African women's reproductive health and sexuality (Ahlberg & Kulane, 2011).

During the 1990s, reproductive health in sub-Saharan Africa became a subject of particular interest to development partners, who directed significant funds to set up research centers and institutes, many of which continued to apply the biomedical model. These new entities were to complement old-school non-governmental organizations, such as the International Planned Parenthood Federation Africa Region. The African Population and Health Research Centre set up in 1995 in Nairobi, Kenya and the Africa Regional Sexuality Resource Centre established in Lagos, Nigeria in 2003 were only two examples. The fact that the activities of the latter organization focused on Africa's most populous countries (Egypt, Kenya, Nigeria and South Africa) spoke volumes about its primary mandate, suggesting that population control was on its agenda. It must nevertheless be noted that, despite the shortcomings associated with donor-driven initiatives such as these, some African scholars and researchers working within these institutions have reinterpreted and reinvigorated

their mandates and goals to shift primary attention to the critical needs of local communities.

Another important aspect of research relating to medicalized sexualities in capitalist conditions reveals the desire of outsiders to explore and discover traditional herbs and plants related to sexuality. Often herbal formulas that are part of the traditional knowledge nurtured by generations of indigenous populations are appropriated, patented and licensed in Western countries for their exclusive enrichment. Many African communities, for example, have keen historical knowledge of local herbs that enhance sexual desire in males and females as well as those that cure erectile dysfunctions (Tamale, 2005; Wane, 2000).

Multinational pharmaceutical and agrichemical companies, keen to exploit such indigenous knowledge, are the key funders of research in the fields of ethnopharmacology and ethnomedicine. Publications such as the *Journal of Ethnopharmacology* share information on indigenous people's use of plants, fungi, animals, microorganisms and minerals and their biological and pharmacological effects. The phenomenal success and profitability of drugs such as Viagra are the direct outcome of such exploitative ventures.

Sexual cultures and violence

Beginning with the first contact with African communities, researchers from the global North maintained a voyeuristic, ethnopornographic obsession with what they perceived as exotic (read perverse) African sexual cultures. In the same way that the early European explorers, funded by their imperialist states, laid claim to a plethora of geographical and natural resources on the African continent, they set out with equal zeal to explore and study the sexual artifacts and traditions of Africans. African cultures and sexualities were always framed as different, less urbane and inferior to those of the West. This othering process was, and still is, important in justifying racist and

imperialist policies.[12]

To view these sexual cultures as primitive, bizarre and dangerous, and apply a knee-jerk reflex to "fix" them, was the standard approach. "Africanists" from various departments of social anthropology and cultural history in North America and Western Europe took particular interest in African cultural practices related to polygyny, circumcision, levirate, sexual cleansing rituals, dry sex and so forth (Raum, 1939). The studies were typically juxtaposed with idealized Judeo-Christian standards of sexuality and clearly reflected in the insensitive clichés used to define various practices such as widow inheritance, wife purchase, wife exchange and the ubiquitous bride price.

The late 1970s and 1980s saw a flurry of research activity on sexual violence with a special spotlight on female circumcision or female genital mutilation (FGM). The graphic depictions of this maimed African sexuality, published by the American journalist Fran Hosken (1980), set the stage for fervent action by Western researchers. In particular, the circumcision of African women became an obsession of social anthropologists and women's rights advocates from the global North. The inordinate attention that women's rights advocates from the North paid to this issue was reminiscent of the imperialist, colonial project. They flocked to the continent with the zeal of missionaries to save African women from this barbaric practice (Oloka- Onyango & Tamale, 1995). Such zeal is evident in this passage taken from an early volume of the influential American feminist journal *Signs*:

> Fran Hosken has … proposed a human rights/health action initiative to organize technical and financial assistance for African women's organizations requesting such support and to establish international cooperation and joint actions with women in the West. Anyone interested in further information should write to Fran Hosken, 187 Grant Street, Lexington,

12 Kathryn (aka Limakatso) Kendall's (1997) treatment of the Musotho woman, Mpho 'M'atsepo Nthunya in *Singing Away the Hunger: The Autobiography of an African Woman*, for example, is in many ways more imperialist than the gaze that she criticizes.

> Massachusetts. (Copies of The Hosken Report are available from the same address.) Fran Hosken's work is extremely important in bringing the issue of female genital mutilation to public attention. It would be useful if her book, suitably edited, could be republished by a commercial press and widely distributed. (Fee, 1980, p. 809)

The bulk of approaches to the subject matter are culturally insensitive, focus narrowly on the negative aspects of female circumcision and completely overlook the multifaceted nature of the practice and the meanings attached to the rituals associated with it (Nnaemeka, 2005). Although African feminists do not condone the negative aspects of the practice, they take strong exception to the imperialist, racist and dehumanizing infantilization of African women.

The destructive approaches to this cultural practice perpetuated "staples of the canon of racist clichés about Africa, particularly ideas about barbarity, perpetual female victimhood, and the refusal of enlightenment and modernity" (Kaler, 2009, pp. 178–9). Indeed, the latest manifestation of such approaches can be seen in the attempts (since 2006) of a US-based organization called Clitoraid to collect money, under the banner of its racist "Adopt a Clitoris" campaign and purportedly for surgically restoring the clitorises of African women who have undergone FGM.[13]

Same-sex relationships within African communities also attracted the attention of early anthropologists. The tendency was to apply standard Western research indicators and assumptions uncritically, which often resulted in skewed results. When anthropologist Jane Kendall (1998) arrived in Lesotho in the early 1990s searching for lesbian women, she had a rude awakening: she encountered Basotho women who engaged in erotic woman-to-woman relationships, but these were not analogous to lesbianism or homosexuality as known in North America or Western Europe.

13 See www.clitoraid.com. African feminists have challenged and condemned the work of Clitoraid in an online petition at www.thepetitionsite.com/1/feministschallengingclitoraid. Retrieved July 9, 2010.

Kendall had to put aside the theoretical and empirical assumptions about same-sex erotics that she had been exposed to in her native United States and be instructed in the novel concepts and meanings of the woman-to-woman (batsoalle) relationships of the Basotho (see also Gay, 1985; Herdt, 1987; Gatter, 2000; Dankwa, 2009).

A growing body of research on the continent pertains to sexual citizenship and identity politics (Morgan & Wieringa, 2005; Morgan, Marais & Wellbeloved, 2009). Today, more nuanced research on the topic of female circumcision explores the multifarious dimensions associated with the practice, including the spiritual (Dellenborg, 2004), identity politics (Dellenborg, 2004) and even desire (Diallo, 2004). There is an inevitable overlap between tradition, religion (especially Christianity and Islam) and the law in most studies of sexual cultures on the continent, most of what is understood as culture in contemporary Africa is largely a product of constructions and reinterpretations by former colonial authorities in collaboration with African male patriarchs (Women and Law in Southern Africa, 2000; Mama, 2007). The tendency is to commence from the premise that views culture as being hostile to women, an antithesis to their rights. Researchers and theorists speak of rights as if they are culture-less at best or, at worst, born of a superior culture.

Moreover, culture is interpreted narrowly and grouped with custom or tradition on the assumption that these are natural and unchangeable (Bigge & von Briesen, 2000). Mainstream feminist scholarship within and outside Africa, for example, largely tends to view culture in negative terms and to consider it an impediment to effective legal reform (McFadden, 1999; Wanyeki, 2003; Tripp, 2004). Although this indictment is not totally unfounded, such beliefs have the effect of obscuring the potential that culture may hold as a tool for emancipation (Whitehead & Tsikata, 2003; Tamale, 2008a). In fact, culture is a double-edged sword that can be wielded creatively and resourcefully to enhance women's access to sexual justice.

Response to HIV/AIDS in the globalized world

Panic about HIV/AIDS was sparked in the 1990s, when it became apparent that in Africa the virus was spreading with unprecedented speed and in populations other than those considered at higher risk. As earlier observed, public health professionals and medical anthropologists descended on the sub-Saharan areas of the continent, ostensibly to work at finding preventive measures, but in reality resurrecting the colonizing project through research that again focused on the sexual practices and behaviors of African men and women in the hopes that cultural and behavioral change would curb the spread of the virus.

Noting how "the AIDS-in-Africa discourse in most scholarly journals and books and in policy documents has been uncritical of its assumptions and sources", Eileen Stillwaggon (2003, pp. 809–10) laments the wasted decade of AIDS research that has failed to get to the bottom of the complexities of AIDS, especially among poor communities. Instead, HIV provided the opportunity for a resurgence of the colonial mode of studying sexuality in Africa – racist, moralistic, paternalistic and steeped in liberal thinking (see Caldwell et al., 1989; Deniaud et al., 1991; Macdonald, 1996; Gresenguet et al., 1997). In the words of Gausset, (2001):

> Like the first studies of African sexuality, it was once again the "exotic, traditional irrational and immoral practices" that were the focus of the research. If the pattern of AIDS epidemics was different in Africa than in Europe, the explanation obviously had to be the difference between African and European culture and sexualities … Early researchers were looking for things to blame, and identified African cultural practices as culprits. The logical consequence of this was to fight against African cultures and sexualities. (p. 511)

The discourse of "risky cultural practices" was so intimately bound to the theories and explanations

that had emerged on the continent that it became a main resource for public health advocates and policy-makers. One outcome was that African governments were encouraged to integrate the pandemic into their criminal justice systems. As a result, criminal law began to be applied to cases in which a person transmitted or exposed others to HIV infection through risky practices. It was hoped that these HIV-specific laws would curb sexual immorality and reduce incidents of sexual violence against women. Model legislation, such as that developed in N'Djamena, Chad, was also enacted in Benin, Guinea, Guinea Bissau, Mali, Niger, Sierra Leone and Togo (Canadian HIV/AIDS Legal Network, 2007). Other countries, such as Lesotho, Zimbabwe, Swaziland and Uganda, have reinforced their existing sexual offenses legislation to address the problem.

But the criminal approach to the pandemic has come under heavy criticism from human rights defenders, who view it as a violation of human rights. It is further condemned for its decontextualized and ahistorical approach to African sexualities. To date, there has been no convincing evidence to show that criminal prosecution has reduced the spread of HIV in Africa. Instead, it has enhanced stigma, increased women's vulnerability to the disease and circumvented the fundamental challenges of eradicating HIV from the continent (UNAIDS, 2008). The International Planned Parenthood Federation (IPPF) is convinced that "criminal law is a blunt instrument for HIV prevention".[14] After two decades of muddled approaches to HIV prevention in Africa with minimal success, researchers are beginning to revisit their methods and theories (Epprecht, 2009; Kippax, 2010). It has become evident that the insensitive approaches that call for the elimination of cultural and sexual practices will not yield significant results.

The key is not to fight people's cultures and identities but rather to raise their awareness of practicing the safe exchange of body fluids, including blood, semen, vaginal secretions and breast

14 See the IPPF news release, 'Criminalization of HIV transmission and exposure,' www.ippf.org/en/News/Press-releases/Criminalization+of+HIV+transmission+and+exposure.htm. Retrieved October 27, 2010.

milk. Studies have shown that cultures are flexible enough to adapt to new threats, such as those posed by HIV (Nyanzi et al., 2009; Gausset, 2001). Furthermore, raising public awareness about the gender and human rights aspects of sexuality and HIV/AIDS would yield better results in addressing AIDS risk than the 'social vaccine' approach that emphasizes behavioral change.[15]

It is important for researchers to be aware of the vulnerabilities to HIV in the context of debilitating poverty and social disenfranchisement that point to the syndemic[16] nature of the epidemic with significant effects on the sexualities of African communities. It means that HIV cannot be compartmentalized as a disease outside the context of sexual health and rights, gender and class. In order to honor the lives of Africans affected by HIV, scholars must adopt an integrated, comprehensive approach to researching, theorizing and combating the disease.

Another important aspect of HIV/AIDS research (and research on sexuality generally) is that it has been engulfed in the ever-growing commodification of sexual health. The insatiable drive for profits and power has penetrated the 'sexuality industry' in alarming ways. HIV/AIDS has become a multibillion-dollar money spinner for national and international bureaucrats and pharmaceutical companies. Moreover, technological advances in communication and distribution have facilitated the unprecedented spread of information, allowing the exotic and subjective interpretations of African sexualities by Western (mainly US) scholars to be taken to a whole new level.

In the process of researching material for this essay, for example, I entered the words 'black

15 During the 15th International AIDS Conference held on July 11–16, 2004 in Bangkok, Ugandan President Yoweri Museveni reiterated his strong belief in the abstinence approach, arguing that without a medical vaccine in sight what his poor African country needed was the 'social vaccine' of behavioral change (Akkara, 2004).

16 Anthropologist Merrill Singer coined the term 'syndemic' in the early 1990s to describe the mutually reinforcing nature of health crises with harsh and inequitable living conditions. That is, 'two or more afflictions, interacting synergistically, contributing to excess burden of disease in a population' (Milstein, 2004, p. 1). Also see www.cdc.gov/syndemics/encyclopedia.htm. Retrieved October 28, 2010.

lesbian rape' on the Google search engine and was shocked to find that almost 90 percent of the 473,000 results were sites advertising or otherwise promoting pornographic videos and other racist, misogynist material.[17] On the Google Scholar search engine, the same phrase yielded zero results. This, in my opinion, was a good indication of a dangerous trend of research on sexuality in the globalized, capitalist, patriarchal world.

Rewriting and rerighting African sexualities

By the 1990s it had become apparent that the prevailing research agendas and methods related to sexuality in Africa – mostly drawn from biomedical science and public health policy – remained blind to its important pluralities. Very little funding was available for sexuality research in Africa, beyond the issues of disease, reproduction and violence. Non-clinical aspects of men's and women's sexualities were largely ignored by mainstream researchers, who continued to objectify Africans, and the age-old legacies of medicalized and exoticized sexuality were far from being broken (Oinas & Arnfred, 2009).

As the concept of gender was overlooked when exploring sexuality, its nuanced pluralities and meanings within different communities were missed. Moreover, most researchers and scholars shied away from this taboo area of study, focusing only on what are considered safe topics, such as reproductive health and violence. Conspicuously missing from the mainstream sexuality research repertoire prior to the 1990s were studies on positive aspects of African sexualities, such as pleasure, eroticism and desire. But after the United Nations International Conference on Population and Development held in Cairo in 1994, activists were determined to reconceptualize sexuality as a human rights issue. The language of sexual rights made its debut on the international human rights

17 Google search conducted July 5, 2010.

stage in the Cairo meeting rooms and it has received increasing recognition ever since.

As part of the struggle for self-determination, Linda Tuhiwai Smith (1999) urged indigenous peoples who were colonized through imperialism to "rewrite" and "reright" their position in history, to "tell our own stories, write our own versions, in our own ways, for our own purposes" (p. 28). At the turn of the century African feminists heeded this call with unprecedented activism. Anxious to deepen our own understanding of the link between women's sexualities and their subordinate status in society, the African Gender Institute (AGI) at the University of Cape Town, in collaboration with the Institute of African Studies (IAS) at the University of Ghana, organized a pan-African workshop on mapping African sexualities in 2003. This initiative inspired several case studies undertaken by a network of African intellectuals that deliberately pursued anti-imperialist ethics in exploring this largely uncharted territory (Mama, 2007).[18] Several of these case studies were published in special issues of the journal, *Feminist Africa* (Arnfred, 2009).[19] Several other feminist institutions, networks and scholars on the continent embraced sexuality research in new ways. For example, the South African feminist journal, *Agenda*, which had been around for almost 20 years, began publishing themed editions relating specifically to sexuality issues.[20] The pan-African network, AMANITARE, which focuses on sexual and reproductive health and the rights of women, was formed in 2000 with an objective to support research and publication.[21] There was a deliberate move to break the traditional mould of analyzing sexuality through biomedical and public health frameworks. Not only

18 Another offshoot of this initiative was the establishment in 2006 of the Law, Gender and Sexuality Research Project at Uganda's Makerere University Faculty of Law.

19 See *Feminist Africa* 5 (2006), 6 (2006) and 11 (2008). The journal is available online at www.feministafrica.org.

20 For instance, see 'African feminisms: sexuality in Africa,' *Agenda* 62 (2004); 'African feminisms: body image,' *Agenda* 63 (2005); 'Homosexuality,' *Agenda* 67 (2006); 'Rape,' *Agenda* 74 (2007). Also see Volume 15(1) (2009) of the *East African Journal of Peace and Human Rights*, which is a special issue on gender, law and sexuality.

21 Named after the ancient Nubian Queen Amanitare, the AMANITARE partnership invokes a legacy of African women's leadership and agency (Horn, 2003).

did these studies and publications emanate from social science and the humanities, but they also analyzed human sexualities in a holistic fashion, including its pleasurable and empowering aspects (see Baylies & Bujra, 2000; McFadden, 2003; Arnfred, 2004; Khamasi & Maina-Chinkuyu, 2005; Bennett, 2005; Morgan & Wieringa, 2005; Amadiume, 2006; Maticka-Tyndale et al., 2007; Tamale, 2007; Gould & Fick, 2008).

One of the first publications to mount a serious challenge Eurocentric approaches to African sexualities was *Rethinking Sexualities in Africa*, an anthology edited by Signe Arnfred (2004). The essays in that book reflected upon and synthesized African sexualities in ways that scholarship in this field had never done before. Most of the material was concerned with feminist research methods and analyses, foregrounding women's agency and pleasure.

Another important network involved in researching, theorizing and publishing on the subject of African sexualities is Women Living Under Muslim Laws (WLUML). This this solidarity network embraces all "women whose lives are shaped, conditioned or governed by laws and customs said to derive from Islam",[22] and African feminists have been actively involved in its work. For example, the Nigerian women's rights organization, BAOBAB, has received international recognition for its work in promoting women's rights through research, reinterpretation and theorizing Muslim jurisprudence, criticizing negative constructions and practices (done under the name of Islam) and discriminatory sharia criminal law, such as zina (extramarital sex) (Imam, 2000; BAOBAB, 2003).

Such blossoming scholarship has very clearly sought to embed an African sociocultural and political imprint (in all its diversity) on the discourses about human sexuality, hitherto dominated by perspectives from the global North. The aim has been to create knowledge that would facilitate

22 The current coordinator of this international network is a Senegalese feminist, Fatou Sow.

innovative and transformative social change. Concepts of sexual pleasure, the erotic and desire have begun to be unveiled in sophisticated studies, such as those exploring the ingenious, subtle messages embedded in local kanga cloth that Tanzanian women wrap loosely around their waists (Moyer & Mbelwa, 2003); or the celebration of the power of the vagina among the Nigerian Igbo (Nzegwu, 2006); or the indigenous sexual initiation institution of Ssenga among the Baganda of Uganda (Tamale, 2005).[23]

Despite sex and sexuality having been at the core of most historical disputes within the Christian church – with one faction seeking sexual liberties against the wishes of a more conservative faction – the conceptualization of sexuality within the framework of human rights has dogged Eurocentric scholars and researchers for a very long time. For example, one of the reasons the Protestant Church broke off from the Roman Catholic Church was because the latter was too rigid in its policy on issues such as clerical celibacy and allowing the clergy to marry and there have long been divergent views on divorce, abortion and homosexuality.

But the close link between what is termed a universal human rights corpus and Western liberal democracy has diminished voices other than those of the West, and differing concepts of sexualities have remained largely buried in the cultural practices of various non-Western communities. The concept of sexual rights, for instance, is not alien to many African and Islamic communities. Take the example of a wife in many pre-colonial African cultures who was (and still is) guaranteed the right to sexual pleasure; or the fact that sexual violence within marriage was frowned upon; or that denial of such formal rights constituted a clear ground for divorce in these traditions (Awusabo-Asare et al., 1993; Pereira, 2003; Tamale, 2008a). Perhaps had historians and sociology researchers not shied away from studying African sexualities in more open ways, they would have discovered that

23 These were welcome additions to the few indigenous publications by scholars such as Patricia McFadden (1992).

the controversial foundations of sexual rights have their roots in African traditional values.

Indeed, the conceptualization of sexual rights within a liberal democratic framework is fraught with tensions and contradictions. Alice Miller and others have articulated the paradoxes that burden the context of rights when it comes to sexuality (Miller &Vance, 2004). The practical application of the concept of sexual rights is not exempt from such paradoxes, since one can simultaneously use the language to claim protection against harm, such as rape or homophobia, and to demand privacy in the defense of the sexual pleasure of consenting adults. The contradictions can be seen further in the awkwardness of claiming the rights of people to sell/make images of sexual activity and simultaneously claim that people should be protected from sexual objectification.

Conducting ethical, sensitive research on African sexualities

I have noted that there have been a number of studies conducted on African sexualities that are sensitive to the complexities of the subject matter. In this section I delve into more detail of what it takes to conduct an ethical and sensitive study in the field of sexuality, providing as many examples as I can from existing studies that have been conducted in Africa.

As stated earlier, the primary purposes of conducting research are to create knowledge and to explain physical and social phenomena, and the bulk of the body of knowledge and published scholarship in the field of sexuality emanates from the global North. What does this portend for researchers of African sexualities? Does it mean that we reject in toto the validity of foreign-grown theories of sexuality as being inappropriate and irrelevant to our contexts? I think not.

Though it is extremely important to develop home-grown theories of African sexualities and to be keenly aware always of the dangers of uncritically using theories that are constructed from the global North to explain African societies, Western views on sexuality cannot be completely ignored

for three reasons. First, many of the contemporary codes of sexual morality and most of the laws pertaining to sex contained in the statute books of post-colonial countries are rooted in the history and tradition of the former colonizing European nations. To a certain extent this means that Western theoretical perspectives define the underlying rationale and practice of the legal regime governing sexualities in Africa. Moreover, as Bibi Bakare-Yusuf (2003) usefully reminds us:

> For millennia, Africa has been part of Europe, as Europe has been part of Africa, and out of this relation, a whole series of borrowed traditions from both sides has been and continues to be brewed and fermented. To deny this intercultural exchange and reject all theoretical imports from Europe is to violate the order of knowledge and simultaneously disregard the (continued) contribution of various Africans to European cultural and intellectual history, and vice-versa. (p. 140)

Second, if we were to jettison Western concepts and theoretical frameworks totally, we would spend considerable resources reinventing the wheel – an unnecessary enterprise. There is a lot of sense in using existing theoretical bases as starting points and then correcting/revising them in light of the contextual evidence collected in current studies.[24] Existing theoretical frameworks, such as Foucault's conceptualization of sexuality in terms of power relations (Foucault, 1976) or Judith Butler's implicit theory of heteronormativity and her views on the subversive potential in gender performativity (Butler, 1990) or Gayle Rubin's concept of sexual hierarchy (Rubin, 1984), can be extremely useful in analyzing sexualities in Africa, as long as this is done with the continental specificities in mind and a view to improve upon them.

A simple illustration of the point can be made using Rubin's (1984) model of sexual hierarchy.

24 The exception would be studies that adopt the grounded theory methodology.

Rubin shows how American society classifies sexual behavior into a sexual value system in which good, normal, natural and privileged sexuality (located in what she refers to as the "charmed circle" of sex) must be "heterosexual, married, monogamous, procreative, non-commercial, in pairs, in a relationship, same generation, in private, bodies only and vanilla". Those that conform to this ideology enjoy privileges and concrete material benefits from society. Outside the "charmed circle" and on the "outer limits" is "bad, abnormal, unnatural and damned sexuality". Characteristics of the latter include "homosexual, unmarried, promiscuous, non-procreative, commercial, alone or in groups, casual, cross-generational, in public, pornography, with manufactured objects and sadomachistic". Those who engage in sexual relations outside the charmed circle face legal and social sanctions as well as maltreatment (p. 281).

Most of the elements in Rubin's hierarchical model resonate with the experiences in many African societies. However, there are certain elements that clearly differ. For instance, polygyny would replace monogamy in the charmed circle of most African societies. In the same vein, cross-generational sex in the sex value systems of many African societies would move from the outer limits to the inner circle as this is relatively acceptable (albeit privileging sexual relations between older men and young women and not vice versa). Rubin's stratification could further be criticized for its failure to show how some individuals who seem to fit into the ideology of the "charmed circle" might simultaneously suffer discrimination through, for example, exempting marital rape from criminal sanction.

The third reason for the relevance and usefulness of Western theories to African contexts is that gendered sexualities, whether in the West or in Africa, are primarily based on similar predictions, namely labor, authority and performance (Bennett, 2000). In other words, the hierarchical constructions of sexuality in either context are linked by the force of gender to labor, authority and performance against the backdrop of capitalism and patriarchy (in their multiple variants). Hence there is an underlying resonance between the respective structures of Western and African

societies that compels us not to reject or dismantle Western theoretical scaffoldings completely because they provide some useful tools for researchers to reflect upon and use to develop insights concerning African sexualities. Having said that, because of certain ideologies and practices unique to the continent, theorizing African sexualities would differ from Western sexualities in nuanced specificities (Helle-Valle, 2004). For example, one cannot ignore those aspects of cultural ideology that are widely shared among Africans, such as community, solidarity and the ethos of ubuntu (humaneness),[25] just as one must pay attention to the common historical legacies inscribed in cultures within Africa by forces such as colonialism, capitalism, imperialism and globalization. Take the self-identifying terms gay, lesbian and transgendered that have emerged from Western societies. These differ quite markedly from the descriptors for some same-sex relations found on the continent (e.g. batsoalle woman-to-woman relationships in Lesotho – see Kendall, 1998). The identity politics that underpin these Western notions do not necessarily apply in African contexts (Amadiume, 1987; Kendall, 1998; Tamale, 2003; Oyewumi, 2005).

In the same vein, it would be foolhardy for anyone theorizing women's sexualities to ignore the machinations of Africa's "structurally adjusted" economies and the attendant "feminization of poverty" when analyzing women's involvement in commercial sex work and the heightened prevalence of HIV/AIDS. It is also necessary to make the philosophical link between institutionalized and state-inspired homophobia and Africa's autocratic and dictatorial regimes.[26] By constantly attacking homosexuals, attention is conveniently diverted from the pressing issues, ensuring the continued suffering of the population.

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25 The African philosophy of Ubuntu (humaneness) refers to understanding diversity and the belief in a universal bond and sharing (Ramose, 1999). Justice Yvonne Mokgoro of the South African Constitutional Court elaborated this difficult-to-translate concept: "In its most fundamental sense it translates as personhood and 'morality.' Metaphorically…[it describes] the significance of group solidarity on survival issues so central to the survival of communities. While it envelops the key values of group solidarity, compassion, respect, human dignity, conformity to basic norms and collective unity, in its fundamental sense it denotes humanity and morality. Its spirit emphasizes a respect for human dignity, marking a shift from confrontation to conciliation (quoted in Sachs, 2009, pp. 106–107)".

26 Being aware that legalized homophobia in Africa was a direct import by colonial powers.

An increasing trend in the area of research generally involves the strings that come tied to huge research funds offered by various donors and/or development partners. For example, many research funding applications will be approved and disbursed only to projects that promote North–South collaboration.[27] Therefore a research institution in the global North must partner with one located in the global South, supposedly to facilitate the cross-pollination of ideas and enhance the project's knowledge base. Inevitably, such forced collaborations are imbued with historical legacies of inequality and prejudice. The tendency is for the Northern partner to dominate, control and exploit the Southern counterparts. Notably, the bulk of such studies are focused on the south, with few cases of African researchers heading north to investigate European and North American sexualities.

When conducting collaborative research projects, therefore, it is extremely important to be reflexive and sensitive to any possible inequalities (Tamale, 2008b). This by no means suggests that researchers from the global North studying African sexualities should constantly walk on egg shells with imagined sensitivities or that they should wallow in feelings of guilt and contrition. Rather, researchers should develop a keen awareness of all the historical objectifications and derogations in research experiences on the continent. Elina Oinas and Signe Arnfred (2009), for instance, recommend that Nordic researchers view the process as 'a breaking of silences and hesitance and the application of a reflective approach when studying sexualities in Africa, in addition to a call for scrutiny of actual practices and politics, including the politics of research and writing' (p. 150).

The researcher obviously has a lot of power in that she or he represents and creates knowledge

27 Another example of conditions that are increasingly being tied to research funding is the requirement for a gendered analysis of the research problem. Although this condition might seem laudable at face value, in fact many times it translates into a pro forma and abusive application of the gender concept, doing more harm than good to knowledge production. For instance, by essentializing the term gender and/or using it in a descriptive fashion or as shorthand for "women and men", its analytical and conceptual value is watered down; it becomes depoliticized and ahistorical.

and understanding about the researched subject matter. The process of acquiring information is crucial because it determines the depth and quality of knowledge. When it comes to sexuality, the level of knowledge received during research might be influenced by a number of challenges and sensitivities that relate to issues of process, presentation and politics. Table 1 elaborates some of the interrelated ways that these issues might affect data collected in sexuality research.

Sexuality researchers must take seriously such methodological and epistemological issues. There are several publications that speak to these issues with useful tips on how to handle tricky situations (see, for example, Adomako Ampofo & Arnfred, 2010).

Table 1: METHODOLOGICAL ISSUES TO CONSIDER IN SEXUALITY RESEARCH

Process	Presentation	Politics
• Sex is a taboo subject, therefore it is difficult to get people to talk and engage due to coyness, discomfort, stigma, etc. • Developing rapport with research participants: participants may feel threatened to relate or put down something so private/personal. What if they are exposed and it hurts them? • Personal beliefs, values, prejudices of researcher and researched. • The study may force participants to remember things they wish to forget, which makes the research process traumatic and deeply hurtful for them. • The experience may be too deep and embarrassing for the participant to relate. It may invoke shame, denial, intimidation, tension or anger. • Participants may hesitate to divulge information because they are loath to be pitied or for fear of damaging their bodily integrity. • The research is likely to engage you in difficult and unpredictable ways.	• The way participants relate to a researcher's age, sex, gender, sexuality, status, self-presentation, religion, etc. • Language: it may be impossible to translate words or nuanced meanings that may be non-existent in the research language. • Veracity: how does the researcher know that the participant is being honest and not embellishing their story or experience? Or how can they test for accuracy of memory? • The topic may be too complex. Participants may genuinely ask themselves, 'Where do I start? There is no narrative, no language to convey the experience. No linear way to tell the story. It is too layered.'	• Unequal relationship between researcher and researched. • How does the researcher facilitate the voices of the participants and make the research relevant to them? • Issues of confidentiality. • Private issues moving into the public realm. • The sensitivity of the topic may make it difficult to get people to participate because of internal sensibilities such as people's spirituality and external sensibilities such as breaking the law. • Hopelessness of the situation whereby the researcher is not in a position to do anything to help a desperate participant.

The complexity of the subject matter means that the process of designing a research project on sexuality is by no means a linear exercise. Rather it is a circuitous, undulating process. This means that there is nothing straightforward about the research; there are no holy cows, and the twists and turns are numerous. As the researcher plans, implements and reflects upon the study, each decision might produce implications that require revisiting earlier decisions. This calls for maximum flexibility and minimum bias on the part of the researcher.

A good sexuality research project does not view methodology as a mere appendage of issues of epistemology or "a way of carrying out an enquiry". Rather, methodology itself is conceptualized as a political process, a 'space' in which complex issues of context, voice, ethics and ideological depth are played out (Bennett, 2008, p. 1). It is part and parcel of theory-building and transformative change. I have a firm conviction that feminist methods of research are best suited for research on sexuality (see also Reinharz, 1992; Nagar & Geiger, 2007; Adomako Ampofo & Arnfred 2010). This is because they consciously attempt to:

• foreground the experiences of participants, as well as the meanings and interpretations that they attach to these experiences. This is important to allow for linkages between real life experiences and the phenomena under study. The researcher gets to appreciate the research issues within the framework of their lived experiences and life situations
• excavate complex and abstract qualitative phenomena that are unquantifiable, such as emotions, feelings and other sensitive issues critical in sexuality research
• refrain from objectifying participants and avoid hierarchical representations of knowledge about their lived experiences. This allows considerable space for the actual voices of participants to be part of the knowledge creation process in the final report or publication
• work within a human rights framework, providing contexts that begin with a consideration of the constitutional and legal context in which sexuality issues are played.

It would be foolhardy to study HIV/AIDS, for example, without paying attention to gender and the political economy within which sexualities in Africa operate (Mbilinyi, 2010). *Politics of the Womb*, the work of Lynn Thomas (2003), which analyzes the linkage between women's reproductive capacities and patriarchal state interests in Kenya, is an example of an excellent multidisciplinary and sensitive case study of African sexualities. Her careful attention to gender, class, generation and race using ethnographic, oral, legal and archival sources forcefully exposes the complex ways that colonial and post-colonial powers controlled female sexual initiation (excision), abortion, childbirth and premarital pregnancies. Thomas's research clearly shows how women's bodies constitute an important site of political struggle in Africa and their connections to the political economies of the state.

Conclusion and future prospects

Researchers in the field of sexuality must remember that the concepts of sexuality and gender, as normatively used, denote both power and dominance. It is therefore useful to speak of gendered sexualities and/or sexualized genders. Such an approach allows for in-depth analyses of the intersections of the ideological and historical systems that underpin each concept, an important factor in knowledge production.

The historical trajectory of research on African sexualities began from a place where colonial and imperial interests, biases and agendas defined their parameters in damaging ways. Conceptualized within a tripartite framework of morals, reproduction and dysfunction, the sexualities of Africans were largely constructed as immoral, lascivious and primitive. Although that legacy has endured over generations, it has been subjected to serious challenge in recent years. The biomedical and Western researcher is gradually being replaced with the multidisciplinary, home-based researcher who embraces holistic and grounded approaches.

As it has emerged that sexuality examined exclusively through the lens of natural science leads to problematic theoretical and methodological concerns, scholarship has turned an important conceptual corner. Today, a comprehensive understanding of African sexualities means that the researcher must observe through several lenses that take in history, politics, economics, art, law, philosophy, literature and sociology. The study of sexualities cannot be abstracted from power and particular interests. It is a dialectical, circuitous process that allows for back-and-forth movement and empathetic understanding, and recognizes the fusion between sexualities and various structures of power.

Though researchers will find that African sexualities differ in many ways from those outside the continent, a fresh and open approach might reveal that there are more intra-continental differences in practices and norms of sexualities than there are variations across continents. After all, we cannot underestimate the global effects of neocolonialism, organized religion and globalization on contemporary sexualities around the world. Not only do othering systems lead to oversimplified theories, but also they lead to discrimination and xenophobic attitudes.

There is considerable virgin ground for researching and theorizing African sexualities and still a great deal that scholarship has to address. The prospects and possibilities for researching sexualities on the continent have greatly expanded thanks to the internet. One of the biggest challenges for African researchers is how to apply and draw from theories that emerged from studies conducted elsewhere in a way that simultaneously gives serious consideration to the specificities of African contexts within which various sexualities operate.

In other words, theoretical globetrotting for the African researcher must inevitably be enriched and rejuvenated by the historical and cultural realities of the studied communities. Researching and theorizing sexualities beyond the tired polemics of violence, disease and reproduction and exploring their layered complexities beyond heterosexual normativity and moral boundaries will lead to fresh

conceptual insights and paradigm shifts. It will illuminate the limitless and diffuse capacities that the human body, as well as the mind, heart and soul, have for eroticism and pleasure.

Furthermore, repositioning both the geographical and conceptual locations of what is African will avoid the slippery terrain of the essence of who and what is African. Collecting further quantitative and rich textual ethnographic empirical data that is not only interdisciplinary but also transdisciplinary is a must. This is the way to embark on a more complex theoretical journey through the constructs and issues that deepen our understanding of African sexualities.

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Stretching the Margins and Trading Taboos: A Paradoxical Approach to Sexual Rights Advocacy in Africa

S.N. Nyeck

"Only one weapon serves to kill that pain. The one that struck can staunch thy wound again!"

Parsifal, Richard Wagner

"During all those years in prison hope never left me – and now it never would"

Nelson Mandela

"Imperfect competition is a matter of freedom, not just power"

Ronald Burt

Introduction

This paper is a reflection on the challenges and opportunities for governance and advocacy in a context of changing social demands in Africa. I argue that regimes of governance shape sociopolitical engagement because they delineate the spheres of influence and command between state and non-state actors. I focus on sexual rights advocacy in Africa to highlight conceptual and strategic challenges that governments and advocates face in two ways. First, I establish the ways in which regimes of governance shape social and political wellbeing and identify conceptual and practical challenges with state-centered approaches to sexual rights. Second, I offer an alternative approach to understanding why sexual rights remain peripheral to public interest in Africa and sketch strategic

implications for advocacy. The paper suggests a paradoxical approach to sociopolitical contention around sexual rights as constitutive of a necessary process through which learning opportunities through trial and error are presented to Africa.

Conceptual concerns

The political and economic challenges that Africa faces today are, according to widely published research, daunting. Predatory and patrimonial, weak and corrupt, dysfunctional and falling apart, bottom and underdeveloped, are well-known labels too often attached to the overall performance of African states. This standard way of viewing Africa's reality as perpetually trapped in a suboptimal state performance is what I call the "failure paradigm". To the extent that "underperformance" in Africa accurately reflects institutional failure, its adverse effects establish different sets of challenges to initiatives that seek to reduce the gap between the centers of power and the periphery, or margins. By margins, I mean not just the physical distance (rural–urban) and institutional hurdles (high centralization without effective command or decentralization without real political competition) that separate citizens and rulers, but also the nature of issues that get to be taken seriously.

Sexuality, in this sense, could become a marginal issue, regardless of the relative position to or physical distance from the centers of power of those who advocate sexual rights. I use the word *marginal* as a proxy for the degrees of isolation from the geographical centers of power and from the political decision-making process. For instance, a country may well secure consensus over the provision of basic healthcare services as public goods without necessarily taking sexual health into account. Conversely, programs that target sexual wellbeing may not always reach non-heterosexual categories *as such* in their implementation phases. In these two scenarios, it takes advocacy, bargaining, and strategic planning to broaden mainstream political interest and to include sexually marginalized groups often left out in public programs. The degrees of inclusion or exclusion of marginal issues may vary across countries for different reasons. Nevertheless, the process and

techniques of political and strategic maneuvering of issues from the periphery to the center stage are interesting because they highlight, not just the difficulty in mobilizing unpopular issues but more importantly, the calculus of consent and dissent through which society is renewed. Nevertheless, consensus over what constitutes a pressing sociopolitical issue in a context of limited resources is never easy to win.

Scholarship (Jackson & Rosberg, 1982; Herbst & Mills, 2006) and advocacy concerned with marginal social issues and micro-level politics inevitably grapple with the shortcomings of the resilient African weak or "failed" state. Given the subpar ratings of African states' performance, any meaningful engagement with African problems must, first and foremost, make sense of "failure" when thinking about possible remedies. I therefore start with two general propositions. First, the link between governance, underdevelopment and sexual rights is necessarily dialogical. To the extent that bottom up advocacy, in addition to focusing on its substantive goals, also provides governments with feedback, real measurements of change in society, and affordable options for policy adjustment, it contributes to strengthening African societies. Second, without denying imperfection within African systems of governance, scholarship concerned only with the diagnosis of problems is of limited value if answers to abstract questions cannot take the form of possible solutions to real world problems. I am more interested in thinking about midpoints for compromise rather than high-end solutions that do not take into account endogenous demands for change in Africa. From this perspective, the outcome of a dialogical engagement with the determinants of unsatisfactory state performance in Africa is necessarily negotiated and adjusted in light of the aspirations of African people and governments.

Why a paradoxical approach to African problems?

A paradoxical approach is important to understanding Africa because the continent's sociopolitical problems often contradict established beliefs about necessary and sufficient conditions for political

development. For instance, the dominant framework that emphasizes "failure" in Africa is a perfect example of inferences based on specific measurements of the performance of an ideal state. What the failure paradigm misses is that African states acquired sovereignty by acts of international recognition only and some still function without effective ownership of authority and control over administrative apparatuses (Herbst & Mills, 2006). The political history of Africa therefore suggests that the continent is on a reverse track of development in comparison to Western states. If the state emerged in Western Europe *after* a series of civil and religious wars, famine, bankruptcy and economic crashes, military coups and counter-coups, ideological and technological revolutions (Parker & Smith, 1997), the African state came into being through acts of international recognition only *before* undergoing similar purgatorial steps. Thus, without denying the reality of sociopolitical challenges on the continent, a critical approach to studying these problems should at least acknowledge the dual pressure on postcolonial states. In the case of Africa, states must engage in the coercive work of state building to acquire domestic sovereignty, while behaving as if they were already mature states that can effectively respond to the demands of their societies in transition.

State–civil society relations in Africa have since independence been punctuated by a series of clashes, blackmail, oppression and repression depending on the nature of the demands. In the past, the further civil society's demands were from African governments' immediate interest, the easier it was for the rulers to ignore them, or in the worst case, respond only through repression. Decentralization and the adoption of multiparty systems in Africa in the 1990s increased political participation, while the spread of new technologies of information and communication allowed civil society to seek, within the international community, alternative partners willing to support its agendas. Nevertheless, in some cases, the availability of international support precedes states' recognition of the civil society's agenda domestically.

Effective mobilization of sociopolitical issues by non-state actors at the international level remains incomplete unless it complements state goals or receives state support domestically. Hence the

paradox of advocacy for marginalized issues in Africa: first, with increased activism can come increased resistance. When the advocacy goal is perceived to be detrimental to the reputation of a state, as illustrated in human rights campaigns against torture or discrimination based on sexual orientation, the probability of coercing a targeted state into complying with human rights norms is small. Second, subjects of discrimination within a state rely on the same state for remedy when the international community cannot or is not willing to intervene forcefully. It therefore follows that the framework of failure does not tell concerned citizens *how* to *engage* and *re-engage* with the state *after* it fails them and *after* loyalty to their state has been compromised.

The failure *qua* failure school does not entertain, not even theoretically, the possibility that the weakness of the African state might have other consequences than doom. That is, weak states create opportunities for civil society to become consistently proactive and improve its negotiation skills when dealing with resilient non-optimal state performance and the state's domestic rivals. The register of failure takes away the pedagogical value of weakness and leaves the pathetic victimized subject only with despair. In so doing, failure in Africa takes hyperbolic features, which require only hyperbolic solutions.

The failure paradigm is hyperbolic because it is trapped in a rigid binary in terms of levels of analysis, as will be made clear in what follows. Scholars have pointed to sovereignty to explain the origin and nature of weak states in Africa from international and domestic perspectives. The international perspective merely asks, "Why do Africa's states persist?" The answer to the question is: Africa's weak states persist because of the sovereign legal command and recognition they receive from the international community (Jackson & Rosberg, 1982). The domestic approach is puzzled by the "acquiescence of those outside core state power" (Engelbert, 2009). Engelbert (2009) argues that those kept at the margin are not initiating radical political change because states use prerogatives attached to the legal command that endures and continue to extract resources from society even in times of crisis. Failure to initiate radical political change, secessions and revolutions from the

margins is attributed solely to the states' structure of command.

Thus, international and domestic analytical perspectives converge in framing civil society's engagement with the state in strictly binary and radical terms. If civil society is almost absent in the first approach, it entirely acquiesces to state power in the second approach. In other words, the legal command of states provides those at the margins with only three options: to acquiesce and remain loyal to dysfunctional state institutions, to exit with no guarantee of successful coalition building, or to domesticate and privatize the legal command through secessions. If the first option serves the patrimonial interest of dysfunctional states, the last two options serve the interest of what I have defined as the margins. No option serves both the state and the margins concomitantly.

This binary trap inherent in the failure paradigm does not encourage us to discover society the way Adam Smith did in England. For Smith, society contained spaces of influence that were not controlled by the state and that, indeed, under some conditions, shaped the state itself. The paradigm prevents us from seeing the 'wealth' of information and conceptual possibilities that marginalized social spheres offer in Africa. These spheres are not just "subject to the laws of the state, but, on the contrary, subject the state to its own laws" (Polanyi, 1957, p. 111).The paradigm is hyperbolic because it does not reflect the reality of civil society as it is emerging in Africa today, either ignoring it completely or portraying it as entirely complacent.

It follows that the framework of failure adds to the list of things that fall apart on the continent of Africa. It does not sufficiently theorize the way out of failure, nor does it indicate, as in Wagner's cosmic opera *Parsifal*, how "talking wounds" can play a pivotal role in inspiring the kinds of actions that stretch both the margins *and* the centers of power. Ideally, African governments should be able to safeguard the holy grail of state power without inflicting mortal wounds on their citizens. Nevertheless, given the overall underperformance of African states in establishing domestic sovereignty, scholars and activists should engage in the work of truth-telling to power and providing

feedback from changes in society, no matter how uncomfortable change might be. They should offer affordable options for policy adjustment and find ways to heal African wounds without breaking the spear that might have caused them.[28] In other words, the challenge is to find an optimal equilibrium point in this process of "socializing the state – namely, by defining limits to society's 'revenge' without repudiating the state or stripping it of any legitimacy, as is too often the case" (Monga, 1996, p. 159). A paradoxical approach to sociopolitical contention treats African problems as constitutive of a necessary process that presents the continent opportunities to learn through trial and error.

Reformulation of the question

If African and global development itself cannot take place without active dialogue with African states and their participation despite their shortcomings, the question becomes, how does one engage with the centers of power from the periphery? What types of outcomes should be expected? How does one define and operationalize success? Are certain frames more successful than others when bargaining with imperfect states? To what extent should the imperfect and mixed strategies explored below be ruled out or integrated in the advocacy for human and sexual rights in Africa? To achieve this requires a conceptual playing field that reflects Africa as it is, not as it should be or seems to be. This paper portrays this playing field as composed of imperfect actors involved in political, economic and ideological transactions. The implication for analysis is that both the centers of power and the margins can engage in sub-optimal performances for a variety of reasons. In other words, imperfection here does not mean failure. Rather, it refers to choices and strategies that, while suboptimal, can lead to outcomes in which every actor in the playing field is at least *incrementally* better off.

28 This should not be confused with support for impunity for leaders who commit egregious acts against their people.

The playing field is strategic in the sense that actions taken by one actor influence the behavior of others. As a better illustration of what this means, we might assume that the margin represents human rights advocates for sexual rights, which do not constitute a central issue for a given African state. Transactions over rights, when initiated from the margin to the center, will cause the center to react in certain ways. Emphasis on the transactional dynamic between the center and the periphery involved in either negotiations or confrontations allows one to determine whether or not the strategy employed constrains outcomes, taking into account the nature of commodities, services, and ideas being exchanged. How tangible and intangible transaction costs are determined, signaled and distributed between a weak state and its margins reveals the state's willingness and capability to extend or restrict its influence.

Whether states respond by stretching or contracting their influence has strategic implications for political development. For instance, in responding to marginal demands, a state may choose to extend its reach to the margins, by deciding to intervene as the sole provider of goods and services. This outcome will enlarge the state by extending to new margins the control exercised by the administrative apparatuses. I call this response *extensive extension*, which often implies a risk of increased state surveillance for those receiving state benefits. In contrast, when a state responds to marginal demands by negotiating outcomes in a way that enhances its authority while delegating responsibility, it reduces its size. This response is what I call *intensive extension*; the benefits given to recipients of state services might increase political participation and responsibility. Bargaining with the state either way involves potential risks and benefits, depending on whether it responds by extending or contracting its influence. With this conceptual frame in mind, I will now examine the differing perspectives of the state and civil society on the marginalization of sexuality and sexual rights in Africa.

Why sexuality is marginalized: State's perspective

What explains the marginalization of sexual rights as human rights in mainstream state policies in Africa? The standard answer to this question is that as far as LGBTQI rights are concerned, state-sponsored homophobia coupled with cultural beliefs explains this marginalization. A feminist perspective would additionally specify that homophobia is also ingrained in patriarchal values enshrined in cultural and state practices. To the extent that African states are not protecting the rights of their gay, lesbian and transgender citizens, they could rightly be said to be failing those wounded by homophobia, whether state or private actors cause the wounds. With the exception of South Africa, no African state explicitly recognizes groups' rights based on sexual orientation. In the absence of legal and institutional recognition, the demand for sexual rights based on sexual orientation pushes the bearers of such claims fully to the margin of public policy formation on the continent.

Just to illustrate, it is worth noting that mainstream political parties have not taken up the issue of sexual rights seriously, except for negative mobilization against gay, lesbian, or transgender citizens. This means that, from the perspective of policymakers, sexual orientation is a marginal issue highly sensitive to the so–called rule of diminishing returns. Legislators may perceive state intervention in the area of sexual and reproductive health and rights as having high value when the interventions being proposed cover all, or the majority of citizens. Indeed, in the case of negative mobilization against LGBT citizens, political appeals are framed precisely in these majoritarian terms. However, the value for legislators of further state intervention in this area may diminish as sexual orientation is added as a new category requiring state action. Sexual margins therefore delineate a relatively low position on the scale of states' choices and priorities.

The framing of sexual freedom as something that ought to be recognized as a "right" in a context

of competing ideologies does not necessarily provide affordable choices to policymakers motivated by both personal and collective goals. Homophobia is, from this perspective, one of the many tangible and intangible reasons why policymakers, from their perspective, push sexual orientation to the margins. Consequently, in accounting for the ways in which sexual margins are created in postcolonial Africa, it is important to consider the political playing field where personal and collective choices and ideational worldviews interact.

Beyond homophobia, the logic of coercion within African states also provides some answers to how sexuality is marginalized. As I argued earlier, because postcolonial African states are perennially engaged in state-building initiatives, they necessarily proceed by aggregating and abstracting from the multitudes. This phenomenon was historically manifested in the idea of single party systems used as proxies to define the boundaries and allegiances of national communities in postcolonial Africa. However, state-building processes based on the aggregation and abstraction of differences, including differences of opinion, failed to create national unity because it overpopulated the margins with resentful and disaffected citizens (Monga, 1996). The overarching objective of national unity was never met because its proponents could envision success only in hyperbolic terms. Bargaining between African states and societies was not part of their equation. Few Africans opposed change when one-party systems came crumbling down under the pressure for democratization in the 1990s. That is, in trying to formalize the idea of unity through forceful and exclusive membership in national parties, the abstract features of these politics substantially betrayed the vibrancy of civil society in Africa in the immediate post-independence era. The supposed unit of this abstraction – civil society itself – could not be added, subtracted, multiplied or divided without causing major social conflicts.

One-party systems fundamentally allowed the postcolonial state to “govern” counter political mobilizations that erupted against the centers of power. But, governance by abstraction ultimately failed because the portrait of abstraction was painted in rigid and static terms. The democratization of the 1990s and 2000s not only formalized the idea of unity through competition among political

parties, it also sharpened the portrait of civil societies, by revealing them no longer as the homogeneous space of the "people", but instead as a complex of spheres where heterogeneous groups compete with each other over political claims and agendas.

In the post-multiparty fervor of the 1990s, the logic of coercion integral to state-building practices manifests itself less in terms of aggregating the *population* and more in terms of the logic used by states to code abstractly and legitimize the *resources* that may be open to collective action and bargains. By coding resources and defining the language that provides access to them, states legitimize certain types of mobilization and bids for access to resources and not others. As Stinchcombe (2001) notes, "The key patterning of discourse in many social devices is the exchange of *views* and *evidence*" (p. 49: emphasis added). The implication is that when a state makes resources open to collective bids, it simultaneously provides a commentary on the socio-domestic needs it is seeking to fulfill and signals its willingness to receive collective demands for this purpose. Put differently, governmental programs can also be interpreted as incentives that both foster and limit civil society activism.

This mode of operation allows postcolonial states to establish domestic sovereignty by intensively but strategically "fishing the margins". When they invent or recode ideas and resources, postcolonial states appropriate new instruments of legitimacy not necessarily tied to their traditional administrative structure. For instance, when a state ratifies an important human rights treaty, it consolidates its international legitimacy while, at the same time, in theory it provides all citizens with additional resources to hold the state machinery accountable to international norms. But, states' empowerment of civil society groups through international instruments does not necessarily widen or shrink the size of the margins domestically.

State practices and discourse over healthcare in Africa strikingly illustrate how this governance through abstractions works. After African states acknowledged HIV/AIDS as an "African problem"

they signed up – with the help of the World Bank – for different programs with code names such as "reproductive health, poverty reduction, and the fight against HIV/AIDS infections". In addressing healthcare needs from the vantage point of aggregated needs, groups that needed targeted interventions, such as men who have sex with men (MSM) and orphans with HIV, were not included (Fester, 2006). Although this initial exclusion could be attributed to the fact that much of what was known about HIV/AIDS in the medical world had to be discovered through trial and error, African governments have remained dubious about explicitly using MSM as a category for intervention despite evidence that it is needed (UNAIDS, 2006, 2008). By coding access to HIV/AIDS resources as open exclusively to infected abstract persons and undifferentiated bodies, states avoid stretching the margins of the category "infected", while at the same time projecting the image of fulfilling the democratic imperative of equal treatment of citizens. In those rare cases when a government chooses to provide special services to certain groups, that decision is never totally shielded from attack by other groups.

By choosing to prioritize mainstream policies that force citizens to congregate collectively as abstract beings and not as distinct subcategories, governments also protect themselves against opportunistic rivals. Hence, in Senegal where the government has on various occasions taken regressive and virulent positions on the issue of sexual rights, these interventions cannot be understood without taking into account the power of blackmail that religious communities might deploy against the government if it took a softer stand (Bop, 2008). In Cameroon, the *status quo* strategy adopted by the government is to resist the idea of "surplus repression" of gays and lesbians beyond what is already proscribed in the penal code (Marcuse, 1996). Although activists often talk about state-homophobia in Cameroon, this description fails to account for the Cameroonian state's choice to maintain a *status quo* response when popular support for the government could be harnessed by

pressing for further repression (Nyeck, 2010).[29]

In Uganda, the special alliance between the state and evangelical Churches that led to the introduction of an anti-homosexual bill in the parliament in 2009 suggests that the shadow of potential rivals to state and government is very real in Africa when issues of sexuality are at stake. Special interest groups become state rivals because they too would like to control marginal and uncontrolled spaces through the power of abstraction. Not all special interest groups are necessarily interested in taking over the state as much as shaping the terms of debate over contentious issues, therefore making it harder for other groups to bypass them completely. They are "ideological moderators more likely to view taboo trade-offs as outrageous" (Fiske & Tetlock, 1997, p. 287). This implies that strategies from the periphery that engage with weak states without catering to their domestic rivals put a premium on the political mobilization of peripheral issues.

Contrary to Engelbert (2009), I argue that "marginal revolutions" are not vanishing in Africa. If the old playing field was two-dimensional (state–civil society or centers of power–periphery), the new one is multidimensional and in high resolution. What is changing at the margin is the dimension of the political playing field. As Monga (1996) rightly notes, apparent submission and consent to subjection are correlated with the "strength of difference", which allows marginal groups to use subversive tactics that reveal a collective consciousness to resist oppression in Africa. As the case of Uganda shows, the most influential actor at the margin may no longer be the legal command (Uganda already had a law against homosexuality), or the traditional victim of state power (in this case, the gays and lesbians), but special interest groups such as evangelical Churches.

29 It could be argued that the first time the government of Cameroon broke the status quo was in 2011 when the government protested against the European Union grant given to a pro–gay rights group based in Douala. The protest, however, was addressed to the E.U. through diplomatic channels and did not produce a violent crackdown based on sexual orientation. In my view, the grant itself was a strategic mistake that the E.U. could have avoided, had it taken into consideration the paradoxical nature of Cameroonian politics.

Globalization not only introduces a new logic of competition at the center, it does so by expanding the dimension of old margins and by creating new ones through what Thomas Friedman (1999) calls "super-empowered individuals" and interest groups that compete for resources and entitlements. The implication is that even if African governments genuinely wanted to adopt the language of sexual rights as human rights in public policy, they could do so only by finding a way to insulate progressive politicians from the shadow of reactionary interests. The differentiation of civil society through the logic of competition means that strategies copied from other contexts may not always be sufficient to secure a competitive advantage for a particular group over others. Simultaneously, while seeking recognition, these advocates confront two important challenges that go beyond investing in organization building: one is to change the nature of the competition among groups in the political playing field; the other is to avoid being undersold by rival groups.

Sexual rights: a marginal revolution?

So far, I have used the image of the margins to delineate the relative position of specific groups on the scale of policy choices. If from the states' perspective, the satisfaction derived from the mobilization of marginal and contentious issues tends to be negative, the marginal utility of the same issues is positively correlated with advocacy groups' actions. Successful advocates usually present their advocacy product as increasing marginal returns to society in the long run. Hence, advocacy around sexual rights as human rights is said to contribute to the democratic development of modern states because it qualitatively extends the dimension of political representation and promotes freedom through the protection of individuals' rights. To the extent that this noble goal is met, advocacy for marginalized causes should have feedback effects on African governments. Contrary to expectations, however, African governments and societies have responded to advocacy for sexual rights as human rights with mixed reactions. These mixed reactions have multiple explanations and I want to analyze them in light of advocacy discourse and strategy.

To say that human rights discourse and the strategic choices of sexual advocacy groups *influence* the behavior of states and other non-state actors in the playing field of imperfect political transactions in Africa is *not* to presume that these choices *alone* explain African responses.[30] Rather, it is to highlight the relational and strategic nature of the playing field and fully recognize that self-organized marginal groups are aware of the complexity of their political environment. It is also to suggest that without adequate frames for collective action, one cannot compare experiences across states to identify which of the many advocacy strategies work and under what conditions, or to examine how problems that result from self-organizing specifically as LGBT rights groups in one state relate to those in another state. In trying to assess the problems that sexual rights advocates want to solve, I analyze factors that may hinder success by focusing on those dimensions that pertain to the framing of advocacy and choices to be made in domestic political arenas.

a. Operational frames and the logic of advocacy

The way questions about sexuality are framed in Africa determines how researchers, policymakers, and activists approach and appropriate the subject. Similar to the postcolonial state's logic of governance through abstractions, sexual rights discourse in Africa operates with a set of instruments that derive their value from underlying international conventions couched in the language of human rights. In other words, like postcolonial African states, sexual rights advocacy derives its legitimacy from the international system. As already mentioned, the noble premises of international rights abstractions, more often than not, are about the behavior of ideal states and entitlements of ideal citizens. If the world were as it *should be*, advocacy for human rights, including rights that pertain to sexuality, would not be needed in the first place. Moreover, because the international system confers tremendous discretionary power to states in comparison to civil society, the abstract

30 See the use of "colonial blackmail" and unrelated standard stories for counter-mobilizations against sexual rights in Nyeck (2010).

language of international human rights conventions does not tell human rights advocates what choices to make in domestic arenas where political actions are to take place. The abstract nature of international human rights language does not tell advocates what their action plan should look like when dealing with real politics in concrete world situations. It does not guide advocates to decide if street demonstrations, blockades, civil disobedience, parliamentary bargains or constitutional amendments should be considered separate or concomitant strategies everywhere and at any given point in time.

Thus, in light of the many imperfections of the real world of politics, the task of creating ideal entitlements derived from international norms for imperfect citizens and states should, to say the least, pursue objectives with calibrated expectations. Furthermore, because the pre-existing domestic "political environment defines the opportunities available to new groups through formal and informal negotiations with other political actors" (McGee, 2010, p. 10), advocacy that derives its legitimacy solely from international norms must either adapt to conditions prevailing in local settings, or risk being undersold by the state in response to the reaction of monopolistic forces and rivals to these claims. If there should be revolution from the sexual margins, it would need, above all, to be *a revolution away from abstractions*.

b. Sexual rights discourse and advocacy: an innovative dynamic

Sexual rights advocacy in Africa today renders the sociopolitical realities of sexual margins visible in empirical terms. Responding to the needs of marginalized groups, it provides a rationale for both excludable benefits (e.g. the protection of same-gender-loving people) and collective benefits (e.g. collective wellbeing, democracy and personal freedom). Unlike postcolonial states' abstractions that govern homogeneous bodies of citizens, the abstract language derived from human rights discourse and embedded in sexual rights advocacy disaggregates the margins into specific categories demanding state intervention. Sexual rights advocacy is, primarily, about sexual citizens, not just

generic and abstract citizens; it is about gay men, lesbian women, heterosexual widows living with HIV, not just the generic 'human' in human rights discourse; it is about condoms, dental dams, excision and needles not just the generic episode of virus 'transmission.'

Sexual advocacy is innovative in the sense that it is concerned with a sphere of social life that escapes *total subjection* to the power of domestic sovereign command. Traditional African societies understood the impossibility, if not the danger, of attempting to regulate sexuality fully by ingraining it into the language and practices of ritualized spaces or imperfectly understood human behaviors, such as homoerotic practices (Wieringa & Morgan, 2005). Today, postcolonial states have taken a different course of action in relation to these domains. The ritualized legal power of African postcolonial states seems to make no provision for that which – because it has not been thoroughly researched in Africa – might be considered "things yet to be understood" (Nyeck, 2011).

With the exception of South Africa, most African states criminalize homosexual behavior regardless of the age of consenting partners. Yet, despite the requirements of the legal command, the value of same-sex practices and identities does not decrease for those involved in such relationships. Here I am using Carl Menger's (2004) definition of value as "the importance that individual goods or quantities of goods attain for us because we are conscious of being *dependent on the command of them* for the satisfaction of our needs" (p. 115). Although Menger was writing mainly about value in economic goods and services, his theory of utility is adaptable to political and non-economic goods. From the perspective of straight, gay, celibate, and transgender citizens, sexuality is not an 'exogenous good' whose consumption is perceived as limited or causing personal harm. Value derived from sexuality is something that *individuals hold individually*.

Because of the intimate link between sexuality and personal wellbeing, and because of the necessity of collective mobilization for rights, advocacy is innovative and strategic when it connects the fulfillment of private preferences to a broader democratic project. Sexuality is certainly one

area of human life in which value derives from the satisfaction of needs.[31] Throughout human history, sexual satisfaction has been coded as fulfillment of personal, religious, social, and political needs (Greenberg, 2004; Sindjoun, 2000; Bataille, 1957; Eppretch, 2008; Martinez Alier, 1989). Because sexuality is important to human development, its repression *tout court* inevitably populates the margins of society with groups that are forced to choose between the requirements of the repressive *sovereign command* and the necessity of what I call the *individual command* based on the importance attributed to sexuality for one's general wellbeing.

c. Sexual rights discourse and advocacy: cognitive blinders

Despite its ability to be creative in mobilizing the margins, sexual rights advocacy remains imperfectly grounded in the playing field of African political arenas. So far, sexual rights advocates use recourse to international instruments of recognition as the strategy to put pressure on local governments to repeal discriminatory laws, and to recognize the sexually marginalized *as such* in public programs. The use of international instruments has shaped a course of action in which advocates choose to "strike" domestically at specific targets for advocacy: those in positions of power who manage collective action, policy-making and constitutional arenas of governance. However, analysts and advocates do not always understand how these political arenas are related, their interdependence or the lack thereof, and these blinders clearly affect advocacy outcomes.

High-order pressure on African governments has produced mixed results. National campaigns to hunt down homosexuals have been initiated in Nigeria, Egypt, Burundi, and Uganda. Highly publicized detentions of gays have been reported in Malawi, Senegal, the Gambia, Zimbabwe, and Namibia. That major human rights advocacy groups continue to misdiagnose these negative counter

31 Except where abstinence serves religious, social, or other hygienic purposes.

initiatives against sexual rights advocacy as manifestations of 'state-sponsored homophobia' only, suggests that much of what constitutes imperfection in the political playing field in Africa still needs to be deciphered by activists.

In my view, two objections could be raised to the reading of counter-movements to sexual rights advocacy as manifestations of state-sponsored homophobia only. If state sponsorship means that states indirectly back homophobic societal attitudes by upholding discriminatory laws, such a role needs further specification. First, anti-homosexual laws, where they exist in Africa, have been in the penal codes at least since independence. Although homosexual individuals have been persecuted and prosecuted in Africa, national campaigns that specifically target them collectively are a new phenomenon on the continent. *The mere existence of national laws against homosexuality does not sufficiently explain surplus repression on a national scale today*. Homophobia alone does not account for the current coalition building between specific interest groups, nor does it explain why these groups would mobilize a repressive state to solve their homophobic urges in the first place.

Sexual rights advocacy's two-dimensional playing field logically locates, at one end of the spectrum, victimized gays and lesbians and at the other end, the oppressive centralized state. This dichotomized vision of the struggle also operates within the logic of the "state failure" paradigm aimed at explaining "things that go wrong in Africa". From this perspective, African institutions are approached as things that must be "fixed", not as institutions that *contribute* to the shaping of discourses or even of the agenda of their own transformation.

To the extent that it recognizes imperfections in African societies, sexual rights advocacy tends to treat them as exogenous to its own movement. Country reports published by different international non-governmental organizations with vested interest in gay and lesbian rights in Africa speak of the urgency of the need for interventions that will contribute to these groups' acquiring domestic legitimacy, either by sheer size or by their ability to influence domestic politics. As Monga (1996)

notes, "the emergence of dominant players on the national stage with a collective conscience greater and sharper than the sum of the citizens who participate inevitably brings both virtues and risk and distortions" (p. 146). All these observations suggest that despite its dynamism and innovative rhetoric, sexual rights advocacy is still but imperfectly rooted in the playing field of African politics.

Advocacy as "bargaining"

The critique of international state-centered approaches to sexual rights in Africa I present here should not be mistaken for a critique of the relevance of sexual rights, including those that pertain to same-gender loving people on the continent.[32] Rather, by showing the shortcomings of offensive and defensive strategic choices of sexual rights advocates and conservative forces in Africa, I propose a midrange approach based on the behavior of imperfect actors on an imperfect political playing field. The spirit of the bargaining approach suggested here takes the critique of sexual contract theory and its conjectural political history of fictionalized bodies very seriously.

Carole Pateman's (1988) great work on the sexual contract reminds us of the paradoxes of contract theory of the state, even when it serves progressive ends. Pateman's critique traces the epistemological origin and development of the "sexual contract" as the "repressed dimension of contract theory" in the political thought of Western thinkers (p. ix). Although interrogation of these paradoxes in relation to civil society–state relations in the developing world should continue, I still find the contractual perspective useful in the analysis of contexts where imperfect political transactions prevail, which are not just about attaining freedom for any particular group, but also about fostering modes of belonging that make the choice of political development affordable. The bargaining contractual

32 Questions of legitimacy qua legitimacy are not my concern here. I consider legitimate, political aspirations that expand justice and freedom in any given society.

approach is adopted here keeping in mind the "fundamental necessity", for African societies and of marginal groups within them, of stretching the limits of political representation and citizenship. This approach is different from the abstract contractual necessity of ideal states imagined by Locke, Hobbes, and Rousseau.

In keeping with the proposition that African reality should contribute to framing discourse and policy for social change, human rights advocacy and strategy must take into consideration the transitional nature of African societies. International norms may provide guidelines for the betterment of societies, but domestic sociopolitical structures present advocates with unique and particular opportunities through which the socialization and politicization of rights occur. This socialization of sexual rights can be portrayed as an entrepreneurial undertaking through which advocacy takes the form of a bargaining strategy and also attains the "competence to build institutions that take into account the cultural realities and power relationships among the major social actors" (Monga, 1996). The socialization of rights implies that advocacy should look into existing networks of social relations in search of alternative ways of empowering sexually marginalized groups.

Gays, lesbians, and transgender African citizens are social beings and their relative positions in existing social networks reveal both disconnections and intersections. The intersections of sexual marginality with poverty, illiteracy, and disease exemplify the ways in which sexual margins are part of larger "social holes".[33] According to Burt (1992), "Where an intersection occurs is merely an empirical curiosity [because] causation resides in the intersections of relations … holes create inequality between organizations as they create inequality between people" (p. 2). Whether sexual rights advocacy acquires real power to influence policy in Africa therefore does not depend just on the magnitude of oppression it documents with respect to states' repressive behavior toward their

33 Social issues that intersect with sexual marginality need not be negative. I am intentionally limiting the range of this intersection to images of the gays and lesbians that disproportionally appeal to international intervention as well as nationalistic anti-homosexual campaigns in Africa.

citizens; it also depends on the *degree of freedom its frames of reference can afford to its potential subjects*. The intersection between "social holes" and marginal experiences should allow advocates and policy-makers to establish: a similarity of situations among members of the same social network, as opposed to personality (or sexual preferences per se); the identification of common incentives for strategic engagement with, withdrawal from, expansion, and embedding of specific policies; the design of communication strategies that speak to power and create meaningful links between different social actors.

Advocacy analytics: Perspective on conflict management

I now turn to empirical data from the Afro-barometer national attitudes public survey, fourth round (2008–2009), to demonstrate the diagnostic benefit of an analytical approach to sexual rights. The fourth round of Afro-barometer surveys includes twenty African countries, from which I selected six states for illustrative purposes, based on the fact that they have been the center of controversial national debates about homosexuality in recent years.[34] Afro-barometer surveys do not include questions directly related to sexual orientation. Nevertheless, data inform us about social perceptions and attitudes about governance, the influence of non-governmental organizations on the central government, and policy preferences in the surveyed countries. For each category, I present the survey question and results for selected countries and derive strategic implications for advocacy. In all cases, the sample size varies between 1200 and 2400 interviewees per selected country. The Afrobarometer tables are included at the end of the chapter.

Once a given marginal issue is appropriately framed for political mobilization, the next challenge for advocacy is to design a strategy that safeguards its agenda from deadly attacks from rivals

34 The reader interested in cross-comparison for all twenty countries included in the fourth round can access data online at http://www.jdsurvey.net/afro/afrobarometer.jsp.

in the political playing field. If international human rights instruments provide "semantic labels" for political mobilization (Burt, 1992), they offer no guidelines to advocates about how to manage conflicts that arise after their agenda becomes known in the domestic public arena. Depending on whether or not other players on the political playing field are familiar with the new agenda, competition will inevitably take place. *A good strategy therefore will seek, not to limit competition per se, but to control the level of exposure to conflict*; especially conflicts that could totally smear the agenda and the life conditions of those at the margins.

Having engaged in the fight, advocacy for sexual rights should carefully pick its domestic battlefields. Public attitude surveys allow one to identify grey areas and capability and competence gaps in relation to authority networks, which may inspire competitive and adaptive strategies for advocates and policymakers pursuing specific ends. Public attitudes establish *relational* links between political arenas within systems of authority. Gaps in perception and delegation of responsibility therefore help identify flexible arenas within domestic authoritative structures from which advocacy could sustain confrontation, and provide a better prediction of other arenas in which conflict could destroy advocacy efforts with ease.

The imperfect field of political transactions in Africa contains both benefits and traps for latecomers and pioneers. As a latecomer on the African playing field, sexual rights advocacy can afford to choose its battlefields proportionally to its relative strength (international legitimacy) and weakness (the power of an idea as opposed to the power of massive membership). As a pioneer of ideas about human rights, including rights that recognize and protect LGBTQI people, *sexual rights advocacy cannot afford total politicization of its demands*. By total politicization I mean the assumption that all that LGBTQI people in Africa need is political or legal freedom. The more abstracted the agenda, the more it becomes vulnerable to ideological traps and bureaucratic discretion. Abstractions toward increased freedom focus on modern state institutions as guarantors of liberty and thus emphasize legal reforms; however, competition at this level also unleashes ideological forces that advocates

cannot defeat in the short run.

Thus, with the exception of South Africa, almost all battles for queered sexual rights in Africa between states, sexual rights groups and other non-state actors have had a negative effect on advocacy. That is, states and other non-governmental organizations in Africa seem to have cleverly and strategically succeeded in portraying sexual rights advocacy as a "rescue mission". Do not misunderstand me; I am not saying that there is no reason to rejoice for lives saved from death threats and life imprisonments in Africa. What I am saying is that saving individual lives in this way should not be taken as a measure for success for work that is supposed to participate in a broader agenda for social transformation. I am further saying that every time Africa produces social pariahs, death penalties, and exiles based on sexual orientation, last-minute presidential vetoes raise the cost of advocacy. The timing of these "compassionate vetoes" as seen in the case of Stephen Monjeza and Tiwonge Chimbalanga in Malawi is evidence to the point.[35] Highly abstracted political arenas pushed mobilization from the margins into a non-competitive sphere because its rivals disproportionally hold discretionary and promotional prerogatives. Dominant rivals may not always have the power, or wish, to force advocacy out of a country by limiting entry, but they can raise the cost for distribution of a marginal agenda through vetoes. When discretionary rights are used solely to ameliorate a bad state reputation without ensuring it commits to future actions, then no real protection for the group is in sight and individual protections may become scarcer as the dominant player. In this case, the government of Malawi may not be able to use a "compassionate veto" twice. Knowing where bureaucratic discretion breaks and which structural holes evidence this discontinuity requires designing a strategy that effectively exploits the indiscretions of governance.

35 See http://www.guardian.co.uk/world/2010/feb/16/malawi-operation-against-gays-lesbians>. Accessed August 2010.

Holes in the system of authority: indiscretions of governance

Question 58E of the Afro-barometer survey [see table 1] has strategic implications for sexual rights advocacy because the result shows that in selected countries, responsibility for solving local conflict is *primarily* attributed to traditional leaders and local governments. To the extent that sexual practices and bodies move within specific localities, a community-based program should operate in an arena in which conflict is contained. In selected countries, South Africa included, local government is given more credit than the central government, except in Malawi. In Senegal, traditional leaders share responsibility for solving problems at the local level. This result empirically substantiates what I previously called the shadow of third party actors over the central government.

Information used to compensate for the lack of delegation by the central government should contribute to potential opportunities for the socialization of rights that local and traditional leadership may provide. The remarkable story of Nkunzi Nkabinde's life as a traditional healer and lesbian in South Africa illustrates this point (Nkunzi, 2009). South Africa may be a unique place on the continent with regard to constitutional rights afforded to LGBTQI people, but in what concerns the significance of local and traditional leadership, South Africa has more in common with the rest of Africa.

The arena of traditional leadership helps distinguish state *bureaucratic authority* from *social discretion and sponsorship*. Whereas activists often talk about state-sponsored homophobia, another embedded strategy should also explore arenas of social sponsorship and discretion that may resist the language of "rights" but provide alternative protection. Note that although local governments and traditional leaders are the most trusted institutions, this finding is correlated with the proportion of people who do not believe in non-local solutions to local conflicts. The central command ranks high only with abstract command (law and order), which, as shown in [table 2] Question 58H, is a prerogative of legal sovereignty. It therefore follows that state-centered approaches that rely mainly

on the central government to solve issues that are either personal or perceived to be local should also be expected to bargain effectively with the power of abstractions as legal and disciplining instruments of the state.

Holes in policy preferences

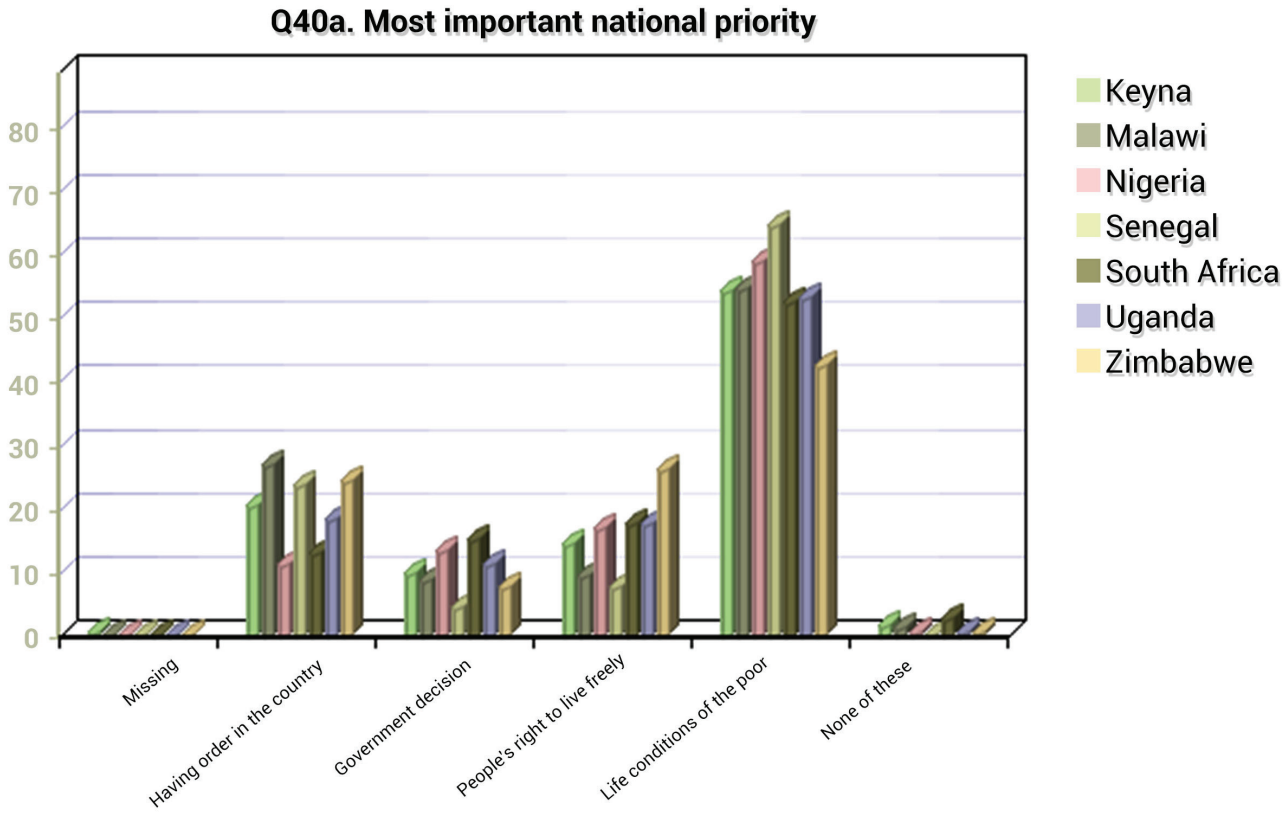
When asked about the most important national priority, respondents overwhelmingly choose 'the economic conditions of the poor' as a national priority. People's right to live freely is a second or third concern [table 3]. *This finding points to the intersection of vulnerabilities, not to the rejection of freedom itself*. Chi-chi Undie (2010) argues that in every instance in which choice emerges as an issue we have to ask whose choice prevails and how the intersection of 'choice' and vulnerability creates both authentic and clandestine selves (p. 3). To the extent that the economic conditions of the poor supersede other needs, a political strategy to sexual rights should engage with these repertoires of vulnerability that are related to employment [table 4], health and education [tables 5 and 6]. Embedding advocacy, however, would require a proactive change in strategy (Hillman & Hitt, 1999). The pursuit of a long-term strategy could make use of social sponsorship by shifting the transactional nature of the current political and confrontational playing field into a relational one.

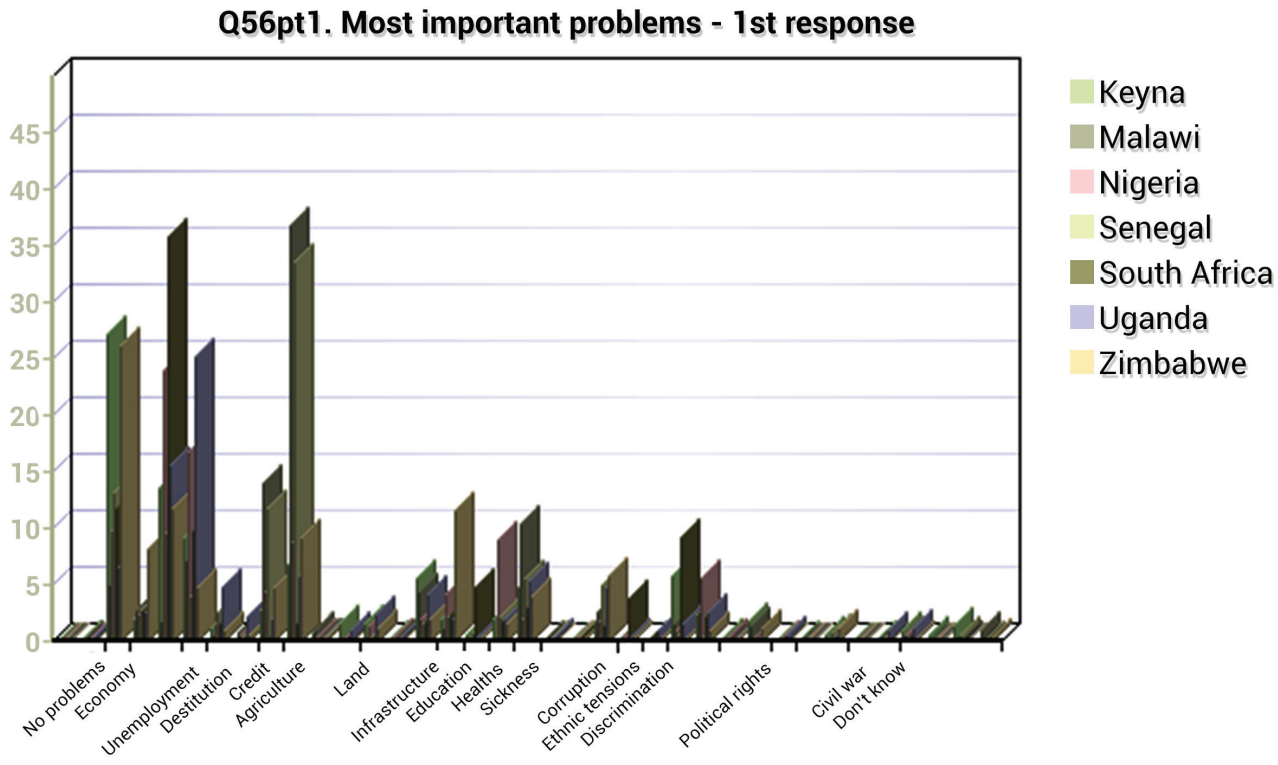
Conclusion

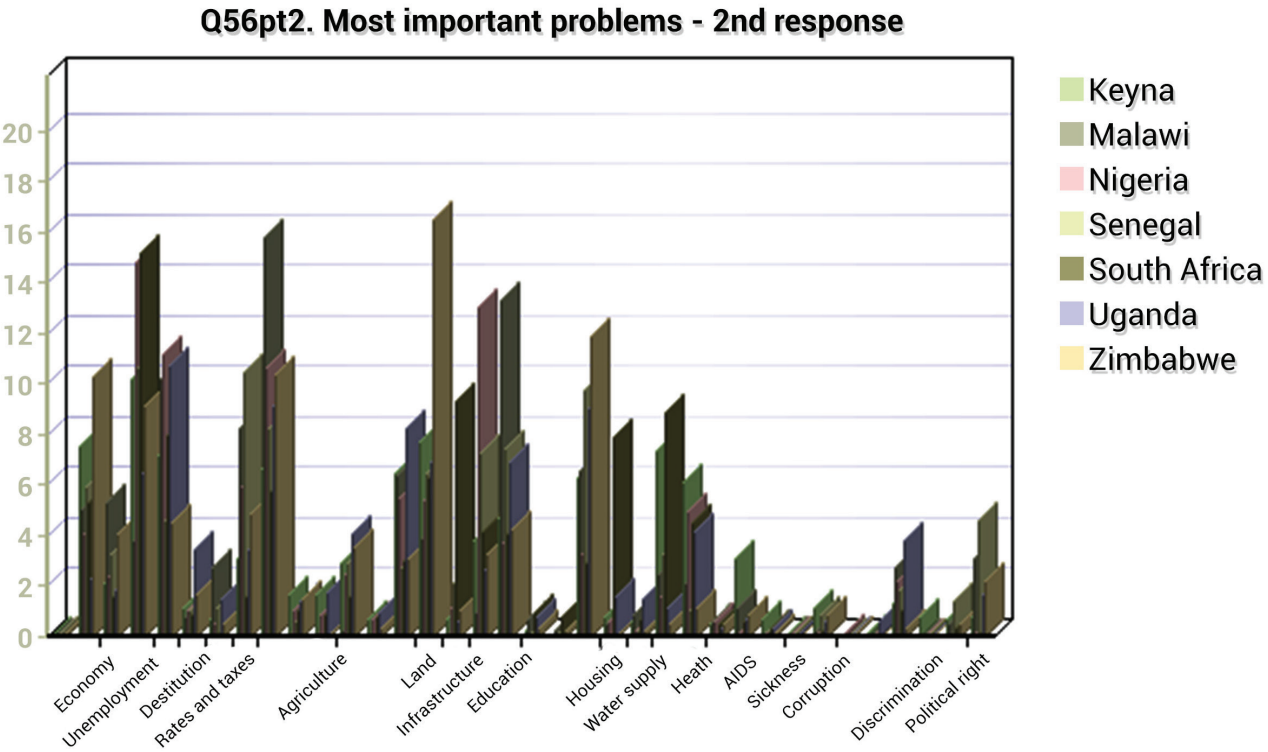
The purpose of this paper has been twofold: first, to re-conceptualize the framework of "failure" attached both to African states' political development and to their general lack of protection of LGBTQI citizens; and second, to provoke a dialogue grounded in the particular realities of African states about the kinds of strategies that queer advocacy could consider. I drew attention to the ways in which the postcolonial state-building imperative finds itself in conflict with the claims of marginalized segments of the population, such as queer citizens, for recognition of particular identities. This means that sexual rights work needs to focus not only on the responsibilities of

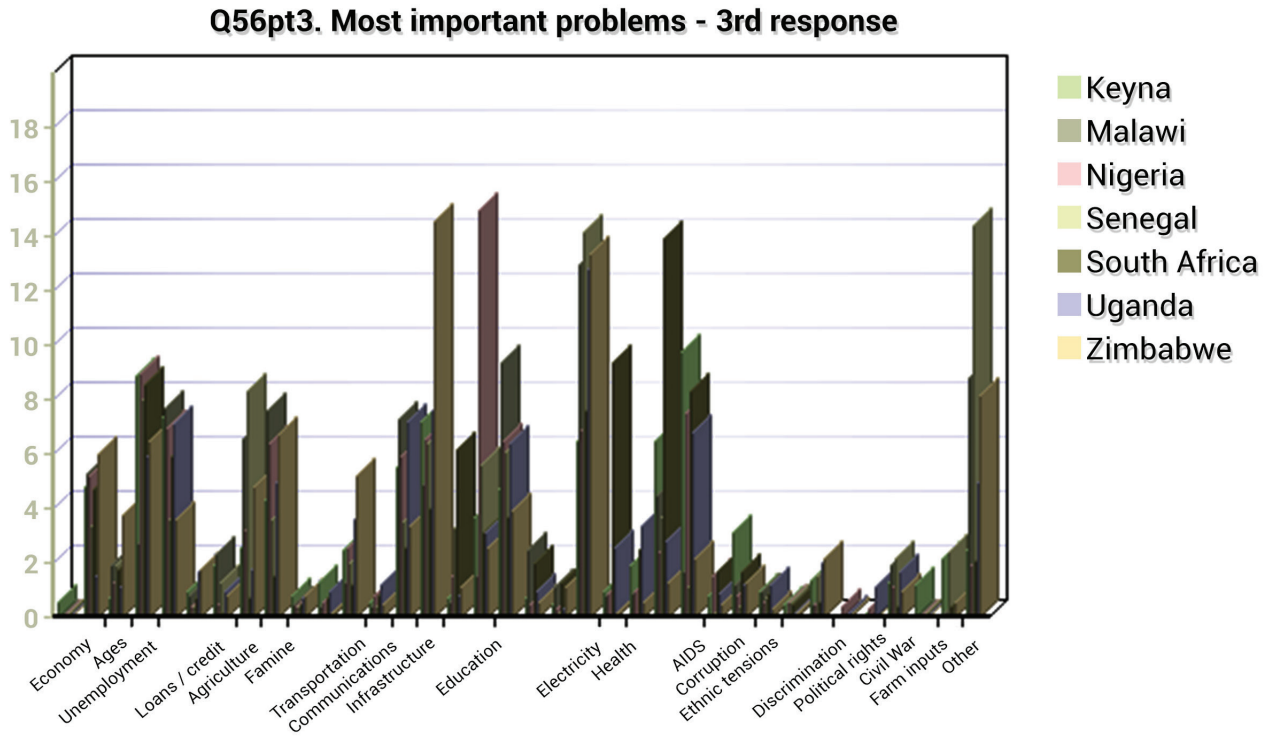
the African state to respond to the needs of LGBTQI citizens, but also on its, potentially shifting, capacity to respond. This focus allows new questions to be considered in sexual rights advocacy, including who is seen as having responsibility to handle local and personal conflicts and how public priorities, such as poverty reduction, can enhance understandings of advocacy contexts and opportunities. This is, in essence, a humanizing and complex understanding of LGBTQI as citizens and members of other social groups. The craft of sexual rights advocacy requires an understanding of the paradoxical nature of African political playing fields. That is to say, in Africa the same state power that wounds is, when wielded positively, power that heals.

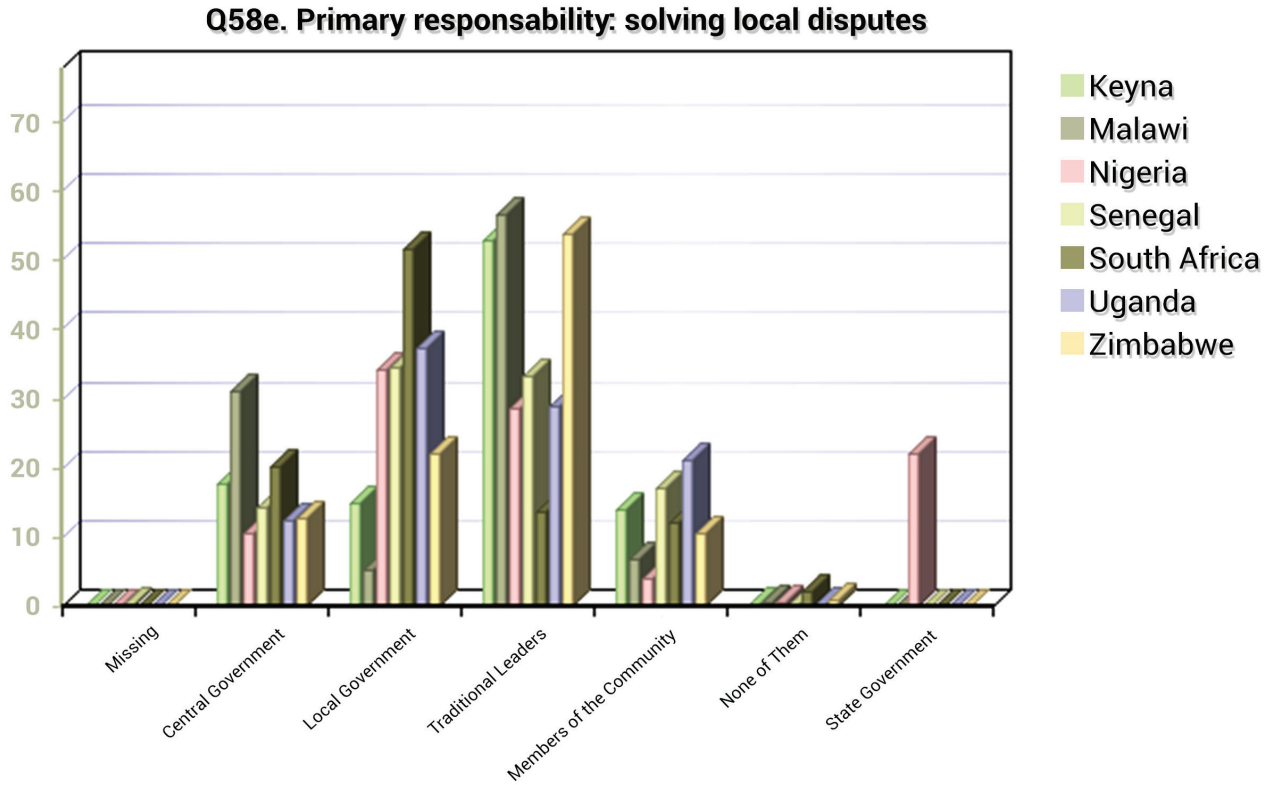
Appendix – Afrobarometer Graphics

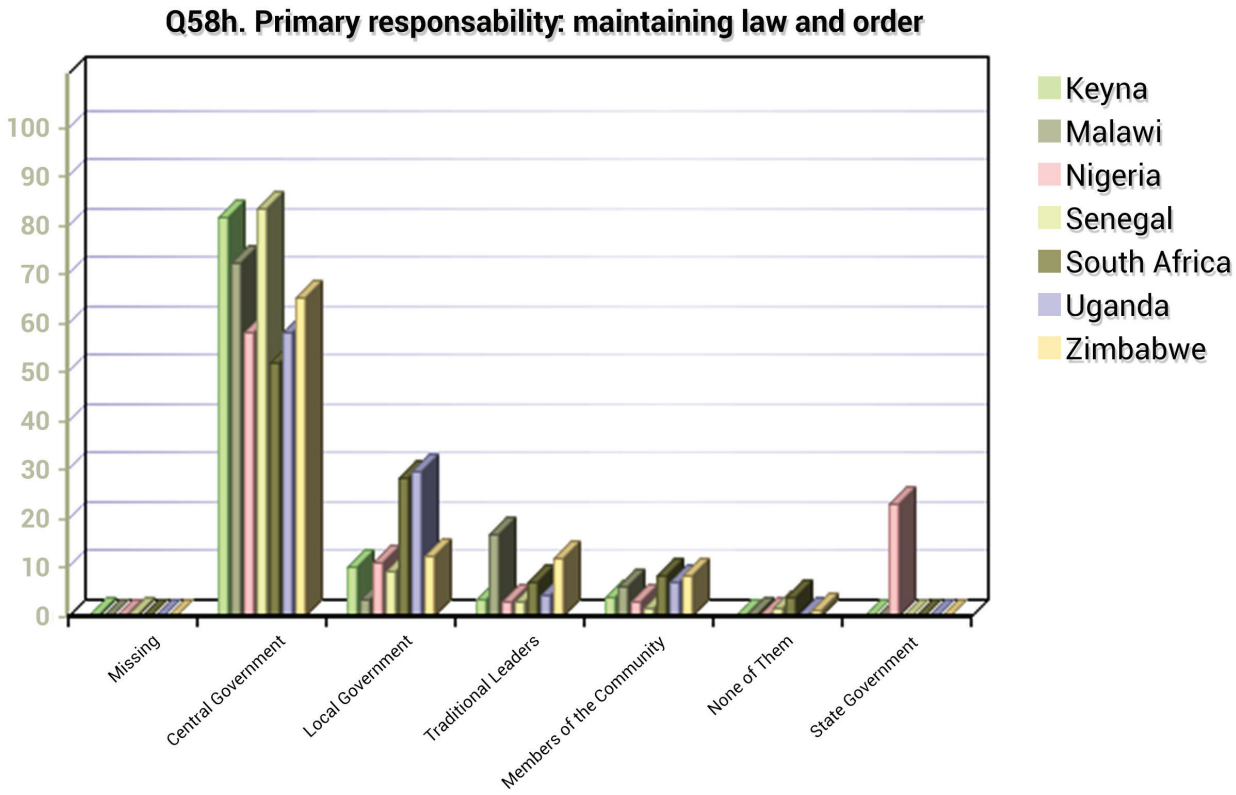



Q56pt1. Most important problems - 1st response
45
40
35
30
25
20
15
10
5
0
No problems
Economy
Unemployment
Destitution
Credit
Agriculture
Land
Infrastructure
Education
Healths
Sickness
Corruption
Ethnic tensions
Discrimination
Political rights
Civil war
Don't know
Keyna
Malawi
Nigeria
Senegal
South Africa
Uganda
Zimbabwe


Q56pt2. Most important problems - 2nd response
20
18
16
14
12
10
8
6
4
2
0
Economy
Unemployment
Destitution
Rates and taxes
Agriculture
Land
Infrastructure
Education
Housing
Water supply
Heath
AIDS
Sickness
Corruption
Discrimination
Political right
Keyna
Malawi
Nigeria
Senegal
South Africa
Uganda
Zimbabwe


Q56pt3. Most important problems - 3rd response
0
2
4
6
8
10
12
14
16
18
Economy
Ages
Unemployment
Loans / credit
Agriculture
Famine
Transportation
Communications
Infrastructure
Education
Electricity
Health
AIDS
Corruption
Ethnic tensions
Discrimination
Political rights
Civil War
Farm inputs
Other
Keyna
Malawi
Nigeria
Senegal
South Africa
Uganda
Zimbabwe


Q58e. Primary responsability: solving local disputes
0
10
20
30
40
50
60
70
Missing
Central Government
Local Government
Traditional Leaders
Members of the Community
None of Them
State Government
Keyna
Malawi
Nigeria
Senegal
South Africa
Uganda
Zimbabwe



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Sexuality and politics in Latin America: An outline for discussion

Mario Pecheny and Rafael de la Dehesa

Introduction

Broadly speaking, recent decades have seen advances in the formal recognition of sexual rights in Latin America (Dides et al., 2008; Dador et al., 2010; Cáceres et al., 2004; Vianna & Lacerda, 2004; Szasz & Salas, 2008; Smallman, 2008; Petracci & Pecheny, 2007).[36] Changes in family law across the region have established more egalitarian relations between men and women within marriage; eliminated legal distinctions between children born in and out of wedlock; and legalized divorce (Htun, 2003), with Chile, the last country in the region to do so, in 2004. In some countries such as Colombia, Brazil, and Uruguay steps have been taken toward expanded understandings of family through the legal recognition of same-sex couples. In 2009, same-sex marriage was legalized in Mexico City and the following year in Argentina: the first city and country in the region to do so, respectively (Clerico & Aldao, 2010). Antidiscrimination legislation has also become a mainstay of statecraft. In 1998, Ecuador became the second country in the world (after South Africa) to institute constitutional protections against discrimination based on sexual orientation and in 2008, the first in the region to contemplate gender identity as well. In 2012, following the Yogyakarta

36 For a more extended version of this article in Spanish, see the collection S. Corrêa & R. Parker. *Sexualidade e política na América Latina: Histórias, interseções, e paradoxos*, published by SPW, and available on the website www.sxpolitics.org; or in Portuguese, *see* M.Pecheny & R. de la Dehesa, (2012). Sexualidades, política e estado na América Latina: Elementos críticos a partir de um debate Sul-Sul, Polis e Psique, 1, 26–64.

Principles, a gender identity law in Argentina guarantees to all individuals the right to modify ID documentation, including the sex registered on the birth certificate, to recognize the gender identity, with no professional (medical, legal) advice required, and guarantees universal access to hormone therapy and surgical treatments for gender reassignment. Beyond political developments in any one country, the adoption by the Organization of American States of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (or the Convention of Belem do Pará) in 1994, the same organization's unanimous approval in 2008 of a resolution condemning human rights violations motivated by sexual orientation and gender identity, and the ongoing campaign by activists throughout the region to achieve an Inter-American Convention on Sexual and Reproductive Rights speak to a broader shift in the terms of sexual and gender politics in the region as well as to their increasingly transnational dimension.

The scope and reach of such achievements, however, have been markedly uneven, both in terms of differences in the formal recognition of sexual rights across countries and areas of policy and in terms of these rights' broader societal impact, even where they are formally recognized. This paper offers a critical interpretation of contemporary sexual politics in Latin America, tracing the genealogies of some significant contemporary trends. Needless to say, such an exercise implies homogenizing a diversity of irreducible experiences across regions (countries; urban, semi-urban, and rural contexts), histories, actors, perspectives, and methodological and theoretical approaches. Our intention is not to provide an exhaustive account of sexual politics in the region or a unifying interpretation of phenomena that are complex and in flux. Rather, in the spirit of a regional dialogue, we seek to suggest certain bases for ongoing discussion.

Two central paradoxes might frame the discussion. The first concerns the contradictory historic moment in which sexual rights movements consolidated in the region. While transitions from authoritarianism to formally democratic governments throughout most of Latin America have, albeit to varying degrees, opened spaces for dialogue, promising a more inclusive politics, they coincided

with the Latin American debt crisis of the 1980s and the subsequent adoption of neoliberal structural adjustment policies, which magnified economic polarization and reinforced various forms of social exclusion. The second involves the difficulty of translating the domain of eroticism, which is marked by a fluidity of desires and identities, into the language of legislation and public policy. This process necessarily entails a rigidification of social categories and a reification of social subjects (or identities), which in turn can contribute to competition among social movements and to various forms of exclusion that often go unrecognized.

Examining the intersections of sexualities and public policies is no easy task. In what follows, we present some reflections on these intersections in Latin America. A first observation, which would have surprised many activists and analysts three decades ago, is the adoption of the discourse of rights as a *lingua franca*. Rooted in liberalism, the language has become hegemonic in the region, unexpectedly voiced by individuals, groups and movements that transcend the white, male bourgeois property-owners among whom it originated. Given this history, we can speak with some justification today of sexual subjects (of rights). Yet this transformation has not unfolded naturally, as a (falsely) neutral ideological understanding of political and social conflict might presume. Rather, the language of rights (and other languages) speak to an extended historical process, ongoing and incomplete, through which social actors have come together to redefine gender and sexual relations as an extension of citizenship. The colonial legacies of inequality that instituted and naturalized gendered hierarchies between men and women have thus become objects of struggle for equal rights, status, and power. In the course of these struggles, new questions and social subjects have entered the public stage, challenging the very binaries and identity categories that long structured these conflicts: men, women, heterosexual, homosexual, and a long list of *et ceteras*. The discussion in this piece proceeds in two sections. We begin by offering a brief overview of the historic articulation of gender and sexuality within statecraft in Latin America and the contemporary panorama of sexual rights activism. We then offer a critical assessment of the imbrication of these developments with larger ideologies and political projects of modernization.

A brief outline of sexuality and representation: yesterday and today

The Latin American republics that emerged from the wars of independence of the 19th century inherited social orders that were deeply stratified along lines of race, gender, and social class. Men's economic, political, and sexual privilege was legally sanctioned and protected. Political elites regarded the patriarchal family as the foundation for a stable society and a well-ordered nation. Laws rooted in Iberian legal traditions and canonic law instituted this ideal, upholding husbands' authority over their wives' person and property (*potestad marital*) and fathers' authority over their children (*patria potestad*). Distinctions were thus drawn between married and unmarried women and among unmarried women, between minors and adults. Tight restrictions limited married women's legal authority over their children and legal capacity to enter contracts, initiate lawsuits, and control property. Widows regained control of their property so long as they did not remarry, and both they and single women above the age of majority could enter contracts and exercise certain other civil – though not political – rights held by men. Men and women were also judged differently under criminal law, particularly in the area of honor crimes, which reinforced male prerogatives and restrictive social norms surrounding women's virtue.

In part due to weak state capacity and elites' reliance of "patriarchal stability", the first reforms in family law occurred well after independence (Dore, 2000, p. 19). The modernizing projects of liberal and later positivist elites began a piecemeal process of secularization that assumed varying forms in different countries. Recent critical histories have challenged teleological accounts positing liberal reforms as merely another step in the progressive path toward women's emancipation, instead noting their contradictory effects on gender relations, their variable impact on different groups of women, and their concurrent articulations with expanding technologies of social control in medicine, public health, policing, and so on (Deere & León, 2005; Caulfield, 2001). For example, while some women were helped by the institution of civil marriage and steps toward the legalization of divorce,

going further in Mexico and the Central American republics than in the countries of South America, reforms ending mandatory partible inheritance, guided by the belief that preserving the unity of private estates would facilitate the march of progress, undercut an institution that guaranteed some women a share of their family property and a measure of autonomy (Deere & León, 2005). Similarly, while sodomy was decriminalized in most of the region, reflecting the influence of the French Napoleonic Code, laws regulating morals and good customs, corruption of minors, assaults on public decency, and vagrancy allowed continued police repression to uphold the dominant gender, sex, race, and class orders. More generally, informed by theories of scientific racism and fears of national degeneration, liberal elites prioritized modernizing projects over individual liberties and egalitarian ideals, establishing highly exclusionary oligarchic republics. This is the backdrop against which one must understand elite efforts to whiten national populations by attracting European immigrants, the forced removal of indigenous communities through measures ranging from campaigns of genocide in the Southern Cone to the privatization of communal lands in Mexico, as well as early efforts to regulate prostitution and control venereal disease.

Exclusionary oligarchic republics gave way to populist regimes, which played a key transformative role throughout the region well into the 20th century. Populist leaders, some with revolutionary aspirations, others with more conservative ambitions – across the political spectrum, often relying on nondemocratic means – enacted the first major pieces of labor legislation and social welfare policy as they reoriented economies away from export enclaves of raw materials toward models of import substitution, industrialization and domestic markets. In the first experiments in mass mobilization, populist governments thus sought to incorporate the growing urban middle classes and popular sectors, establishing corporatist vehicles of representation that tied (and subordinated) class organizations to political parties or directly to the state (Collier & Collier, 1991).

Women had long participated in charitable activities in the region, a role regarded as a natural extension of femininity. With the expansion of state regulation into new and more intimate spheres

of social relations, women, particularly from the upper classes, became involved in social welfare policy and eugenics movements, seeking to "bring the family under reformers' gaze" (Molyneux, 2000, p. 48; Stepan, 1991). In this context, first-wave feminist activists in Latin America, many with ties to anarchist and socialist movements, also achieved their earliest political successes. Mobilizing in ways that paralleled prevailing corporatist modes of organization, women in Mexico organized Feminist Leagues with a membership of over 55,000 in the 1920s, establishing close ties to the new post-revolutionary leadership. In Argentina, the Peronist Feminine Party, founded in 1949, attained a membership of half a million women within three years (Deutsch, 1991; Cano, 1987). Reflecting early feminism's transnational dimension, women gathering at the First Feminist Conference of the Pan-American Women's League held in Mexico City in 1923, discussed access to work, voting rights, and birth control and demanded a 'single moral standard in sexual matters for men and women' (Cano, 1987, p. 26; Lau Jaivén, 2009). By the late 1950s, women's suffrage was recognized across Latin America as growing numbers of women entered universities and the workforce.

The 1960s and 1970s saw a backlash against populism throughout much of the region, as military dictatorships and authoritarian governments sought to reinstate the hierarchical social order being challenged by various social actors. These regimes ushered in decades of bloody repression that decimated much of civil society and the Left. The return to formal democracy in the last quarter of the 20th century set the stage for contemporary social movements mobilizing around sexual rights that emerged in the context of broader movements for democratic and revolutionary change. Indeed, many early feminist, lesbian, and gay activists in particular had a history of militancy in socialist parties, radical student groups, and revolutionary organizations (Stoltz Chinchilla, 1992; de la Dehesa, 2007, 2010). Encountering a male-dominated and heterosexist political culture, they turned to social movements in response to the left's common dismissal of their concerns about power relations structured around gender and sexuality as divisive or bourgeois, at best secondary to the "general struggle". These roots help to explain the salience in early sexual politics in the

region of overlapping debates of the intersections of feminism and sexual liberation with the class struggle and the relationship that these emerging social movements should establish with the left, political parties, and the state.

In matters of gender and sexuality, women were the first to (re)enter the public stage. In the context of transitions to democracy, feminists participated within larger and more heterogeneous women's movements. At the forefront of opposition movements against authoritarian regimes, women also mobilized through human rights groups, organizations of family members of the disappeared, community kitchens, Christian based communities, and neighborhood organizations seeking basic services in healthcare, childcare, housing, etc. Presaging the development of a notion of "sexual rights", feminists called for stronger criminal legislation against sexual and domestic violence; changes in civil codes to allow divorce and establish more egalitarian gender relations within marriage; and the right to a "free and voluntary motherhood", implying access to contraception and the decriminalization of abortion.

Reflecting their articulations with the left, early Latin American feminists were particularly attentive to the relationship between the fight against patriarchy and the anti-imperialist struggle. At both the national and international levels, Latin American feminists questioned neo-Malthusian population policies supported by international development strategies that reduced women to their reproductive capacity and informed policies of mass, involuntary sterilization, calling instead for integral attention to women's health (Corrêa & Reichmann, 1994; Sternbach et al., 1992). Though often encountering resistance by heterosexual feminists, lesbian feminists in particular advanced initial discussions on the importance of opposing sexual stigma and valorizing sexual pleasure. For example, the organization of a lesbian caucus and several workshops on lesbianism at the parallel conference of the First United Nations Conference on Women in Mexico City in 1975 (an event that itself gave impetus to incipient feminist movements in several countries) provided the only venue at the forum where sexuality was discussed (Bunche & Hinojosa, 2000). Over time, as feminist

movements established ties with newly democratic states, they have fought for greater attention to women's issues through the establishment of governmental women's institutes and programs (if often underfunded and ineffective) and electoral quotas on party candidate lists, which exist in at least eleven countries in the region (Htun, 2004). In the course of this history, a transnational paradigm of sexual and reproductive health has gained increasing importance, often translated into narrow sector-specific policy demands for access to family planning and abortion, with the potential to medicalize and thus depoliticize the issues.

Alongside and within feminist movements, gay and lesbian liberation movements emerged in the region, beginning with the establishment of the Grupo Nuestro Mundo in Argentina in 1969 (Brown, 1999). Often dismissed, like feminism, as an alien cultural import by both the left and the right, early activists drew on a broader countercultural ethos to call for a revolution of sexual norms. As participants in the first Gay and Lesbian Pride March in the region held in Mexico City in 1979 put it: "There is no political liberation without sexual liberation". With the consolidation of formal democracies, these movements too have largely abandoned early revolutionary aspirations, reincarnated as LGBT movements embracing discourses of civil and human rights. Along the way, *travesti*, transsexual and transgender activists, present in some movements from the outset, established the first autonomous trans organizations in the region in the 1990s. Going further than other social movements in questioning the dominant gender binary, these organizations have prioritized the need to end transphobic violence and police abuse, HIV/AIDS treatment and prevention, gender identity laws that would permit people to change their name and gender on official documents, and greater access to jobs, education, and healthcare. Needless to say, the HIV/AIDS epidemic, which has particularly impacted both men who have sex with men and *travestis* in the region, has also had profound effects on LGBT activism. While reinforcing longstanding social stigmas, the epidemic increased the imperative for activists to engage with the state while opening doorways to health ministries and government AIDS programs to advance rights-based claims, particularly the right to healthcare. It speaks to the broader medicalization of sexual politics in the

region that lesbians, unable to establish themselves as a population vulnerable to the epidemic, remain largely invisible to policymakers in most countries and have yet to attain similar levels of visibility and funding, to a certain extent reinforcing the historic gendering of the public/private divide.

Organizations have also been established in Latin America to defend the rights of sex workers and prostitutes across gender identities (framings of activism that reflect different political strategies with regard to reclaiming stigmatizing labels) (Reynaga, 2008; Grupo Davida, 2005). The first such group in the region, the '22nd of June' Association of Autonomous Women Workers, established by sex workers in Ecuador in 1982, gained national attention two years later when it staged a strike to protest police abuse and exploitation by brothels and club owners. (Abad et al, 1998). While a few such precedents exist, the movement has really grown significantly in size and geographic scope since the 1990s, again in part reflecting the impact of funding for HIV/AIDS prevention work. In 1997, activists meeting in Costa Rica organized a regional network of NGOs representing sex workers, Red TraSex, which currently has affiliates in 15 countries. Embracing a human rights discourse, activists have prioritized the destigmatization of sex work, the recognition of labor rights for the profession, combating police abuse, and HIV/AIDS prevention.

Finally, since the first cases of AIDS were reported in the region in the early 1980s, the epidemic's impact on activism and sexual politics has been profound. In addition to reorienting the activities of many LGBT, sex worker, and some feminist organizations toward prevention work, a sizable AIDS movement has developed that encompasses AIDS hospices, NGOs focused on prevention work and advocacy, research and educational institutions, as well as organizations and networks of people living with HIV/AIDS. These have played a particularly important role in pressing for access to treatment. Drawing on models of governance promoted by international agencies, many states in the region incorporated civil society organizations into policymaking bureaucracies for the first time through their national AIDS programs. As a model of public-private partnerships they have become

ubiquitous (ONUSIDA, 2009). For particularly stigmatized groups such as sex workers and trans people, whom political parties and legislators generally deem unrepresentable, the health sector has in some instances provided their only doorway to the state. More broadly, new funding has increased the strength and visibility of social movements combating the epidemic, though it has not come without costs. It has reinforced modes of activism structured around what social anthropologist Jane Galvão (2000) has termed a "dictatorship of the projects", limiting time horizons, contributing to competition among activists, and reinforcing a broader medicalization of sexual politics in ways that somewhat parallel feminists' turn to "sexual and reproductive health".

On the shifting ground of activism and representation

Without denying the specificity of each of these movements and multiple differences across countries and localities, it is possible to identify certain trends that have characterized the course of sexual politics in the region more broadly over time. Organizationally, all have experienced to varying degrees parallel processes of professionalization, NGOization and increasing transnationalization. NGOs can play an important role in advocacy, research, and service provision. As brokers of information, they translate various kinds of expert knowledge (medical, legal, etc.) into everyday language accessible to the populations they serve while providing other actors with information about the issues and populations they claim to represent. While playing an increasingly important role in governance in Latin American democracies, in part compensating for the gaps and limitations of state action in the contemporary context of globalization, NGOs are not themselves democratic in their organization and indeed operate within networks that valorize (presumably apolitical) technical capacities (de la Dehesa & Mukherjea, 2012). Their growing importance in civil society thus raises new questions about representation and accountability, questions that, coupled with competition for access and funding, have at times fostered divisions within social movements themselves (Clark 2003; Ramos 2004; Câmara da Silva 1998; Alvarez et al., 1997b).

This process of NGOization is related to changes in the international arena, including the growing importance of transnational networks in activism and governance. Certainly, social movements have long maintained transnational connections that have taken various forms, although the extent and frequency of such contacts has increased in recent decades. A particularly important expression of this phenomenon has been the organization of Latin American and Caribbean feminist conferences, held regularly since 1981. These conferences have provided an important arena for the creation of what Nancy Fraser (1994) has called "subaltern counter-publics", deliberative spaces where subaltern actors can accumulate symbolic resources and develop alternative understandings of identity and social justice. Broader transformations in the feminist movement have played out at these events, which are arenas of conflict as much as consensus. This is reflected, for instance, in the insistence of organizers of the first three conferences that they be entirely self-financed while external sources of funding were later sought; subsequent debates between so-called institutionalists and autonomists have revolved around the implications of NGOization (Alvarez et al., 2002; Sternbach et al., 1992).

Reflecting more direct linkages with frameworks of governance, another venue that has encouraged such transnational articulations is the Horizontal Technical Cooperation Group (GCTH). Established in 1995, it initially brought together state officials from 21 National AIDS Programs who sought to create a regional counterweight to international agencies responsible for AIDS governance. The GCTH has since incorporated ten regional community networks of civil society organizations, including, for example, Red TraSex, mentioned above; the Latin American and Caribbean Citizenship and Integral Health Association (ASICAL) founded in 1997 and bringing together organizations working with gay men and other men who have sex with men; and RedLacTrans, created in 2004 and bringing together *travesti*, transsexual, and transgender organizations. In addition to such regional venues, the United Nations Conferences on Women, Population and Development, and AIDS have, of course, also been important foci for activist mobilization in the region.

Both the growing importance of transnational networks and the NGOization of activism speak to a deeper reconfiguration of both governmentality and political representation taking place in the region. In the current context of globalization, the nation-state is being decentered (though not displaced) as the principal site of policy formulation and implementation. This process has gone hand-in-hand with the development of networks that articulate ties not just among NGOs but with state actors at national and local levels, semi-autonomous state institutions, international agencies, foundations, academic institutes, private companies, etc., incorporating them into both the formulation and implementation of policy (Torres-Ruiz, 2011). Related to the dispersal of decision-making power reflected in these changes, these networks also break with modes of political representation that have long prevailed in the region. While leftist and populist leaders privileged mass organizations structured primarily around social class, emerging networks are more likely to mobilize around identity groups or specific areas of policy and are characterized by fluidity in their composition and ability to unite around conjunctural campaigns (Chalmers, Martin & Piester, 1997).

Certainly, the internationalization of policy-making and decentering of decision-making implied by this reconfiguration have created opportunities for activists to exert political pressure through alternative channels when state doorways are closed to them. Yet in the context of emerging democracies transversed by neoliberal formulas of governmentality, they are also prone to technocratic policymaking and can undermine mechanisms of democratic accountability (Montecinos, 2001). Moreover, while such networks, in a sense, seek to embody ideals of horizontality and deliberation, they are by no means free of power asymmetries (Chalmers, Martin, & Piester, 1997). Such power differentials shape relations among actors participating in networks, not only among NGOs of varying capacities but also between NGOs and other actors, particularly funders. They are also both reinforced by and reinforce the mechanisms of selection, conditioning access to networks in the first place, which range from formal membership requirements to informal requirements such as the ability to finance travel. All of this said, many if not most civil society organizations mobilizing in national public spheres are not directly linked with transnational networks and whatever articulations

of governance may be occurring, the nation-state maintains its hold on the political imaginary.

These changes in the organization of civil society and the broader political arenas navigated by activists have also contributed to transformations in their political and discursive strategies. Marxist critiques of patriarchy and the family, liberationist celebrations of transgression and sexual pleasure, and political reclamations of the body that were once so central to sexual politics in the region are now relatively marginalized, as a *lingua franca* of human rights and sexual and reproductive rights and health has gained ascendance in both national and international public spheres. These changes have allowed activists to build bridges to state actors, funders, international agencies, and political parties, particularly on the political left, itself transformed; but they have also contributed to the medicalization of activism and to a certain containment of the political imagination, rendering alternatives ineffective, if not unthinkable. In the following section, we relate these histories to broader theories of modernization and development to offer some critical perspectives on the challenges confronted by activists in this changing political terrain.

Modernity and its critics

A vast social science literature has noted the coexistence of multiple systems organizing expressions of gender and sexuality within Latin American societies, specifically highlighting differences across regional, racial, ethnic, and class lines. This research has been particularly concerned with the relationship between certain constructions of gender and sexuality associated with various transnational projects of modernization (encompassing questions of secularization, democratization, and economic development), and these broader, much more heterogeneous sexual landscapes (Carrier, 1995; Prieur, 1998; Ponce Jiménez et al, 1999, 2004; Miano & Giglia, 2001; Miano Borruso, 2003; Nuñez Noriega, 1999; Córdova Plaza, 1993; Carrillo, 1999, 2002; List Reyes, 2004, 2005; Parker, 1986, 1995, 1999; Heilborn, 1996; Matory, 1997; Marcos, 2003; Loyola, 2000 Decena, 2008; Lacombe, 2006; Cáceres et al, 2004; Careaga Pérez, 2004).

Some sectors of the middle classes in the region, for example, have constructed themselves as "modern" by embracing consumer cultures associated with more flexible sexual and gender norms. The "demonstration effects" cited in the literature on modernization and dependent development, whereby consumption patterns of middle classes from core nations are embraced by their counterparts on the periphery (Cardoso & Faletto, 1971; García Canclini, 1995a), are thus reflected in this tendency by sectors of the middle classes to appropriate, adapt and translate transnational political and symbolic practices associated with gender and sexuality, including transnational constructions of identity (gay, heterosexual, transgender, and so on). The uneven reach of such demonstration effects and the potential entanglement of transnational practices with a violence long associated with modernizing projects once again brings questions of access and social inequality to the fore. Given such theoretical and empirical connections, the implications of debates on modernization for sexual politics in the region are worth examining.

Modernity, dependency, sexualities

Elite sectors in Latin America have long embraced teleological narratives of progress and modernization as justifications for political and economic projects, both liberatory and repressive. What has united these projects is a binary distinction inscribing all that is "modern" on one side, and everything else – variably labeled "traditional", pre-, or even anti-modern – into a category of practices that presumably must be superseded on the (linear and evolutionary) path of modernization. Thus post-war modernization theorists attributed the enormous social inequalities and the instability of formal democracies in Latin America to holdovers of pre-capitalist economic relations – such as *latifundismo* – or vestigial traces of pre-modern cultures and saw sustained development within the global capitalist system as the road to more equitable and democratic societies. Not surprisingly, these theories were soon challenged on both empirical and political grounds. Empirically, the collapse of democracies and the emergence of bureaucratic authoritarian regimes in the region's most industrialized countries in the 1960s and 1970s seemed to fly in the face of modernization

theorists' predictions linking political (i.e. democratic) and economic development. More importantly, the profoundly ideological and Eurocentric biases underlying the assumption that all countries were merely at different stages of the same path – and that Latin America was simply not modern (or capitalist) enough – came under attack. Contending that the model of "dependent development" prevailing in the region was not an anomaly or a holdover from the past but an integral part of modern capitalism, economists associated with the Economic Commission for Latin America and the Caribbean (ECLAC) and later dependency theorists advocated policies to promote autonomous national development, albeit within the context of global capitalism. Recasting the binary division between the modern and traditional along the axis of inclusion and exclusion, the paradigm stressed the stark limitations in access to the public sphere, citizenship rights, and the formal labor and consumer markets for many in the region and the primary importance of integrating socially excluded sectors (Avritzer, 2002).

Many of these questions have been put to the test by the transitions to democracy that have swept the region since the 1980s. As the optimism that initially accompanied these processes gave way to disillusionment amidst persistent social inequalities, human rights violations, and corruption in much of the region, a new critical scholarship shifted the focus from a narrow institutional understanding of democratic governance to the broader societies in which political institutions were embedded (O'Donnell 1996, 1999; Alvarez et al., 1997a; Avritzer, 2002; Avritzer & Costa, 2006; Dagnino, 1997, 2005; Dagnino et al., 1998). Particular attention was paid to the historical configuration of the public/private divide. As political sociologist Leonardo Avritzer (2002) has observed: "The differentiation between private and public took on a completely different form [in Latin America] than it did in the West. One could even say that it failed altogether". The result, he concludes, is "a disproportionately large private sphere and the always open possibility of extending personal relations to the political realm" (p. 73). Without necessarily embracing Avritzer's distinction between so-called Western and non-Western democracies – all of which are variably marked by the intersections of public and private power – the incapacity of formal political institutions to

subordinate the particular interests of Latin American elites has undoubtedly contributed to the persistence of clientelistic practices and personal favor in formal statecraft, widespread impunity, and starkly different experiences of citizenship and the rule of law within the same society.

The salience of these debates for sexual rights advocates is twofold. First, the particular historic configurations of the public/private divide in the region have molded the political terrain that activists have to navigate. They have shaped both the negotiated terms of activists' entry into formal democratic politics and the broader societal impact of their formal achievements. Second, particular constructions of gender and sexuality – often articulated with constructions of nation, class, ethnicity, or race – have long formed part of broader teleologies associated with modernizing projects. Thus eugenicists in the early 20th century who advocated prenuptial certificates to ensure national development and "racial health"; Marxist militants in the 1960s and 1970s who dismissed homosexuality as form of bourgeois deviance to be overcome on the revolutionary path to socialism; and contemporary activists framing the legal recognition of sexual rights as symbolic markers of a modern state, all in one way or another inscribe sexualities across binaries of past and present, premised on a universal *telos*.

Our point here is not to draw an ethical equivalence among these projects but rather to point out how the governance of desire continues to be mapped onto broader ideologies of political and economic development in ways that at least raise questions about who has access to the products and practices said to be 'modern' and about what is being constructed as a past to be overcome.

By way of critique …

When activists and their allies enter an institutional terrain – whether legislatures, the courts, the mass media, etc. – the terms of their entry are largely predetermined. Theorists exploring the intersectionality of oppressions have taken aim at how the negotiated terms of entry into these

arenas institutionalize identities in ways that tend to privilege the experiences of a few (Collins, 2002; Butler, 1993, 2000; Moraga & Anzaldua, 1983; Crenshaw, 1991; Guzmán, 2006; Gómez, 2008). In everyday interactions, sexual, racial, class-based, and gendered axes of power intersect in the production of subjectivities and social constraints. If a poor black *travesti* confronts police abuse, her race, class, gender, and sexuality all make this subjectification by the state possible. In law and political discourse, however, the disaggregation of porous vectors of power into discrete and rigid identity categories obscures their complex articulations with and through one another. Because the identity categories that form the basis for many social movement demands are constructed in ways that obfuscate differences within groups, the minimal agendas that come to define their collective interests – those demands on which all presumably agree – tend to reflect positions of relative privilege within them. Thus access to hormone therapy is inscribed politically as a 'trans issue' but may be taken up only with difficulty as a demand by sex worker movements; likewise, questions such as land reform, central to the struggles of rural and particularly indigenous women (and men), get inscribed outside hegemonic feminist agendas (Deere & León, 2001; Sierra, 2008; Prieto et al., 2005).

Not surprisingly, as the critical legal theorist Kimberlé Crenshaw (1991) has argued, this tendency of identity politics to obscure differences *within* groups can also increase tensions *among* them, as an institutional logic dependent on laying claim to identities that are constructed as mutually exclusive inevitably fosters competition over political access and resources. To a certain extent, this dynamic reflects a broader tendency of contemporary liberal democratic politics to fragment representation into competing interest groups, grounded in an underlying logic presuming a scarcity of rights. While in principle an intersectional analysis could provide the basis for a coalitional politics around broader collective agendas, its translation into public policy – in large part responding to the institutional imperatives of funding agencies, legislatures, state bureaucracies, and other institutional arenas – often moves in the other direction. Without dismissing demands for specific attention for groups within groups, perhaps the principal critical contribution of this line of analysis

has more to do with the process through which political agendas are reached. Given the propensity of political identities to both homogenize and exclude, the approach underscores the importance of deliberative processes that pay attention to the intersectional dynamics underlying political identities, the boundaries of which must remain open and subject to critique.

Such discussions have, in fact, long been raised within sexual rights movements in Latin America, dating to early debates on the relationship between sexual and gender oppression and class inequalities. At the Latin American and Caribbean Feminist Conferences, black, indigenous, and lesbian activists have questioned racism and heterosexism within the feminist movement, underscoring the need to articulate struggles against multiple forms of oppression. These discussions led to the organization of regional lesbian conferences, meeting regularly since 1987. In 1992, more than 300 representatives from 32 countries met in the Dominican Republic for the First Meeting of Black Women from Latin America and the Caribbean, organized as an alternative to the quincentennial celebration of the European conquest. Among other points, participants underscored how racism and sexism are articulated in the region in ways that deny Afro-descendent women access to education and the labor market, and they challenged the feminist movement to incorporate an analysis of racism as a central concern.[37] Likewise, in response to the lack of representation of indigenous women at a preparatory meeting for the Beijing Conference on Women and to the fact that an advisor had been assigned to represent their concerns without consultation or an election, indigenous women activists created an alternative mechanism for deliberations in preparation for Beijing and subsequently convened the First Continental Meeting of Indigenous Women of the First Nations of Abya Yala in 1996 in Quito, Ecuador, where they established a regional network of indigenous women (Alvarez et al., 2002). More recently, at the II Meeting of Indigenous Leaders and

37 Irene León, Contra la discriminación y el racismo: I Encuentro de Mujeres Negras Latinoamericanas y del Caribe, 1 octubre, 2005, http://alainet.org/active/1001&lang=es.; Rotmi Enciso, "Primer Encuentro Latinoamericano y del Caribe de Mujeres Negras," Fem, 16(116), October 1992, pp. 27–28.

Feminist Leaders, organized in Lima in 2008 by the Coordinating Board of Indigenous Women and the Campaign for an Inter-American Convention of Sexual and Reproductive Rights, participants discussed tensions between the indigenous and feminist movements in the region, such as the relative weight given to collective and individual rights in their respective agendas.[38]

Researchers drawing on post-colonial theory have begun raising parallel discussions within the academy (Sierra, 2008; Prieto et al., 2008; Hernández Castillo, 2007; Viveros Vigoya, 2002). According to the anthropologist Sylvia Marcos (2003), for example, the political priorities and epistemological assumptions of the contemporary feminist movement are strongly influenced by international agendas in ways that leave out indigenous women's movements: "We are inserted into a dominant global discourse and there is a certain type of feminist movement in Mexico which derives from the movement in the 'North'" (p. 2). Along similar lines, other critics have defended a "right to silence" against the imposition of a transnational coming out narrative as the (only) path to homosexual liberation, suggesting that the imposition of a one-size-fits-all solution to homophobia again ignores local realities and may amount to yet another civilizing project (Lopes, 2007; Guzmán, 2006; Santiago, 2002; Decena, 2008). Without having to reduce sexual rights movements *tout court* to alienated or even colonizing expressions, these critiques by both academics and activists have called attention to the plurality of voices that exists within these movements, to the ethnic, race and regional dynamics through which some of these voices become hegemonic, and to how such asymmetries can impose agendas and strategies in ways that disregard local political processes and systems of meaning.

All of these critiques raise questions about identity politics, which have come to be privileged in national and international public spheres. However, some discourses, including the discourse of

38 Memoria: II Diálogo entre líderes indígenas y líderes feministas, Lima, 4–6 de agosto, 2008.

sexual rights, open the possibility of creating coalitions that transcend the limits of identity politics (Corrêa & Jolly, 2007). In this respect, the discourse of "sexual diversity" has acquired increasing political weight in the region. Its growing significance in part reflects a new global valorization of 'diversity,' enshrined in documents such as the Program of Action of the Durban Conference against Racism (2001) and the Universal Declaration of Cultural Diversity (2001). While this discourse could in principle be used to articulate alliances and decenter a hegemonic heteronormativity, it is often used in Latin America as a code word to refer to (while obscuring) LGBT identities (*los diversos*) and runs the risk of depoliticizing demands by recasting social inequality as cultural difference.

Beyond the possibilities and limits of particular discursive strategies, questions might also be raised about whether, when, and how it is even desirable to engage with the state in the first place, given the rigidification that occurs when informal norms are translated into public policy and the fact that claiming sexual rights in the formal political arena implies entering new fields of visibility and social control. The gender identity laws advanced today by trans movements in several countries, for example, generally make permission to change one's name and gender on official documents contingent on a medical diagnosis of "gender identity disorder" and often on sex reassignment surgery. Individuals are thus required to make themselves visible to the state through a pathologizing transnational medical category, which becomes a "gateway diagnosis" in order to claim one's sexual rights (Park, 2007). One notable exception is the 2012 Argentine Law, which, through bottom up consensus building and consistent rights argument, moved beyond biomedical requirements and the logic of the gender binary, which still permeates juridical rationality. This broader dynamic, however, is also at play in the regulation of sex work through sanitary licenses requiring periodic HIV/STI tests that has been adopted in some countries in the region. While such measures permit a certain legal recognition, they generally presuppose a narrow view of the population they regulate, primarily as carriers of illness to be controlled. In both cases, activists' principal challenge is to depathologize the identities that serve as a doorway to the state and advance a more democratic and integral understanding of healthcare services.

Finally, as Corrêa (2008) has argued, activists' specific appeals to criminal law also raise important questions, particularly at a moment when prison populations are growing exponentially in the region and security has become the principal political banner of the Right (Nuñez Vega, 2005). Without discounting the importance of efforts to confront sexual violence, violence against women, and discrimination, Corrêa justifiably cautions that an understanding of sexual rights as the right to punish runs the risk of reestablishing a static moral vision of sexualities, pleasure, and desire. At the very least this merits more reflection than it has received by activists and their allies. In a similar vein, seeking to problematize activists' "relentless search for legal remedy" in the case of hate speech – included in several antidiscrimination proposals being debated today in Latin America – Judith Butler (1997) has warned of the potential dangers of extending state powers to new discursive terrains and thus 'potentially empowering the state to invoke such precedents against the very social movements that pushed for their acceptance in legal doctrine' (24).

On the gaps between law and practice

These critiques, however, presuppose a strong state and laws whose normalizing force is particularly effective. One of the central dilemmas in the advancement of sexual rights in Latin America, however, has been the marked disparity between formal law and social practice, reflected in the area of sexual rights and of human rights more generally (Jelín & Hershberg, 1996). This gap between public discourse and private practice is manifest in two distinct though related ways: on the one hand, in laws and public policies in principle designed to promote sexual rights but which ultimately remain on paper, and on the other, in public officials' selective enforcement of the law, including repressive legislation.

Few areas reflect this gap more clearly than the case of abortion (Kane, 2008). The region has among the most repressive restrictions on abortion in the world, largely a reflection of the continued political influence of the Catholic Church and conservative religious sectors (see Vaggione, in this

volume). Legal only in Puerto Rico, Cuba, Mexico City, and most recently in Uruguay, with a court ruling weakening restrictions in Colombia, political debates on the issue remain at a standstill in most countries. Indeed, steps have been taken in recent years toward stronger criminalization through the elimination of legal exceptions to criminal penalties in Nicaragua, El Salvador, the Dominican Republic, and several Mexican states. That said, a report by the Allan Guttmacher Institute estimates that more than 4 million women in Latin America undergo an induced abortion annually, most in conditions falling outside the law and often under circumstances that put their lives and health at risk.[39] Driven underground but tolerated in practice (Boltanski, 2004), the hypocrisy is not so much a way of instantiating a moral vision but rather a social mechanism that determines the way abortion is inscribed in discourse and translated into political decisions and public policies.

As Bonnie Shepard (2000) has argued, a "double discourse" surrounds the practice of abortion in the region (and sexual and reproductive rights more generally), which entails extraordinary social costs and presents peculiar challenges for activists. On the one hand, it reinforces existing race, ethnic, class, and regional inequalities, as the most socially and economically marginalized women must contend with the most precarious conditions for clandestine abortions and thus bear the worst consequences of repressive policies. At the same time, middle and upper class women's access to relatively safe clandestine abortions creates "private escape valves" that effectively undercut social and political pressure that could challenge criminalization. Policies that are not enforced, moreover, can act like a sword of Damocles over activists' heads, so that open challenges may result in shutting down these escape valves to the detriment of women seeking to terminate their pregnancy. In Chile, Shepard notes, the release of estimates in 1994 by the Alan Guttmacher Institute that 159,650 clandestine abortions were performed annually in the country resulted in broad-based crackdowns on clandestine clinics over the next few years. After authorities raided a clandestine

39 Allan Guttmacher Institute, 'Issues in Brief: An Overview of Clandestine Abortion in Latin America.' 2001.

clinic in the Brazilian state of Mato Grosso do Sul in 2008, ultimately leading to the arrest of nearly 10,000 women, conservative evangelical lawmakers in the country threatened repeatedly to extend the crackdown nationally by creating a Parliamentary Inquiry Commission on clandestine abortion.

This kind of discretional enforcement of the law has also characterized the policing of sex work and "public morals" in Latin America. While a double discourse, again, has historically created private escape valves for dissident sexualities, these are subject to sudden crackdowns by law enforcement agencies as well as informal arrangements of graft and police abuse.

In addition to discretional enforcement of repressive policies, this gap between public and private practice is also manifest in the relative disuse of laws and public policies presumably designed to support sexual rights. A clear example of this would be antidiscrimination laws contemplating 'sexual orientation' or 'preference' and in a few instances 'gender identity', which may take the form of constitutional stipulations or regulations of commercial establishments and in a few instances, of criminal law. For a variety of reasons, such measures generally amount to a statement of ideals more than a legal instrument that can be exercised. In some instances, this is due at least in part to procedural hurdles, such as the common lack of implementing legislation to establish procedures allowing such measures to be used. In Rio de Janeiro, for example, it took activists almost two years to press Governor Anthony Garotinho, an evangelical populist, to institute procedures for an antidiscrimination law approved in 2000. Even when procedures are in place, however, discrimination is often difficult to prove and subject to the discretion of authorities, and access to the justice system more generally is profoundly shaped by people's available time and resources and differential knowledge of their rights.

Given the difficulties in proving the intent to discriminate and the time and resources involved in pursuing such cases, the relative disuse of antidiscrimination laws is perhaps not surprising. Yet some indications raise similar questions about citizens' appropriation of other recent changes in law.

For example, in the 16 months after the Civil Unions Law took effect in Uruguay in 2008, requiring couples to prove they have been in a stable relationship for five years, only 180 couples had petitioned for recognition; family courts had considered 40 of these petitions and recognized only 20 (half involving same-sex and half, opposite-sex couples).[40] Several proposals for gender identity laws require petitioners to present a medical diagnosis of gender identity disorder, a stipulation that, in addition to requiring a pathologizing diagnosis to access rights, also presumes that petitioners can access healthcare and legal services (as noted above, the Gender Identity Law approved in Argentina in 2012 is a noteworthy exception). This slippage can be further exacerbated in federal systems as a result of conflicts across levels of government. When former President Michelle Bachelet of Chile issued a decree in 2006 requiring access to free emergency contraception for anyone over 14, several conservative mayors publicly announced they would ignore the federal mandate (Franceschet, 2011).

More generally, this gap between law and practice is indicative of a broader relationship between the state and society. At its extreme, both weak state capacity and a lack of political will have created vast areas of marginalization in both urban and rural contexts where the state's presence may be limited to its security apparatus or absent entirely, creating spaces where the rights of citizenship are effectively suspended (O'Donnell, 1996, 1999). In these spaces, governance may be contested among weak state institutions, private corporations, NGOs, churches, narco-traffickers, guerrillas, and paramilitary forces. For sexual rights activists, this reality poses a dual challenge. On the one hand, it points to the limits of state-centered approaches to sexual politics and of the formal achievements they generally cite in proclaiming their accomplishments to funders, state agencies, and the public at large, suggesting that a different course may be necessary to change

40 Pablo Melendrez. "Poco interés de parejas en legalizar concubinato: Ley, desde enero de 2008 la Justicia reconoció solo 20 uniones en 180 solicitudes," El País, May 10, 2009, http://www.elpais.com.uy/090510/pnacio-416069/nacional/poco-interes-de-parejas-en-legalizar-concubinato.

attitudes at the level of everyday life. At the same time, many activists have sought to build on formal frameworks through the creation of legal advisory offices, watchdog groups, etc., embracing a role that, while maintaining an eye on the state, seeks to pull formal frameworks off paper and promote the 'subjective appropriation of rights' (Amuchástegui & Rivas, 2008).

Conclusions

In translating sexuality into public policy, various problems arise from the latter's instrumental nature. As Rosalind Petchesky (2007) has argued, reducing sexuality to a single dimension or to another type of social practice or relation; isolating sexuality from the structures that constitute it (from gender and other forms of power); and ignoring how sexuality operates as a means and ends of (conservative) power, are all recurring problems. In the area of HIV/AIDS policy, for example, the reduction, classification, and operationalization of sexual practices often render them ineffective (if not violent) (Ayres, 2002; Paiva, 2003, 2006). Any social policy, whatever its content or intent, requires the delimitation and operationalization of practices and social subjects. When policies target the realm of sexuality, therefore, it is not just religious conservatives but also policymakers informed by the paradigms of public health or human rights who exercise some level of symbolic violence, inscribing new boundaries of inclusion and exclusion, on an erotic field (that ultimately cannot be operationalized). In the area of sexuality, therefore, the limitations of policy cannot be explained by the intentions of decision-makers alone but are also marked by the instrumental nature of all public policy.

The institutionalization and consolidation of the rule of law and the language of human rights in Latin America, whatever their limits and however precarious, undeniably favored some advances in the sexual rights agenda in the region. Perhaps the principal challenge for Latin American democracy today is not so new: to make it work for the majority of citizens. Noting that in 2003, 225 million people in the region lived in conditions of poverty, a report by the United Nations

Development Program underscored the growing disaffection of the citizens in many countries with their government and even with electoral democracy, attributing it to deep social inequalities, to the slow pace and uneven distribution of economic growth, and to the lack of effectiveness of social services and legal systems (Hagopian, 2005).

For some national and international actors – including funders – the response to this dilemma can be found in the role of "societal control" that could be played by civil society; in other words, in the hope that civil society will exercise oversight of the state, demanding transparency and accountability, in some cases also participating in the formulation and implementation of policy. The hope is that this type of societal control can, in effect, restructure and strengthen the public sphere to improve the quality of democratic governance (Avritzer, 2002). In some instances, the mobilization of social groups and organizations – in articulation with state and international agencies, political parties, funders, and other actors – has undoubtedly led to important achievements in legislation and public policy. But this role also implies certain risks, including the technocratization of social movements through the "dictatorship of the projects", the reorientation of their agendas to externally determined priorities, and the erosion of the critical role of the public sphere, given the political and economic dependence that such articulations may imply.

This article, again, did not intend to present an exhaustive account of the questions that emerge from the intersection of politics and sexuality but merely to outline certain problems (reflecting our own personal, political and professional interests), with the hope of advancing the theoretical and political discussions at the regional dialogue; discussions that are increasingly complex and challenging in the diverse contexts of Latin American polities.

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Sexuality, Religion and Politics in Latin America

Juan Marco Vaggione[41]

Introduction

Against the expectations of modernity, sexuality and religion are two issues crucial to understanding contemporary politics. If modernity, as an ideological project, sought to relegate both, albeit in different ways, to the private sphere, and thereby depoliticize them, in actuality, the opposite has occurred. On the one hand, sexuality has become an indisputable dimension of national and international politics, breaching the public–private divide and inscribing new meanings of democracy and justice. Far from being confined to the private sphere, sexuality is debated as one of the major dimensions stratifying society, causing marginalization and what might be understood as failed citizenships. Nor has religion fulfilled its intended destiny of being inexorably placed outside politics. It is urgent for social scientists to (re)think the boundaries, once clear and undisputed, between religion and politics. In international relations, family law, immigration policy, electoral politics, and many other areas, the voice of religion is not only present, it has a powerful influence on the final decision.

The politicization of both sexuality and religion needs to be understood in all its many ramifications because the politicizing of sexuality and the reopening of discussions around its legal boundaries

41 This paper was translated by Lavinia Mancuso (Lmancuso@rcn.com). The author thanks the organizers and participants in the Latin American Dialogue on Sexuality and Geopolitics. The first version of this work was presented there and it has been enriched by the comments and debates that took place.

and cultural regulation inevitably mean debating the role of religion in contemporary societies. Far from withdrawing, religion is still a crucial force in most countries in the world, and it is precisely in the debate over the legal and moral strictures of sexuality that its presence is felt most palpably. However, policies granting greater sexual freedom have also provoked changes within the religious domain. Religions are not entirely reactionary and important religious actors and discourses sustain positions favorable to sexual freedom and diversity. Religious thinking responds to particular social contexts, and while some religious sectors have intensified their defense of a rigid stance towards sexuality as a way of exerting broader social control, others have found doctrinal grounds in religious beliefs and principles to defend positions favorable to feminism and sexual diversity.

The interactions, overlaps, and tensions between religion and sexuality are therefore an important component of contemporary politics. The purpose of this article is to present some analytic and normative aspects of these imbrications as they play out in Latin America. Analytically, the article focuses on the complex ways in which some religious sectors have reacted to the impact that feminist and sexual diversity movements have had across societies in Latin America. The inclusion of sexuality in political agendas has produced a change in the political environment that forced groups identified with Catholicism to articulate new strategies and arguments to influence public debates. The reactions and transformations of conservative religious sectors confronted with the 'advances' made by feminist and sexual diversity movements have produced novel patterns of religious politics that escape traditional analyses. Revisiting previous work (Vaggione, 2005, 2006a, 2006b) this article presents the concepts of *reactive politicization* and *strategic secularism* to illuminate patterns of conservative religious activism that not only transcend the classical religious–secular dichotomy but also define and determine contemporary sexual politics.

The second part of the article presents some normative considerations with regard to the intersections between religion and sexuality. After decades in which normative arrangements tended to confine religious practice to the private sphere, as external to politics, now major contemporary debates

have given more legitimacy to religious actors and discourses in the democratic public sphere. This realignment in the relationship between democracy and religion presents new challenges to feminist and sexual diversity movements, calling into question the rigid and stable boundary between religion and politics that pervades the imagination of these movements. Without disqualifying the central political strategies adopted by these movements – in particular the defense of *laicidad*, referring to the principle of *laicité* or the separation between church and state – this article underscores the need for those engaged with sexual politics to consider that it is politically inevitable that religion is now enmeshed in public debates about sexuality, in both normative and empirical terms. The changes recently observed in conservative religious activism and the normative transformations that are expanding democratic arenas in ways that incorporate religious voices have created a new panorama for sexual politics. If, as contended in this article, distinct historical contexts present distinct challenges for sexual politics, our main challenge today is to develop more complex analytical frameworks and political strategies to better understand and resist the political force of religion as a legitimate component, at least in some of its manifestations, of the democratic playing field.

A clarification is necessary about the level of generalization adopted in this article, which in responding to the objective of regional dialogue, focuses on Latin America as a region. However, the specificities and differences across the countries of the region make it necessary to underline that the notion of "region" is to a large extent imagined and that any generalization made in the analyses must be considered in the context of more complex and diverse dynamics unfolding at national level. Recognizing these limitations, this article seeks to present some general trends and propose analytical categories and normative challenges that might have relevance beyond specific national contexts.

Reactive politicization: religious actors and arguments in flux

In recent years, Latin America has seen important changes in sexual politics. The inclusion of

sexual and reproductive rights in public debate in various countries implies, among other things, an expanding breach in the edifice of the hegemonic power of the Catholic Church in regard to matters of sexual morality and sexual laws. Historically, the overlap between religion and morality and the confessional nature of Latin American states, which was sometimes formally enshrined in law and sometimes the result of less structured political practices, have created a legal structure for the regulation of sexuality infused with Catholic doctrine. The hegemonic control of the Catholic Church was reflected not only in legislation and public policy but also in its capacity to set the limits of public debate on certain matters. For example, the notions of the Catholic family, natural family and national family were systematically presented as overlapping tropes that silenced potential debates on alternative ways of regulating sexuality. Those in opposition to the Catholic doctrine were systematically portrayed as alien, not just to Catholic morality but also to the nation.

When the demands of feminist and sexual diversity movements began to gain visibility in the region, they were quite often depicted as foreign, responsive to alienating realities that sought to undermine moral and national principles. Religion, morality and legislation on sexuality were reduced to the official position of the Catholic hierarchy. Of course, sexual and reproductive practices that broke with these prescriptions – such as the use of contraception and interrupted pregnancies – were widespread, but were driven underground and relegated to secrecy. The distance between the principles of Catholic doctrine and the behavior of ordinary citizens, a distance that always existed, was rendered invisible and depoliticized.

The growing impact of the feminist and sexual diversity movements has created at least a partial crack in the hegemony of the Catholic Church. The debate over divorce was, in a number of countries, an important first step in the partial dismantling of religious influence on law, as the approval of divorce laws overcame strong opposition on the part of Catholic hierarchies. This crack has further deepened in the new phase of sexual politics inaugurated with the advent of sexual and reproductive rights claims. If the right to divorce succeeded in leaving behind the Catholic

construction of the indissolubility of marriage, the new agenda of sexual and reproductive rights contested the tenets of sexuality constructed and promoted by Catholic authorities, in particular its imbrication with procreation. Public debates, legislative reforms and judicial decisions have gradually eroded the moral and legal framework defined by the Catholic hierarchy and political elites, which restricted legitimate sexuality to the narrow strictures of Catholic doctrine. Through these cracks in the Church hegemony, sexual and reproductive rights have been expanded with varying degrees of effectiveness. Universal access to contraception, sex education, the decriminalization of abortion, and legal protection of same-sex couples are clear signs that the Church's power to limit policies on sexuality is being contested. This is happening because throughout the years, feminist and sexual diversity movements have offered alternative frames to dismantle the imbrication of religion, morality and law that historically functioned as the ideological foundation for a single and dogmatic position on sexuality.

This crack in the hegemony of the Catholic Church, however, does not mean it has ceased to be influential in determining policies in the area of sexuality. On the contrary, as the Church loses the power to control national agendas of sexual morality because feminist and sexual diversity movements have politicized sexuality, "conservative" religious activism has assumed new forms and strategies. The purpose of this section is to analyze this phenomenon. Far from withdrawing from public spheres as progressive sexual politics gained spaces in policy agendas and legal debates, conservative religious activism has strengthened its presence, developing new strategies for regaining, or in some cases retaining, its control over the legitimacy and legality of sexuality. Once the Catholic hegemony over sexual matters began to unravel, conservative religious activism began presenting itself in new and complex ways that require the feminist and sexual diversity movements to understand more fully the new normative and analytical frameworks and revised political strategies.

The recent development of a reactive politicization of religion (Vaggione, 2005, 2006b) challenges

the conventional lenses that have been used to analyze the political and religious power of the Catholic Church in Latin America. Without abandoning its obsession with the control of sexuality, conservative religious activism is rapidly adapting to new political environments created by democratizing processes. It is also giving rise to entirely new social actors to voice its positions and re-constructed arguments to oppose sexual and reproductive rights. The idea of reactive politicization allows us to understand two important dimensions of conservative religious activism. The first is that, in reaction to the gains achieved by feminist and sexual diversity movements, conservative religious groups now view these movements as their main political opponents. This antagonism, as I elaborate below, can assume a mimetic quality. Second, it is important to understand that conservative religious activism is not a mere reaction and retrenchment in orthodox stances, it has also updated its political strategies to oppose sexual and reproductive rights. While retrenching in some ways, the Catholic Church is also systematically adapting to changing political environments and in particular using the institutional channels opened by political transitions to democracy to oppose the claims of feminist and sexual diversity movements.

Two key features of conservative religious activism might be noted as expressions of this reactive politicization. The first is a dual restructuring of the political actors involved. On the one hand, the Catholic hierarchy has adopted a two-front strategy in which it retains its privileges as a religious institution while at the same time claiming rights as a legitimate actor in civil society to be involved in legal and public policy debate concerning sexual and reproductive rights. Concurrently, the phenomenon of religious NGOization is also bringing other actors onto the public stage whose discourse and actions are also crafted to oppose or reverse sexual and reproductive rights. Secondly, the term *strategic secularism* captures various changes in the discourses and arguments used to oppose the demands of feminist and sexual diversity movements. Rather than basing their defense of a restrictive definition of family and sexuality in religious discourses, conservative religious actors are increasingly using legal arguments, scientific data and bioethical considerations (all secular discourses) for public purposes.

The Catholic Church: politics on two fronts

To a large extent, the power of the Catholic Church in contemporary politics derives from its complexity as an organization. The Church is a state (the Holy See, occupying the territory of Vatican City) that has a seat at the United Nations, as permanent observer.[42] It is also one of the great world religious traditions, headed by the Pope and operating through a network of regional, national and local branches. The Church plays dual roles, as a religious institution and a political actor, which are not always easily distinguishable in practice. Traditionally, the Church has had and continues to have a strong historical and cultural presence in Latin America that gives it a privileged status in relation to other religions.[43] These privileges may be formalized as in countries where the Catholic Church receives special legal prerogatives – public financing or participation in state structures – or can also be less formal, merely resting on the delegation of state functions to the Church hierarchy or institutions, particularly in the areas of education, health and family support services. Both types of privileges make it evident that the separation of church and state is an incomplete process in most Latin American countries. If states' capacity to remain autonomous from the church is an important dimension of liberal democracies, in the case of Latin America, this foundational liberal tenet has a long and complicated history (Gill, 1998). It implies that despite the formal separation between church and state, at the level of concrete political practices it is not unusual for the Church to continue determining the content of legislation and public policy. Not surprisingly, policies related to sexuality are precisely the ones most likely to be decided by Church authorities.

The Catholic Church is also an influential political actor on the national and international stage. Apart from being a state in and of itself, the Church claims a right to participate in major contemporary

42 The Holy See, as a permanent observer, has full access to U.N. meetings, conferences, debates and documents (full membership) with the restriction of no voting or putting forward candidates.

43 In terms of legal recognition and economic support.

national public debates. The Second Vatican Council (1962–1965) signaled a new modality of Church politics, based on the acceptance of religious pluralism and state autonomy, which has also meant the reinvention of the Church as a civil society organization. Its acceptance of religious freedom and of separation between religious and state affairs, however, did not signify the privatization of Church practices (Casanova, 1994). On the contrary, as stated in various documents, the Church claims a right to intervene in policies it considers relevant (Paul VI, 1965), with sexuality becoming a main target of the Church's policy attention.

Once issues of sexuality enter the public arena, usually driven by the feminist and sexual diversity movements, the Church routinely participates in the debate, taking a position against sexual and reproductive rights. In doing so, the Church does not speak exclusively in doctrinarian terms or on behalf of the views and interests of the Catholic faithful, it speaks in the name of public morality.. and it reaches out to all citizens. The major documents produced by the Church leadership – particularly the Popes and the Congregation for the Doctrine of the Faith – are not just religious documents outlining the Church's moral position on sexuality; they are also political documents aimed at advising the hierarchy and the faithful on how to intervene publicly in defense of a certain model of family and sexuality.

As a civil society actor that operates in political arenas, when faced with issues such as same-sex marriage or the decriminalization of abortion, "the church has the responsibility to promote family life and the public morality of the entire civil society on the basis of fundamental moral values, not simply to protect herself from the application of harmful laws" (Congregation for the Doctrine of the Faith, 1992). The Church hierarchy influences public opinion systematically through official documents, letters to elected officials, and the use of mass media. These influences are brought to bear on the executive and legislative branches of governments through, for example, letters from Catholic bishops on issues related to sexual and reproductive rights or instructions from the Vatican to Catholic legislators on how to vote on matters such as abortion or same-sex

marriage (Congregation for the Doctrine of the Faith, 2003a). The Church has thus clearly entered a new phase in the last decades of 20th century by defining itself as a moral bastion of humanity in combating "pluralism that reflects moral relativism" (Congregation for the Doctrine of the Faith, 2003b).

This dual role of the Church, as both a religious institution and a political actor, distinguished here for analytical purposes, is constitutive of the Church's activism in matters of sexuality. It cannot be ignored or reduced to just one of its manifestations. The Catholic hierarchy has not softened its posture with respect to sexuality – in fact, quite the opposite, it has become increasingly dogmatic with respect to sexual matters – but it has modernized its methods to ensure that Church doctrine retains a central role in defining the cultural and legal regulation of sexuality. In its nostalgia for power, the Church may eventually undermine the necessary separation of church and state. We must also recognize that the Church has adapted quite rapidly to democratic structures of debate and governance and is now mobilizing as a political actor in civil society and like any other actor, pressures the state to adopt its positions. This process of "deprivatization" of religion, as defined by José Casanova (1994) makes it necessary for us to recognize the Church as a legitimate player in contemporary sexual politics. Notwithstanding the discussion over whether the influence of religion has increased or decreased, various religious institutions have intensified their participation in contemporary politics through the channels opened to them by democratic systems.

The NGOization of conservative religious activism

A key feature of contemporary conservative religious activism in Latin America.is that alongside the traditional role of the Church hierarchy, lay believers have also become central players in the defense of the Catholic doctrine on sexuality. Not only has the Catholic hierarchy re-politicized itself in opposition to feminist and sexual diversity movements, it now calls on the faithful to defend the official doctrine and resist these movements' demands (John Paul II, 1995). For these believers,

the growing legitimacy of sexual and reproductive rights poses a threat to the traditional order and worldview that they defend, and they have thus organized to resist these demands (Vaggione, 2010).

Latin America sexual politics, therefore, is witnessing a new development with the expanding presence of non-governmental organizations (NGOs) that, with various trajectories and degrees of institutionalization, oppose any legal reform that liberates or diversifies the idea of sexuality. Today large numbers of citizens are mobilizing as religious voices within civil societies to advocate for a dogmatic idea of the family and against legal abortion. From the 1970s on, beginning in the United States and then extending across the continent, a significant number of national and international NGOs were created to defend dogmatic religious doctrine in relation to sexuality and reproduction (Cuneo, 1995; 1997), as exemplified by the growing prominence of self-defined pro-life or pro-family organizations. The primary objective of these organizations is to influence states in all policy debates regarding sexual and reproductive rights.

To achieve their goals, they lobby legislators, participate in public debates, and sponsor regional and international conferences to coordinate their transnational agenda (Vaggione, 2005, 2010). Among other strategies, these groups are also turning systematically to the judiciary. If the courts have long been important arenas to advance feminist rights claims, conservative religious groups are now using judicial strategies to defend traditional values. Many of these religious conservative groups are formally established as associations or NGOs that have the right to initiate lawsuits.[44] For example, in the face of growing support for the decriminalization of abortion in various countries, these organizations are redoubling legal efforts to declare emergency contraception abortive and

44 In the United States, for example, organizations on the religious right have turned to the courts in recent decades, particularly appealing to the right to free speech (Brown, 2002).

thereby ban it, and to obtain conservative rulings on the beginning of life.[45]

In other words, civil societies as the heart of democratic arenas have become a strategic.space for the articulation and mobilization of conservative religious activism all across Latin America. As various studies have observed, religion has historically been an important influence in the political mobilization of citizenship. However, this literature focuses almost exclusively on the progressive expressions of religiously mobilized citizens, as exemplified by the defense of human.rights under several of the dictatorships that existed in the region in the 1970s and 1980s. But today, just as feminist and sexual diversity movements erupted in civil society to mobilize during re-democratization, religious groups are also organizing as civil society voices to resist and attack advances in relation to sexual and reproductive rights. These citizens, who are highly motivated by their religious identity, are not just against these rights claims but are usually opposed to the very idea of pluralism. Though the political and economic links between these organizations' political and religious institutions, in particular to the Catholic Church, may vary widely, their political actions are normally coordinated with formal religious machineries. Even so, civil society is now a strategic platform from which those defending the official doctrine can also unite and pressure the state, creating a novel political dynamic that breaks with the classical religious-secular dichotomy.

Discursive shifts: the meanings and effects of strategic secularism

Although secularists have constructed religion as irrational and resistant to modernity, today even the most conservative religious sectors have adapted strategically to modern tenets in constructing their political interventions. These religious activists have learned to be smart about interweaving religious and secular arguments to increase their influence and legitimacy. Their opposition to sexual

45 Portal de Belen–Asociación Civil sin Fines de Lucro [a not-for-profit association] against National Ministry of Health and Social Action *Argentina*), Recurso de Amparo (Appeal on the grounds of inconstitutionality).

and reproductive rights is undoubtedly grounded in religious beliefs, yet they are also crafting their stances on the basis of secular justifications. This means that while direct references to the Bible or the teachings of the Catholic Church may be common in their diatribes, conservative religious activism has also become strategically secular. The use of secular arguments by the Catholic Church, it should be said, is not a novelty, rather it is the continuation of a long tradition.[46] Even so, it has clearly intensified with the reactive politicization of the Catholic Church against women's rights and sexual diversity. This has become particularly evident since the mid-1990s, when Pope John Paul II began to articulate secular arguments to counteract the "culture of death", a term used since then by Church authorities to characterize demands that aim at legitimizing the distinction between sexuality and reproduction. In the Encyclical *Evangelium Vitae* (John Paul II, 1995), the Pope stated that:

> Catholic intellectuals, who are called to be present and active in the leading centers where culture is formed, in schools and universities, in places of scientific and technological research, of artistic creativity and of the study of man. Allowing their talents and activity to be nourished by the living force of the Gospel, they ought to place themselves at the service of a new culture of life by offering serious and well documented contributions, capable of commanding general respect and interest by reason of their merit.

In 1995, the same year this encyclical was issued, Pope John Paul II created the Pontifical Academy for Life, whose mandate is "to study and to provide information and training about the principal problems of law and biomedicine pertaining to the promotion and protection of life, especially in the direct relationship they have with Christian morality and the directives of the Church's magisterium" (John Paul II, 1994).

46 One need only cite the influences of St Thomas Aquinas and the importance that the concept of natural law has had and still has on the Church.

Two types of secular justification might be cited as examples of the strategies currently used by the Church and its political basis in Latin America. First, they increasingly justify their doctrinaire positions on the basis of scientific research and data, also relying on modern technologies rather than resorting to religious or moral arguments, a strategy that had been used earlier in the United States (Cuneo, 1995). To oppose the decriminalization of abortion, for example, they use analyses and data produced by scientific research on the beginning of human life and systematically resort to technological images that humanize the fetus. They also constantly refer to an arsenal of studies that attempt to charter scientifically the "negative" consequences of illegal abortion. Pseudo-scientific arguments and data are also used in their arguments against the adoption of children by same-sex partners. These 'studies' are designed to demonstrate that homosexuals, either living alone or in couples, are not appropriate parents because their children suffer psychological and social harm. One frequently cited "harm" is that these children will be disabled by the absence of masculine and feminine role models in their lives. Other common arguments allege that homosexual couples lack stability and have higher levels of separation and divorce or that gays and lesbians have a higher incidence of mental illness (Gallagher & Baker, 2004; Universidad Austral, 2010).

Strategic secularism is also evident in the emphasis these religious voices now place on legal arguments. In addition to turning to the courts to politicize issues as mentioned above, the religious right also articulates substantive legal rationales and justifications for its opposition to sexual and reproductive rights. A central argument in these legal struggles is the appeal to natural law as a core principle of modern legal architectures. The notion of the family based on natural law is a fundamental tenet of religious sectors that seek to contest the expanding pluralism of contemporary Latin American societies. The universality and immutability attributed to natural law serve as legal justification to resist any political claim or legal reform that "denaturalizes" the family. The Holy See affirms that:

> Every humanly-created law is legitimate insofar as it is consistent with the natural moral

> law, recognized by right reason, and insofar as it respects the inalienable rights of every person. Laws in favor of homosexual unions are contrary to right reason because they confer legal guarantees, analogous to those granted to marriage, to unions between persons of the same sex. (Congregation for the Doctrine of the Faith, 2003a)

The Church also refuses the human rights principle of non-discrimination as a basis for recognizing same-sex couples: "Differentiating between persons or refusing social recognition or benefits is unacceptable only when it is contrary to justice. The denial of the social and legal status of marriage to forms of cohabitation that are not and cannot be marital is not opposed to justice; on the contrary, justice requires it" (Congregation for the Doctrine of the Faith, 2003a). Not only do these couples not deserve legal standing but "there are good reasons for holding that such unions are harmful to the proper development of human society, especially if their impact on society were to increase" (Congregation for the Doctrine of the Faith, 2003a). Instead of defending this position with sacred texts or religious doctrine, the strategic move from the religious to the secular is therefore to rely on the concepts of nature. The force of these arguments has, in fact, given rise to a new interpretation of natural law that is frequently used in counterarguments to sexual and reproductive rights (Skerrett, 2007).

Regardless of the veracity of these scientific studies or the merits of these legal arguments, what stands out is that religious activists' engagement with politics is now done through secular tactics. Strategic secularism as deployed by these forces is at odds with what secularization was supposed to achieve: the gradual weakening of religious influences. This shift in strategy, moreover, does not imply that the Catholic Church and its allies are now more open to negotiation or debate; rather, their arguments retain the dogmatism of their religious convictions. The question, therefore, is not so much the religious or secular nature of the discourse but the openness and pluralism of the debate.

As I sought to demonstrate in the first part of this article, the reactive politicization of conservative religious sectors reveals complex interactions between religion and sexuality. Without denying that the Catholic hierarchy continues to use its privilege as a religious institution or its capacity to influence governments in ways that erode the separation between church and state, we must recognize these new contours of religiousity in sexual politics. The hierarchy claims its inalienable right to participate in politics; the faithful mobilize to defend conservative sexual orders, and the position against sexual and reproductive rights is based on secular justifications. These changes and adaptations challenge not only our analytic approaches to sexual politics but also normative debates about the relationship between religion and politics in modern democracies.

Sexual democracies and religious politics: *laicidad* as a strategy

The role of religion in democratic systems is a crucial academic and political concern. Views on this question vary and have been intensely debated in recent years. One approach that has dominated this field of study for many years posits an irreconcilable tension or opposition between religion and politics. Reflecting the legacy of modernity, in particular its conceptualization of secularity as a constitutive dimension of the public sphere, this analytical approach reinforces the boundaries between the secular and the religious, confining religion in the private sphere. A process of secularization involving a differentiation of social realms and the privatization of religion rests (more or less explicitly) on a normative construction that views politics as a secular space that excludes (or should exclude) religion. The retreat of religion from the public sphere, or its privatization as a key element in the theory of secularization (Casanova, 1994) is not merely used to describe the real processes it seeks to analyze. It is also presented as a normative horizon for contemporary democracies. The political presence of religion in politics is viewed as a sign of incomplete secularization and, as such, a democratic malfunction.

Among the various theoretical frameworks that posit the distinction and autonomy between religion

and politics, *laicidad* has a strong resonance in Latin America. The concept has transcended its geographic and historic origins in France in the late nineteenth and early twentieth centuries, and constitutes a central axis around which the debates on the role of religions in the region's democracies are turning.

Despite its importance, *laicidad* and laicism – the ideology of those who advocate for strict principles of *laicidad* – is not just a contested concept, it is a concept interpreted in very diverse and not always coherent ways. While not the focus of this article, the conceptual vagueness of the term *laicidad* can be illustrated by citing a few of the adjectives that are linked to it that underscore its polysemic character. *Laicidad* can be characterized as republican or democratic (Bauberot, 1994), as militant (anti-clerical) or managerial (Willaime, 2008); as inclusive or exclusive (Diaz-Salazar, 2008); or as healthy or ideological (Pope Benedict XVI, 2006). While used with a broad range of implications as these dichotomies reveal, the concept tends to be used to refer to various linkages between religion and politics and institutional arrangements between church and state. Despite variations, the debates on *laicidad* usually center on the institutional arrangements that regulate the relationship between the political and the religious. Usually, the banner of *laicidad* is used on the one hand to preserve the state's autonomy from religious traditions and influences (i.e. the differentiation and autonomy of the religious and the political spheres), and on the other to defend the freedom of worship and belief. In its broadest sense, the term *laicidad* is applied not just to legal–institutional arrangements but also to the guarantee of religious liberty for all citizens. In this sense, *laicidad*, broadly understood, advocates not only the separation between church and state, its central tenet, but also to ensure the independence of law and public policy from the influence of religious groups, or, in the words of Blancarte (2000), the transition from sacred to democratic forms of legitimacy.

The strong historical, cultural and political presence of the Catholic Church in Latin America implies that that processes of "laicization" have been partial or incomplete in most countries. As noted

above, the Church has retained a number of formal and informal, material and symbolic privileges, which cast much doubt in relation to the differentiation and autonomy of church and state. The Church's historic presence has, in fact, produced weak secular systems, with state autonomy from religious tenets and equality of rights among different religions still pending in most countries in the region. The impact of the feminist and sexual diversity movements has made further evident the insufficient separation between church and state, or between the religious and the political spheres. Both movements have particularly denounced the overlap between legal systems and Catholic doctrine in several countries. The viability of sexual and reproductive rights depends, in good measure, on the capacity of governors, legislators and judges to distance themselves from their own personal beliefs and also from pressures by Catholic and other religious authorities. Hence, aside from the conceptual debates, the defense of the *laicidad* is a key dimension of an emancipatory sexual politics in Latin America. These confrontational politics leave little or no room to consider the participation of religious leaders or the appeal to religious beliefs as a legitimate dimension of contemporary politics.

The importance of *laicidad* as a normative horizon is evident in various national and regional political campaigns. They consider *laicidad* and the secular state as the guarantor of citizenship, a necessary pillar to make sexual and reproductive rights a reality, and a precondition for the state to respect and ensure sexual liberty and diversity. This connection is primarily made on the basis of the state's obligation to ensure freedom of conscience, which in modern societies must be understood as diverse and plural (Blancarte, 2008). A growing number of regional conferences, projects and campaigns have, therefore, focused on the defense of *laicidad*, as illustrated by the Ibero-American Network for Laic Liberties (*Red Iberoamericana de Libertades Laicas*), whose impact is undeniable. The Network combines studies and theoretical training as strategies of political intervention to promote civil liberties and sexual and reproductive rights. It regards *laicidad* as a regime of coexistence that "guarantees the free expression of different ideas about life", and

the best guarantor of civil liberties.[47] Another regional initiative is the Campaign for Laic States (*Campaña por los Estados Laicos*) sponsored by the Latin America Network of Catholics for a Free Choice (*Red Latinoamericana de Católicas por el Derecho a Decidir*). The unusual feature of this campaign is that it has been promoted by a network of organizations that identify as Catholic, and that from that position criticize the excessive influence of the Catholic hierarchy on government and public policy.[48]

Although *laicidad* is a core narrative of Latin American sexual politics, it is necessary also to recognize its risks and limitations. *Laicidad* offers a normative horizon that seeks to tame the tension between religious political expression and democratic systems and procedures, but it risks distorting or obscuring other kinds of articulations between religion and politics. Without ignoring the relevance of normative constructions that defend the principle of autonomy between politics and religion and the boundaries between the religious and the secular, consideration has to be given to new approaches that have begun to take shape in recent years that imply a normative shift with respect to the relation between democracy and religion.

Religion and sexual politics: a critique of secularism

The question of religion is clearly once again unavoidable (if it had ever stopped being so). But this urgency occurs at a time when neither secularity nor *laicidad* nor the hope that religion will disappear offers an undisputed basis for analysis or policy interventions. Not only has religion reemerged as a political quandary; its return has also displaced the construction of the secular as a certain and well-defined space. The strong secular imprint that dominated progressive thinking

47 Website Red Iberoamericana de Libertades Laicas http://centauro.cmq.edu.mx:8080/Libertades/P agLisSee.jsp?seccion=1.

48 https://www.facebook.com/CampanaPorLosEstadosLaicos.

in the last century has, in many ways, become a limitation to our understanding of religion and its political implications. In particular, secularism (or laicism) as an ideology and a worldview is being challenged in various ways. The term captures a number of academic, political, and even common-sense constructions with respect to religion (Casanova, 2011). Political secularism, as Casanova (2011) explains, implies a normative construction that advocates containing religion within its own sphere and a democratic public arena entirely free from religion.

Critical views on this perspective have focused on how the public and the political have been construed as spaces entirely devoid of religion. While for decades an oppositional frame that pitted religion against democracy was the rule, those who insist that the only legitimate place for religion is the private sphere are now more the exception. The full panoply of ideas that emerge from this conceptual and normative shift is beyond the scope of this article. All of them, however, tend to (re)think the conventional boundaries separating the religious from the political and to present a critical perspective on secularism.[49] These approaches are increasingly inspired by the concept of "post-secular", which reflects the influence of the German sociologist and philosopher Jürgen Habermas on normative debates about the nature of democracy. Habermas, perhaps one of the staunchest defenders of secularism in our time (Connolly, 1999), in his more recent work revises his earlier positions excluding religion from the public sphere and articulates a perspective that supports the participation of people of faith in arenas of public deliberation (Habermas, 2008). Beyond Habermas, post-secularism has also begun to be adopted as a conceptual alternative to think critically about the relationship between religion and politics in contemporary democracies. This alternative approach, through various paths, reaches the conclusion that religious actors, beliefs and motivations must be considered as part of democratic politics.

49 'Deconstructing Christianity' (Nancy, 2006); conducting an 'anthropology of the secular' (Asad, 2003); understanding the role of 'public religions' in modern life (Casanova, 1994); or affirming the existence of post-secular societies (Habermas, 2008) are some of the critical approaches to secularism as an ideology of modernity.

The normative reassessments of the links between religion and politics are especially challenging for an emancipatory politics of sexuality that for decades found in the various formulations of secularism a way to understand the role of religion in the democratic process that served the demands of the feminist and sexual diversity movements effectively. The nodal role of all major religious traditions in sustaining patriarchy and heteronormativity as structures of power is undeniable. This explains the emergence of theories that advocate the privatization of religion as pre-requisite of sexual liberation. Religion should stay out of politics, relegated to the private sphere; religious beliefs, while recognized and protected, should not contaminate debates on law and public policy. The sexual politics of feminist and sexual diversity movements, especially in Latin America, is strongly allied to political secularism in ways that leave practically no room for religious leaders and beliefs to have a place in the democratic public arena. Retrospectively, it is notable that these movements, whose central aim was to dismantle the dichotomy between public and private, have in these debates reinscribed the closet of the private sphere as the proper place of religion.

These critiques of secularism and laicism have begun to be incorporated into research on gender and sexualities (for example, Correa, Petchesky, & Parker, 2008, chapter 3; Jakobsen & Pellegrini, 2008; Reilly, 2011). In these studies, the limitations of secularism or laicism are made evident in their relationship to Islam as a religious and cultural tradition, revealing the ethnocentric biases underlying these normative models. The most publicized example was the controversy around over the veil used by Muslim women in France, which opened a long and complex public debate and academic discussion about the oppressive consequences of *laicidad*. The debate over the use of religious symbols in public schools was overlaid by discussions about the sexuality of Muslim communities, in which sectors of the feminist movement actively took part, characterizing it as "unnatural and oppressive, compared to the French vision of sexual practices" (Scott, 2007, p. 11). Judith Butler (2010) has also called attention to the characteristics of a secular temporality in which certain visions of liberty can be used as "an instrument … of coercion" (p. 3). Butler points to the example of how the Dutch government uses (male) homosexuality as a marker of modernity

and equates gay politics with cultural and political modernity, deploying these tropes to marginalize some immigrant communities further as not quite modern. These examples starkly demonstrate that when sexual politics do not stay a critical distance from the tenets of secularism–laicism, they may add grist to the mills of political conservatism, reinforcing xenophobia and the exclusion of certain populations.

In response to this critique of the ethnocentric imprint of secularism and laicism one must explore a perspective that goes beyond the understanding of the democratic public sphere as an exclusively secular space. Without denying the antidemocratic dimension of religious institutions and arguments, it is nonetheless necessary to create normative frameworks that recognize religion as a legitimate dimension in politics, including sexual politics. The insistence on the privatization of the religious is not just impossible in practice; it poses serious risks to an emancipatory sexual politics. To take distance does not imply rejecting secularity and *laicidad* as a conceptual framework or a political strategy, but rather to situate their tenets in a broader critical perspective.

Religion as a dimension of sexual politics

The political perspectives advanced by the feminist and sexual diversity movements respond to a specific moment in time and reflect the prevailing normative and analytical options of that moment. While these movements pushed the envelope politically and imagined new expressions and institutional frames of justice and democracy, they were also conditioned by the dominant way of conceiving the place of religion in society that was informed by the paradigmatic force of secularization theory. The current juncture, however, makes it necessary to rethink this relationship through new lenses that may reflect the complexity of the role of religion in modern societies. The challenge, then, is to propose theoretical frameworks and political strategies based on an understanding of religion as a legitimate component of politics. An emancipatory sexual politics in particular must move beyond, or at least question, secularism and laicism as ideologies in order to

make room for different interpretations of the relationship between religion and sexuality.

I will examine two paths through which religious ideas are penetrating contemporary sexual politics in ways that transcend secularism. First, given the shifts in religious activism discussed above, I consider the need to develop theoretical frameworks and political strategies that are capable of better capturing the phenomenon described as reactive politicization and its displacement of the religious–secular dichotomy. Secondly, I consider the significance of religious pluralism with respect to sexuality as a facet of contemporary politics. This new configuration displaces the conservative–progressive dichotomy and requires normative and theoretical frameworks that accept diversity and pluralism in religious practice as part of the political process.

Conservative religious politics as a part of democracy

As noted above, normative models that are strongly influenced by secularism and laicism leave little or no space for understanding religious practice as a legitimate part of sexual politics. Religion is viewed as belonging to the private sphere, not the political realm, and any signs to the contrary are seen as evidence of an incomplete process of secularization both at the state and political levels. Although secularism, with its mandate to privatize religious expression, or at least depoliticize it, continues to be an important path used by advocates of sexual and reproductive rights to define and confront religious influence, as noted above, this approach must be critically evaluated in light of the complex influences of religion on politics overall, including sexual politics.

A strong secularist construction that calls for the complete exclusion of religion from politics presents two major risks. First, *laicidad* does not necessarily imply depoliticizing the Catholic Church. As discussed above, the acceptance of the separation of church and state does not mean that the Church will stop being a public actor in contemporary debates. The process of "deprivatization" (Casanova, 1994) requires recognition that the Catholic Church influences policy (or more aptly, can influence it) without necessarily endangering *laicidad*. While the analyses of *laicidad* do capture

some negative political effects of religion, particularly in Latin America where the Catholic Church has a long history of privileges and efforts to undermine the separation of church and state, it is still necessary to propose analyses and strategies that recognize religious activism as part of democratic politics. Without denying that *laicidad* remains an incomplete process, it is nonetheless important to consider the legitimate role of religion in sexual politics. The fact that the Catholic Church aspires to be a political actor, entangling itself in the democratic system, itself opens up various normative considerations favorable to sexual and reproductive rights. As leaders of a religious institution, Catholic authorities can take a united position on Church doctrine; but when the Church becomes a political actor, this united position is untenable. Its actions and arguments become part of the conflicts of democratic public spheres, and, as such, they are subject to criticism and debate. As leaders of a religious institution, the hierarchy can decide whom they recognize as subjects of the Church (the faithful) and even expel some of them (excommunication); as a political actor, they are obliged to respect others as political subjects (citizens) with rights and dignity. As a political actor, the Church must submits itself to a set of external rules and thereby renounces, voluntarily or not, the privileged status it enjoys as a religious institution.

The second risk involves obscuring the changes underway in conservative religious activism. As analyzed above, the proliferation of NGOs to defend the position of Church authorities, the use of the courts, and the publication of legal, scientific and bioethical studies are fundamentally transforming the scope and nature of religious influences on sexual politics. These changes are also displacing the classical religious–secular dichotomy. While this renewed activism is religiously motivated and Catholic authorities may be behind these strategies, in the majority of cases this new activism makes no direct appeal to religious actors or discourses, but is unfolding through what one might consider (at least formally) a secular or lay politics. One can question the truth or absolutism of the positions deployed by these voices, but one cannot deny that they are framed in secular terms.

Despite affirmations that religious influences are merely a vestige of the past or resistance to

change, a different picture seems to be emerging. Instead of retreating to the private sphere or disappearing, religious activism remains an important force in politics and, in fact, is developing new strategies and rationales that are introducing new complications into sexual politics. The challenge is not just to incorporate these changes into existing analytical frameworks but to develop renewed normative debates and political strategies that take account of this complexity. An agenda that seeks to understand the relationship between sexuality, religion and politics must think critically about secular positions that exclude the political role of religion entirely. While campaigns in favor of *laicidad* are necessary, they are not sufficient to capture and countervail religious opposition to sexual and reproductive rights. The challenge is to break with secularism and laicism in order to expand our understanding of religion as a legitimate element of contemporary politics. Despite antidemocratic religious practices, it is not possible to exclude conservative religious voices from public arenas, even when they oppose pluralism. Normative frameworks must be revised to open the space for religious actors and discourses on the political playing field. Reinforcing secularism or laicism and interpreting all conservative religious activism as a symptom of insufficient secularization may, in many ways, distort or obscure the religious influence on legislation and public policy.

The religious as plural and heterogeneous

Another risk posed by a strong secular politics is that it can reinforce an essentialist understanding of religion. While religious institutions and discourses have been and still are central to sustain patriarchy and heteronormativity as systems of power, the role of religions is much more complex and heterogeneous with respect to sexuality. While certain religious sectors may represent a key obstacle to sexual and reproductive rights, there are religious groups and voices whose position is more open to pluralism and sexual diversity. Alongside religious dogmatism mandating its restriction, other religious stances are opposing patriarchy and heteronormativity. Religions are, among other things, cultural constructions that respond to socio-political contexts located in time and space. It is not surprising, therefore that the feminist and sexual diversity movements have provoked changes

in the religious field. Within Catholicism in particular, dissident positions are becoming more visible among priests, nuns, theologians and believers who articulate their religious identity with political support for feminism and sexual diversity (Vaggione, 2005). This type of pluralism allows us to distinguish between the egalitarian aspirations that characterize the majority of religions, and the 'perversion by powerful authorities interested in maintaining their status' (Cahill, 1996, p. 1).

The normative challenge for feminists and sexual diversity activists is to incorporate an understanding of religion that makes room for the politicization of the pluralism that exists among and within communities of faith. Transforming religious pluralism into a dimension of an emancipatory sexual politics opens various possibilities. On the one hand, it permits the enlistment of dissident actors and discourses in the debate on sexual ethics (in the form of NGOs, theologies, or religious leaders that articulate religious beliefs with a broad and diverse view of sexuality). For reasons that are understandable, the feminist and sexual diversity movements have concentrated their efforts on matters of rights and citizenships, staying away from debates on ethics, and indirectly, strengthening the most traditional religions' monopoly on public morality. Whatever the possibilities of a secular ethic on sexuality, dissident religious views and positions provide an array of ethical stances supportive of Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) people, contraception or the termination of pregnancy. On the other hand, the pluralism identified within the religious field is also important to empower people who are indispensable to the realization of sexual and reproductive rights. Beyond formal recognition, these rights require a cultural transformation that would permit overcoming notions of guilt and sin with respect to sexuality. Thus dissident theological debates and religious leaders who propose a reconstruction of religious subjectivities in ways that denaturalize patriarchy and heteronormativity within religious communities themselves are crucial for this cultural transformation.

In relegating religion to the private sphere we may be confining one of the most important social and cultural transformations in the closet: the creative and liberatory ways – driven by the faithful

themselves – in which religions are (re)constructing themselves. While church authorities may insist on rigid and dogmatic positions, the faithful are everywhere molding new and complex paths of being religious, many of them compatible with, or even inspired by, feminism and sexual diversity. This religious pluralism has the potential of eroding the symbolic power of conservative authorities as it deconstructs their discourse and undercuts their claims to representation. Recognizing this heterogeneity is necessary but not enough; engaging with religious pluralism must be an essential part of emancipatory sexual politics. Deep commitments to pluralism (Connolly, 2005) mandates rescuing the heterogeneity that exists within religious communities and inside church walls, transforming it into a democratizing principle, particularly in relation to sexual and reproductive rights.

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Condoms and Viagra: An exploration of processes and forces that shape notions of sexuality and policies

Jayashree Ramakrishna

Introduction

Examination of the development, propagation, acceptance and use of condoms and Viagra provides a keen heuristic device for exploring contexts, processes and factors that shape sexuality and policies related to sexuality. Juxtaposing condoms and Viagra affords sharp contrasts, which focus attention on cultural and societal norms, religious injunctions, and perceptions of femininity and masculinity, in the context of nationalism and the neoliberal economy. This understanding might help to improve ways of identifying and influencing these processes.

One such process, medicalization, has been a major intellectual trend of the 20th and 21st centuries. Increasingly, medical and biomedical modes of thought dominate the discourse on sexuality, and the expansion of medical authority over many domains that were hitherto considered social conditions or life experience is unquestioned. For instance, life processes such as birthing, going through menopause (Gunson, 2010), aging and dying (Seymour, 1999), conditions such as shyness (Scott, 2006), obesity, infertility (Becker & Nachtigall, 1992), sexual behavior (Hart & Wellings, 2002) and domestic violence, as well as "risk factors", have come under the purview of medicine. This medicalization of society, Conrad (2007) notes, has resulted in transformation of the human condition into treatable disorders. Recasting social conditions as disease in the biomedical framework has drawn attention away from the social, cultural, economic and political causes that influence

these "diseases". Such formulations make it feasible to retain the status quo and offer biomedical solutions. Thus, medicalization can be conceptualized as a form of social control (Zola, 1972; Lock, 2003) that aids in the perpetuation of social norms (including gender and sexual norms); and as a means for biomedicine to acquire power and authority (Friedson, 1970). Medicalization is not solely due to medical professionals. The pharmaceutical industry, biotechnology (Clarke et al., 2010) the development of consumerism, direct advertisement to consumers (Conrad & Leiter, 2008) as well as insurance and government policies play a significant role (Busfield, 2010). The neoliberal economy, the push towards a free market, and deregulation have served to reinforce the dominance of biomedicine, technological interventions and the pharmaceutical industry.

Reframing conditions as illness or as conditions amenable to cure or management has served to remove the stigma and self-blame and, to a certain extent, to alleviate suffering. However, medicine, rooted in the values of the dominant society, tends to reinforce its norms, especially as they pertain to gender, sexual orientation and behavior. Medicalization privileges a narrow concept of "normal" and values conformity to it. It is largely not tolerant of divergence and shies away from accepting a wider range of normality. Anything outside the bounds of this strict definition of normal is defined as pathological, a disorder, as exemplified by the case of erectile dysfunctions. Some, though, challenge such an understanding of sexual dysfunction, believing erectile dysfunction (ED) to be part of the natural aging process, with which one learns to live (Potts et al., 2006) (very much the traditional Indian view). The medical profession seems to show some sign of partially endorsing this view: of late, two prestigious medical journals, the *British Journal of Medicine* (2002) and *Lancet* (2007), have brought out issues with a focus on medicalization and resurrected the views of Illich (1975).[50] Some others hold that advertising has created a sense of inadequacy in older men. On the other hand, medicalization of unpleasant or unpalatable conditions such as impotence makes

50 Lancet, 369(9562), February 24, 2007, includes Essay Focus: Medicalisation in the 21st Century; British Medical Journal, 324, April 13, 2002. Retrieved from http://www.bmj.com/archive/online/2002/04-08.

them more acceptable.

Centering on the Indian experience, this paper teases out the cultural, social and economic processes and factors (including vacillations in international policies) that have inhibited the acceptance of condoms, the persistence of the 'culture of silence' with regard to sexuality, and the increasing intolerance of diversity. While condoms and sexual education have been part of public health and cultural discourse, Viagra has, essentially, remained confined to the medical arena. Nevertheless, in a short time, the process being eased by the neoliberal economy, Viagra has become accessible and gained acceptance. The juxtaposition of condoms and Viagra in the Indian milieu also highlights the tension between preventative and curative aspects of biomedicine, and the privileging of the latter over the former. The differing standards used for approval of female condoms, and research (to be discussed later in the paper) pointing to the utility of Viagra for treating sexual dysfunction in women on antidepressants is telling. The paper ends with a brief discussion of innovative responses to the disregard and violation of sexual rights, and the effective use of media and community mobilization (both traditional and Internet-based) to bring the issue to the forefront of national attention.

The concept of the condom – a device to encase a man's erect penis as a physical block to the entry of ejaculated semen into the body of a sexual partner – has been known for a long time. Historically, 'condoms' were made from various substances ranging from horn or animal skin to oiled silk (Collier, 2007). Modern condoms, used as a contraceptive to prevent pregnancy and/or the spread of sexually transmitted illnesses, are usually made of latex or polyurethane. This is presently the most commonly used barrier-method of contraception. The efficacy of condoms in preventing conception is well documented, and the failure rate among those who use them correctly and consistently is very low.

The active ingredient in Viagra is sildenafil citrate, an enzyme that regulates blood flow to the penis. This drug was being tested for treating angina pectoris, a symptom of ischemic heart disease. While

it was found that the drug has little effect in angina, it was observed to induce penile erections. This fortuitous discovery led to the patenting of this molecule in 1996, and in record time, in 1998, the US Food and Drug Administration approved it as the first oral medicine for erectile dysfunction (inability to sustain a satisfactory erection to complete intercourse).

Sildenafil citrate also relaxes the arterial wall. It is effective in a rare disease, pulmonary arterial hypertension (PAH), and ameliorates symptoms of heart failure. After seven years Pfizer submitted to the FDA an additional registration for sildenafil use for this indication. Sold under the brand name Revatio, the 20 milligram tablets are white and round to differentiate them from the distinctive blue Viagra, which are informally known as 'bolt from the blue'.

Taking sildenafil with medications or other substances that contain nitrate causes a serious decrease in blood pressure and results in fainting, stroke or heart attack. Nitrates are also found in recreational drugs such as amyl nitrate poppers. Sildenafil is contraindicated for persons who have heart disease, diabetes, high blood pressure or high cholesterol. Alpha beta blockers, azole antifungal medicines, and rifampicin are inadvisable. There is also an adverse reaction with antiretrovirals prescribed to those who have HIV infection. Some report possible negative effects in those who smoke or use alcohol or are over 50 years of age. However, these interactions and contraindications are not highlighted, many of them coming to public notice only after users have complained about problems.

The rest of the paper demonstrates how cultural notions as well as larger macro-processes affect the construction of sexuality and the course of action taken. The play of power is crucial to understanding these dynamics, be it between the genders, the majority and the minority, the state and the individual, global and local/regional economies, or overarching global processes.

Concepts of masculinity, manhood and fertility in India

As in most patriarchal cultures, in India sexual prowess is associated with manhood, masculinity, strength, vigor and procreativity. Ayurvedic tradition (Indian system of medicine) sees semen as one of the most important of the seven vital fluids of the body; harmony of all these fluids produces good health. Semen is precious; it takes 40 days for 40 drops of food to be converted into one drop of blood, 40 drops of blood are needed to make up one drop of bone marrow and 40 drops of bone marrow to make one drop of semen. Thus it is understandable that men want to conserve this precious fluid, and put it to its right use, i.e. for procreation.

Fertility in women is valued, and motherhood is hallowed. Marriage is almost universal. The most sacred duty of parents is to arrange the marriage of their children, especially that of their daughters, to free them from the confines of maidenhood. A woman's status in society is affirmed when she has a child, particularly a son. Traditionally, couples are expected to have children soon after marriage. Elders do not advise delaying pregnancy, and young married women say that their doctors do not advise them to use contraceptives till after they have had their first child. Stories abound of couples who postponed pregnancy, only to find that they could not conceive when they wanted to.

Men's life stages are well laid out. Childhood and youth (till 21 years of age) are for learning and developing. During this time, excessive interest in sex is thought to be detrimental. Celibacy is advocated, and conserving sexual energy is thought to increase physical strength and vigor as well as intellectual acumen and spiritual quotient. For instance, wrestlers are followers of Hanuman and remain celibate to maximize their physical strength. Similarly, men in the pursuit of knowledge or God do the same. The next stage, a period of another 21 years, is that of the householder, the time for having children, raising a family and fulfilling worldly duties. After that, during the hermitage and sanyasi stages, men are supposed to be essentially celibate.

Alongside these views, there is an opposing notion that sexual release is important, as without it, the body heats up and a man loses mental balance. Concern about nocturnal emissions and premature ejaculation and anxiety about sexual performance are widespread. One of the most common complaints in men is "weakness" (Verma & Schensul, 2004). "Quacks" and various types of sexual specialists, from those who operate out of roadside shacks to sexologists in modern clinics, cater to men who have these conditions.

Pleasure underlies all sexual discourse; it is seen as a potent force that can overtake all other concerns and therefore needs to be regulated. Any form of interaction or even the social intermingling of young men and women is frowned upon. Sexual attraction and desire are thought to be irresistible and the norm of early marriage is a tacit acknowledgment of the sexual needs of both young men and women. Concern about not "keeping" a marriageable girl at home is great and seen as a great responsibility and burden, for something untoward may happen. It is well acknowledged that men are easily aroused and find it difficult to control their desire, but there is some ambivalence about the sexual nature of women. It swings between the notions of women as devi who are put on a pedestal and viewed as essentially asexual, embodying the virtues of motherhood, devotion, goodness, nobility and sacrifice for the larger good, and the idea of women as temptresses with insatiable desire, who entice "helpless" men.

Condoms are seen as inhibiting sexual activity by restricting intimacy and skin-to-skin contact and interfering with spontaneity. Moreover, the use of condoms, which are seldom seen as contraceptives, is perceived as a sign of distrust of the partner. This is especially true in a country where most women who have had two or three children opt for permanent tubal ligation/tubectomy and there is no need for contraception. Couples in India, especially in crowded urban low-income areas, have little privacy and time for sexual intercourse let alone using condoms. Purchasing condoms is embarrassing, and disposing of used condoms is a challenge. Further, in many cases sex takes place in the context of alcohol use and violence, in which situations the woman has little power to negotiate condom use.

Sex and sexual issues are not part of the cultural or general discourse, and the culture of silence pervades. For one, there is no commonly understood language. Medical/health professionals are comfortable talking in terms of sexual anatomy, physiology and disorders. Literary language in the area is well-developed but the local languages offer very little that is not euphemistic and vague or vulgar and crude. Moreover, as a female participant in one of my early research projects who happened to be a sex worker noted: "Good women do not talk about sex. We may have sex but we do not talk about it". This idea is widely prevalent even in the health sector. This, coupled with the middle-class reticence about all matter sexual, means that there is little discussion.

Population control programming

A brief discussion of the Indian National Family Planning Programme will provide a historical perspective opening an understanding of current attitudes towards condoms. The program, seen as crucial to development, was one of the first programs to be instituted after Independence in 1947.[51] It received funding and technical support from USAID and technical assistance from donors such as the Ford Foundation.

Essentially, it was a top down program. Indian policymakers prioritized controlling population growth. This, however, was not the priority of the common man or woman, who valued fertility and procreation. Agrarian families with many children could better meet high labor needs. Children were also social insurance and male children were especially valued (Mamdani, 1972). Initially, the program was a clinic-based approach following the traditional notion that contraception is a woman's responsibility (Harkavy & Roy, 2007). Intrauterine devices were preferred, as a semi-permanent method, controlled by physicians who inserted the IUD and removed it. Healthcare

51 See Harkavy and Roy (2007) for detailed discussion of the evolution of the Indian National Family Planning Programme.

workers minimized the complications and side effects – infection, pain, and bleeding or general malaise. Women complained about such effects but saw no other option. Condoms generally carried the negative connotations of being associated with prevention of sexually transmitted diseases and sex with casual partners, "illicit relationships" and sex outside marriage.

When this method was found to be ineffective in reducing the population growth, the emphasis shifted to vasectomies. This was the first time a male-centered method was used and it was approached with much apprehension: both men and women felt that it would weaken the man and men saw it as an assault on their manhood. However, because relatively high incentives were provided in cash and kind, men, especially the rural poor, participated. Healthcare workers who had to meet targets persuaded or coerced men into having vasectomies.

In 1975, the court declared the prime minister's election illegal. In response, the government declared a national internal emergency. Democratic civil rights, including reproductive rights, were suspended. The Indian administration had been confronted with high population growth and a stagnant economy since the 1950s and accorded priority to population control in the national five-year plans. In 1976, the emergency enabled the National Population Policy, which could institute legislation to make family planning compulsory: if the state so desired, citizens were to stop child-bearing after three children. A constitutional amendment was also introduced to freeze parliamentary representation for states at 1971 levels until 2001, thus removing any incentive for states to increase their population size. Quotas for vasectomies were allocated to government functionaries, who, fearing punishment, recruited poor, marginalized and old men as "subjects".

Vasectomy camps (often in none too hygienic conditions) were opened from 1975 to 1977, carrying out 8.26 million vasectomies. Other measures such as "slum clearance" accompanied this tactic. Coercive policies of this kind had a serious backlash when democracy was restored in April 1977, and the government was soundly defeated in the elections. New administrations were apprehensive,

and family planning took a back-seat. The Family Planning Programme was renamed the Family Welfare Programme, targets for sterilization were changed, and education and motivation became the key strategies. One wonders whether a government would so rapidly be toppled because of a female-oriented family planning program.

Condoms in the Indian context

The threat of AIDS reemphasized the usefulness of condoms. In the early days, when there were no drugs for HIV treatment, the focus was firmly on prevention, and the condom was the method of choice. With the encouragement of donor agencies, condoms were promoted aggressively to a diverse audience and often with little sensitivity to or recognition of cultural mores. Voices that spoke of the need for more culturally appropriate options and a wider array of choices, such as delayed sexual debut, were not heeded. For the first time there was public advertisement of condoms and some political figures endorsed condoms, winning the approval of visiting donor representatives. Meetings, at first organized by the World Health Organization (WHO) and then by the National AIDS Control Organisation (NACO) highlighted the Thai experience with condoms, lauding the skills of Thai sex workers in motivating and convincing men to use condoms. Little attention was paid to differences between conditions of sex work in India, where it is hidden and unorganized, and in Thailand, where it is relatively organized and open, or to the commitment of the Indian government to bring about similar changes. In addition to the advertisements, the government program for the first time had counselors who could promote condoms to individuals, and condom demonstration became a part of the HIV counselors' responsibilities. Unfortunately, even though the condom was to be used by the man, it became women's responsibility to motivate, cajole and entice men to use the condom. Responsibility was given to the partner with the lesser power and the lesser ability to respond.

International agencies, using estimates suggesting that India would have a larger number of people

with HIV than South Africa, urged the Indian government to take swift and decisive action. The National AIDS Control Organisation protested that these numbers were inflated, but was disregarded. Re-estimation a couple of years later, however, using different, more accurate parameters, showed actual figures that were closer to NACO's estimations, lower than what had been predicted.

In the ensuing years three events occurred that again turned the focus away from condoms. The US Bush administration strongly advocated abstinence only, or the ABC strategy – Abstinence, Be Faithful and Condom method – in which the emphasis was on the first two options and condoms would be a mere third option. Organizations that received funds from the President's Emergency Plan for AIDS Relief (PEPFAR) were required to sign a pledge that they did not support prostitution or abortion services. They were also requested to report how many people they had counseled on abstinence and faithfulness. Those who had been championing a wider range of options felt vindicated. This proposition also resonated with the conservative elements of all the religions, and condoms were again marginalized. Decisions taken by powerful countries do not remain confined to their 'home' programs but soon find their way into other international and national programs. NACO too subscribed to this ideology and included this language in its policy and program documents. As this decision was in accordance with the thinking of the larger society, there was little protest except from civil society organizations working in such areas as HIV and gender issues.

The advent of antiretroviral therapy (ART) for HIV, especially of HAART, shifted practice to providing treatment along with care. Understandably, those who were infected wanted access to these drugs. The WHO set up an ambitious program, and made a concerted effort to make affordable generic drugs available. This brought HIV firmly back into the biomedical domain. Increasingly, the focus shifted to testing, treatment and counseling, and prevention services for the general population were again de-emphasized.

Condoms have been part of the Indian population control arsenal from the beginning of the family

planning program in the 1950s. In the early days, condoms were purchased from the United States as a part of USAID programs and then condom manufacturing began in India. Condoms have been associated with sex outside marriage, for prevention of sexually transmitted diseases. Condoms that were initially available in the government system were not of good quality. Instances of breakage and damage were reported. Early condoms were not lubricated. The new lubricated condoms did not have enough lubrication or were too oily. Storage of latex condoms in a hot and humid climate is also a challenge. This, coupled with a widespread disdain of all things provided for free by government, gave condoms a poor image.

Considering the high demand for condoms, the Indian government set up public sector unit, Hindustan Latex Limited (HLL), over 30 years ago. This company aims to make good quality contraceptives available at affordable prices at 'an arm's length of desire'. It is the largest condom manufacturer in the world, producing more than 1.316 million pieces per year (Sinha, 2007). The government subsidizes condoms, marketed under the name Nirodh (prevention), which is the local name for condoms, and distributed free of cost through the government health care system. Apart from the varieties of Nirodh (deluxe, ultra deluxe, new lubricated) HLL also produces an array of ultra-thin, dotted, and flavored premium Moods condoms. HLL's social marketing division targets those who can afford to pay only part of the commercial price. Social marketing of condoms has been taken up by NGOs; they package and sell the government or other subsidized condoms at nominal costs and accessible locations. The private sector produces more upmarket colored, flavored, slickly packaged condoms, with erotic graphics and advertisements, and markets them under exciting brand names such as Kama Sutra and Trojan.

In March 2007 HLL released a new product, a premium condom with a vibrating ring, called Crezendo. In mid-May, one state banned this condom, stating that it was a sex toy and against Indian culture. "And sex toys", noted a minister, "can have serious repercussions on the Indian way of life" (Ghosh, 2007). This action triggered impassioned debates about the relationship between Indian culture

and sexual pleasure, with common reference to Vatsyayana's Kama Sutra, and the erotic imagery of the Khajuraho and Konark temples. In a newspaper article, Sen (2007) points out that "reducing the place of sex in India to these iconic works of art and literature is to make a mockery of Hindu traditions". He goes on to quote the cultural psychologist Ashis Nandy: "erotic imagery is very much a part of Hindu texts and paintings". In the Hindu mystic bhakti tradition the devotee often views the divine as a beloved. Interestingly, the soul, even of male saints, is conceptualized as an ardent woman awaiting her beloved, and sexual fulfillment and pleasure are very much a part of the sacred domain. Similarly, Ghosh (2007) quotes Ram Nath Jha, who teaches in the Special Centre for Sanskrit Studies, Jawaharlal Nehru University, in his observation that even ancient philosophical treatises talk of sex as a source of pleasure. Kum Kum Roy, a professor of ancient India, adds that this was mainly directed towards men of the dominant elite groups.

In response, the health minister noted that the 'vibrating condom' was just a variety of condom, developed by HLL to compete with private companies. He pointed out that 50,000 condom vending machines had been installed at bus stops, washrooms, petrol pumps and dhaba (road side eateries), with plans to increase the number to 100,000, and asserted that Crezendo would not be marketed in states that did not want it. The HLL spokesperson also said they would withdraw the product if asked to do so as they did not "want to create any controversy", even though 130,000 pieces had been sold since the launch and no complaints had been received from users or the government (Sinha, 2007).

Female condoms

Female condoms are described as a "traveling technology", an interaction of technology, diffusion and donor agencies that opens a possibility for greater women's empowerment and sexual autonomy. Female condoms made of latex (FC1) were first developed in 1993. Those of the second generation, FC2, made of polyurethane or nitrile polymer, are thinner, softer and quieter, as well as conducting

heat and preserving more sensation, and not requiring special storage as they are unaffected by heat and moisture. Further, they can be used with oil-based lubricants though not all proponents recommend this. In 2007 HLL launched the first female condom, called Confidom, in India. More than 0.5 million pieces have been sold and NACO hopes to increase this to 1.5 million by 2015.

The FDA classifies male condoms as class 2 devices, which need to pass tests only for leakage and breakage. However, it places female condoms as class 3 devices – in the same category as pacemakers, heart valves and silicone breast implants – requiring them to pass more stringent clinical tests. Some in the FDA question whether further clinical trials are necessary to determine how FC2 prevents pregnancy. The Female Health Company (FHC) did not think this necessary, as the product has been used by 12 million women in 77 countries and 3.47 million female condoms were sold in 2008.

The FDA has cleared FC2, and it can be distributed by USAID. Some questions are still open: Is it good or bad to have separate standards for male and female condoms? Does this regulation protect the safety of women? If so, what about all the women in developing countries who have been using such female condoms for more than ten years; have they been guinea pigs? Or are American women losing out?

Emergency Contraceptives

Methods that need to be used correctly and consistently, that require engagement, dialogue, negotiation, and skill building, where the choice of use lies with the person, find little emphasis in the Indian family planning program. In the current program, which promotes family planning in the context of reproductive and child health and rights, promotion of dual purpose condom use is mentioned. Emergency contraception (EC) is also advocated for unprotected intercourse and for failed dual-purpose condom use (torn condom implying failure of Nirodh). The possibility of the

condom's not working, of its slipping or tearing, is a recurrent, unrealistic, fear that is bolstered by such statements. The state's lack of conviction about the efficacy of condoms is demonstrated. The efficacy of medications, on the other hand, is seldom questioned.

Emergency contraceptives have received special treatment. The Drugs and Magical Remedies Act has been reviewed on a case by case basis to allow direct advertisement by the private sector, and these advertisements are being aired on television and displayed on the back of autorickshaws. A news item (Chaudhuri, 2009) noted that though emergency contraception was made available over the counter to prevent unnecessary abortions, women and girls were using it repeatedly – in place of regular contraceptives – resulting in serious reproductive problems. This should be a serious concern in a country where more than half the women are anemic. It is not surprising women and girls are using EC as a primary contraceptive, as advertisements such as the one in box 1 can easily be misinterpreted to mean the EC is a contraceptive. Further, this misuse should have been anticipated as women and girls have long been used to taking hormonal pills to postpone menstrual periods during religious and social functions.

Box 1: Advertising Emergency Contraception

This news story has not been followed up and there has been no public outcry.

i-pill emergency contraceptive pill. Just one pill within 72 hours of unprotected sex is all it takes to prevent a possible pregnancy and a traumatic abortion. Because prevention is better than abortion. Isn't it?

Talking about sexuality and sexual issues

To make informed decisions about sexual issues requires a climate that allows dissemination of accurate and relevant scientific information and a space for the holding of diverging opinions and views. I shall now discuss some salient data regarding the need for sexual education. A survey of 1566 peri-urban (60 kilometers from Bangalore) students in Karnataka revealed the need for sex education that considers gender differences (NIMHANS & Belaku, 2006). When questioned about sources of reproductive and sexual health information, most girls cited female family members (mother, 42%, older sister, 24%), friends, 22%, and teachers, 14%. Boys, though, presented a different picture: friends, 50%, relatives/neighbors, 30%, teachers, 20%. Many more boys cited media as a source of information: television (boys, 46%, girls, 31%); science programs (boys, 27% and girls, 15%); action television (boys, 18%, girls, 3%); sex books (boys, 16%, girls, 2.6%); sex films (boys, 12%, girls, 1%); posters (boys, 12%, girls, 0.6 %). Sex books may be cheap pornographic materials in the local language, often with western graphic materials. We also found a range of grey literature, and pseudo-scientific literature, some written by bona fide medical specialists and others by self-styled "sexologists". They contained Q & A on many sexual issues, including many on premature ejaculation, masturbation, and loss of strength, interspersed with titillating case studies. These magazines were not available in book stores but sold on pavements, streets, bus stands and railway stations. Often they had titles like 'Ideal Husband and Wife'. Other favored magazines such as *Police News* contained highly graphic descriptions of murder and rape. Sex films could be blue films or low budget films with high sexual content and violence. These media tended to reinforce boys' anxieties and legitimize the use of coercion, likening coercion to pleasure.

Key informants felt that in the three years since cable television had become available, the students had become "fast". English language television had become accessible, especially to boys. They reported watching a program called 'Silk Stalking' on the AXN network, which had an opening

shot of a woman putting on stockings. They also watched fashion TV. It is interesting that both key informants and boys find Western television programs and films "sexy". There is little mention of the local language movies, which have highly sexually suggestive dances.

When questioned about their knowledge of pregnancy prevention, 73% of girls and 50% of boys said they did not know. Of those who knew, boys commonly cite condoms (23%), followed by oral contraceptives (8%), abstinence and abortion (6%), and surgery (4%). Girls had less knowledge about all methods except oral contraceptives (13%). Only 5% mentioned condoms; 3%, abortion and surgery; and 2%, abstinence. Fourteen percent of boys and 2% of girls thought premarital sex was acceptable if the girl does not get pregnant. Analysis showed that the common sources of information had low association with accurate information about contraception.

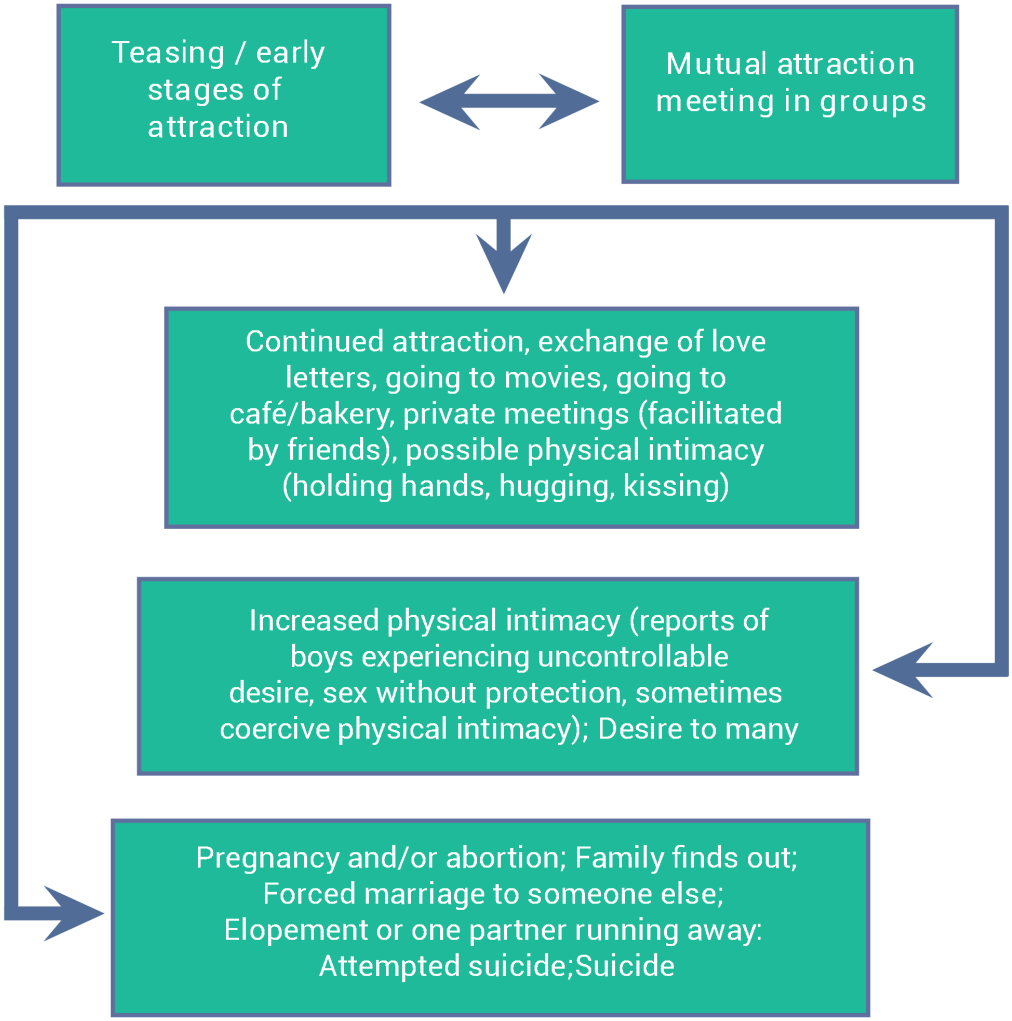
India lacks a comprehensive sex education policy; sex education arises in the health context, involving the need for education on contraceptives and prevention of HIV. Some civil society organizations view sex education as a rights issue but these are in the minority. Sex educational programs in schools do not consider this gender variation in the source of information among students. The finding also brings into question the acceptability of teachers conducting sex education programs. The usual pattern is to assign sex education/family/life skills education to science teachers, as they know how to teach biology, but these teachers usually have little skill in communication or discussing intimate issues. Students' concerns about why they feel a certain way, whether it is right or wrong, are seldom addressed. There is little space for debate and discussion, a space that many girl students felt they needed and that to some extent was met by the study. The boys, on the other hand, felt discussion about sex would arouse them and that such discussions were not necessary.

This study included qualitative data that illuminated boy–girl relationships. Students from rural areas had more interactions with the opposite sex, and these relationships were rarely platonic. Surprisingly, Valentine's Day and Rose Day were very popular. Students said that it is acceptable to

show your interest and love on these days. In a society that lacks a script for boy–girl interaction, expression of love or interest and communication by notes and letters are common. Popular love songs from films are also a means students use to communicate with persons they are interested in.

Box 2: Patterns of attraction amongst youngsters

Representation os reported concepts of attration, love, imtimate physical relationships and possible outcomes*



* The represantantion is not meant to imply a linear and/or underectional progression.

Concepts of love and stages of love relationships are patterned (see box 2). Teasing is part of the initial stage; girls see unwelcome actions, at times bordering on harassment, as problematic (NIMHANS & Belaku 2006, p. 64). Family reactions to love relationships are usually negative and even life-threatening. Girls receive little support from their families if they report teasing and harassment; instead, they are scolded and beaten. They may be asked what they did to invite such attention, and parents may threaten to take them out of school. Options for a girl in a serious relationship are few. Elopement and marriage is one, if the boy too opts for marriage; or parents may coerce girls to marry a partner of their [the parents'] choosing as a means of averting the consequences of a socially unacceptable relationship. The lack of social support for the girl is striking. If she becomes pregnant, she has few choices – abortion is one, suicide or an attempt at it is another. The media and adults reinforce the notion that it is not only an acceptable but a better option where a girl has brought such dishonor to her family.

This is the context of the debate over the need for sexual education. Recognizing the reality of the prevailing situation in the country, the National AIDS Control Organisation prepared educational materials in 2007. Initially five and eventually twelve states banned the material, and one sent it for review, stating that sex education encourages sexual permissiveness in children. NACO clarified that the material with pictures was meant for teachers in senior secondary schools. Still this was thought to be "too brazen and explicit", and hurtful to people's cultural sensitivity. An ex-minister of the conservative Hindu party, Murali Manohar Joshi, opined that sex education would create an "immoral society" and lead to a collapse of the education system. "The proposed sex education modules are an encouragement rather than education about sex", he observed and called for boycotting central government schools if they took up sex education.[52] The director took a strong stand and commented: "Banning sex education is hypocrisy on their part. It is rubbish and totally

52 "Joshi scandalised, but Renuka says let's talk sex," IBNLive.com, July 17, 2007, Retrieved from http://ibnlive.in.com/news/joshi-scandalised-but-renuka-says-lets-talk-sex/45023-3.html.

nonsense that we don't need sex education. Our survey has shown that teenage boys are indulging in casual sex. Fifteen percent of total deliveries in India involve teenage girls". She warned that banning educational material would adversely affect poor students, who depend on schools to provide the right information. She went on to say: "If sex education is not imparted to children, they could make wrong decisions that could have an adverse impact on their future and health".[53]

A year later NACO published a teachers' handbook without explicit pictures or words like intercourse, condoms, and masturbation. The director, finding the issue too important to take a strident tone, thought the "middle path" adopted by NACO would keep the dialogue going. Thirty-three NGOs, who were involved with sexual rights, women's issues and HIV, reviewed the content and felt that the study material is out of sync with the reality of adolescence. So cagey is the text about offending sensibilities that the chapter on conception does not even mention intercourse. One NGO reviewer noted that the section on prevention of HIV transmission makes no mention condoms. Experts cite studies showing that adolescents are sexually active and contend that not talking about safe sex is irrational. Asking young people to abstain will make them curious and they will experiment.

Several prominent organizations have drafted a petition in which they provide ample documentary evidence and cite international agreements and rights, calling for "the urgent revision of the AEP (Adolescent Education Programme) curriculum on sexuality education for all children to be reflective of the 'best interests of the child' rather than proscribing narrow notions of morality, culture and tradition. This would be the first step in creating a comprehensive sexuality education that is gender-sensitive, age-specific and free from negative value judgments, which is essential to help young people lead lives free of fear, disease and violence, and to enjoy physical and mental health and

53 "NACO to review sex education material," IBNLive.com, July 19, 2007, Retrieved from http://ibnlive.in.com/news/naco-to-review-sex-education-material/39925-17.html.

wellbeing".[54]

Despite these setbacks, NACO reports that condom sales increased by five percent during the six months from April to September in 2008. This was attributed to an extensive mass media campaign to encourage discussion as a means of promoting condoms as a socially acceptable health product. TV and radio advertisements and a mobile ring tone to promote the concept of safe sex reached nearly 150 million adult men across India. Half a million people are reported to have downloaded this ring tone, which chants 'condom, condom, condom'. However, the director reported that the campaign to install condom vending machines at public places, including petrol pumps, subways and bus stops, was not as successful. She said: "We were a little mistaken in that effort. In our excitement we installed machines at places which were too public … For example, rather than installing the systems on the roadside, we should have done so in places like toilets to lend some privacy to a potential customer".

NACO is still wary of extending 'safe-sex' campaigns to include the gay community directly. The director said: "There is no point openly promoting the use of condoms by gays at present as it may provoke a backlash. We, however, work through a range of NGOs working on the ground which promote safe-sex for homosexuals".[55] Therefore, with condoms, it is one step forward and two steps backwards. Shifting policies in response to internal and external pressure and the continued reluctance to promote condoms undermine the development of a clear policy.

54 "Open letter on sexuality education." Retrieved from http://www.tarshi.net/programs/public_edu/open_letter_sexuality.asp.

55 "India plays it safe, condom sales go up," Press Trust of India, November 19, 2008. Retrieved from http://content.ibnlive.in.com/article/14-Nov-2008health/india-plays-it-safe-condom-sales-go-up-78181-17.html.

Viagra, generics and Ayurvedic medicines

The Google search engine brings up 63,000,000 hits for the word Viagra on the World Wide Web and 720,000 on Indian web pages.[56] This includes other not necessarily biomedical products such as Ayurvedic Nights and Vita Ex Gold. It is said to be the most widely advertised substance on the Internet, and the subject of a large proportion of spams. In 2005 Microsoft and Pfizer teamed up to file lawsuits against spammers as well as the companies they advertise, especially if they use the term Viagra in their domain name.

Virility, potency, energy, strong sex drive, and vigor are associated with sexual prowess as well as being potent in the sense of having power, or ability to influence. The capacity to achieve an erection or to reach orgasm is also seen as a symbol of manly courage and strength. Conversely, the term impotence not only indicates the inability to have an erection but also general powerlessness and ineffectiveness. The term erectile dysfunction, not having these connotations or symbolic associations, is patently a medical condition.

In keeping with the Ayurvedic concept of the importance of semen, men are concerned with sexual performance. Widely used is a preparation (called Vita Ex Gold) by a reputable Ayurvedic pharmaceutical company, Baidyanath. It is said to contain gold and silver *bhasma* (ashes) and fourteen potent herbs that "increase pleasure and heighten happiness for a longer period". It recharges, reactivates, and refreshes vitality and vigor. Male sex workers (*koti*) that we interviewed reported that they ask the clients they find attractive to take this preparation so that they can "enjoy" for a long time.

56 See Conrad and Leiter (2008) for a discussion on the similarities between direct to consumer advertisement for erectile dysfunction and the strategy adopted in the nineteenth century for the sale of patent medicine.

The information provided on the website is very much in the holistic Ayurvedic tradition. It emphasizes the psychological origin of sexual problems. It states that sex is an integral part of daily life (*dinacharya*). Frequency of sex depends on the constitution of the individual. The website recommends Vajikaran therapy (virilification), that part of Ayurveda that enhances male fertility and potency for more and better sex. However, it points out that any misuse of it may open up a deluge of emotional and psychological complications. For best results, it recommends that the partners should be physically, emotionally and spiritually involved with each other. Further, it explains that touch, smell, food, music and ambience play a vital role in developing, increasing and prolonging intimacy.

Premature ejaculation is identified as the most common problem that shortens duration of intimacy and hinders the couple from attaining orgasm. The most frequent cause of unsatisfactory erection or sexual deficiency is identified as psychological, though men are advised that pathological conditions need to be ruled out. It states that even after treatment the patient's self-confidence needs to be restored. It notes that with the current hectic lifestyle and advancing years, the male desire for sexual intercourse tends to taper off early and sexual intimacy tends to become unsatisfactory. Ayurvedic medicines can rectify this. Medicines are taken with fruit juice, warm milk, honey and other health enhancing substances.

Thus the medication is only a part of the strategy to improve and strengthen sexual function. In this view the problem is located in the person and the social situation. Before Viagra, in biomedicine, the problem was thought to be largely psychological and came under the purview of psychologists and psychiatrists. Physical interventions such as penile insertions and vacuum pumps were seldom used. In contrast, the current biomedical construction of erectile dysfunction pays little attention to factors that lie outside the body, as it is treatable with medication regardless of the cause, be it physical, psychological, interpersonal or familial (Potts et al., 2006:490). Its reductionist view of the body assumes that a healthy functioning male body must be capable of producing a normal erection

that delivers sexual satisfaction (via penetrative sex) to both the man and his partner.

Pfizer deemed 2005 as an opportune time to launch Viagra in India, after India signed various trade agreements and had to fall in line with the patent regime. Earlier Indian patent laws did not recognize product patents, only process licenses. Reverse engineering was used to develop different processes for producing the same product. Hence, generic Viagra (i.e. sildenafil citrate) produced by multiple cost based local and launched it in 30 cities. A tablet of 100mg was priced at about Rs.600, as compared to Rs.25 for the competitors was already present in the market. As India is considered to be a lucrative market, with an estimated 70–90 million men suffering from ED and market research suggesting an existing demand for ED medication in the grey market, Pfizer planned to convert this demand into sales of the original product.

Pfizer imported Viagra, with its distinctive hologram, from France and launched it in 30 cities. A tablet of 100mg was priced at about Rs.600, as compared to Rs.25 for the generic version. In spite of this higher price, Pfizer reported that sales in the first month far exceeded expectation and that it had succeeded in capturing 1.8% of the market, worth Rs.800 million (US$16 million). Pfizer's strategy was to promote Viagra to doctors (urologists, endocrinologists, psychiatrists and STD specialists) and to inform them that the drug was available at a chemist located close to their clinic/hospital. Sales were higher in top-rung cities, and there was hope that this strategy would 'yield more prescriptions in the ensuing years' in other cities as well. Pfizer's strategy was to educate men, potential patients, and doctors about ED, by distributing 'scientific' information, in addition tracking 750 prescriptions given by doctors. With initial success, Pfizer announced that it was confident of capturing 10% of the market within two years.

However, things have not gone well for Viagra in the Indian market. The company has been reticent about Viagra sales figures since March 2006. Local competition has been stiff, with the top three players controlling 65% of the market share. Apart from this, inexpensive counterfeit drugs have

also been packaged and sold as Viagra, and since 2007 growth of the ED market in India has been sluggish.

In a television program organized to mark the tenth anniversary of Viagra, panelists remarked that sexuality in India is either giggled about or frowned upon and that there are no mature debates on it. One asserted that sexual culture is related to youth culture and marginalizes adults – people over 45. That such adults could also want to enjoy a sex life is not even considered a possibility in mainstream society. A urologist agreed with this point of view. He remarked that patients intending to undergo prostate surgery, when warned that their sex life might diminish, said that they are well past that. "But we have to give them the message that it's not over, they are still young enough to enjoy sex," he said. "You've got to give the person a good, healthy life, not just treat their conditions", he explained.[57] Ironically, he added, thanks to the discovery of the correlation between erectile dysfunction and heart attacks, more and more doctors are getting involved in dealing with their patients' sexual histories. This account gives a good indication of Pfizer's market strategy and its attempt to redefine the sexuality of older men. Even though there have been several reports of deaths (109 in Britain) and other health problems related to Viagra use, the misuse of Viagra and the dangers therein have not entered the public discourse.

Viagra for women: new markets

More recently, sildenafil has been found to relieve antidepressant-related sexual dysfunction in women. Antidepressants that control the availability of the brain chemical serotonin are the most commonly prescribed drug for adults in the U.S., where an estimated 160 million prescriptions are written per year. It is estimated that 30 to 70% of women prescribed the drug subsequently suffer

57 "Viagra sales high but sex talk still taboo in India." CNN-IBN, March 24, 2008. Retrieved from *IBNLive.com*, http://ibnlive.in.com/news/viagra-sales-high-but-sex-talk-still-taboo-in-india/62128-17-single.html.

from sexual dysfunction and many stop treatment for this reason (Nurnberg et al., 2008).

It is interesting to examine how this study was conducted. A prospective, parallel group, randomized, double-blind, placebo-controlled, eight-week study, it consisted of 49 eligible patients in the experimental group who received sildenafil and 49 included in a control group who received a similar blue pill. Subjective perception of sexual desire, physical signs of arousal, enjoyment, changes in pain and discomfort and an unclear item termed "partner" were recorded. Women who took Viagra reported significantly more side effects than in the control group.[58]

Both groups improved but the reported change in the women taking Viagra was significantly more/better. It is not clear what this 'better' means, as the authors (Nurnberg et al., 2008) note serious limitations.[59] Yet the authors go on to conclude that it seems clear that effective evidence-based treatments for treatment-associated adverse effects can lead to improved outcomes for major depressive disorder and other conditions requiring extended medication treatment. It is stated that the study was supported by an independent investigator-initiated grant from Pfizer, Inc., which provided sildenafil and the matching placebo but had no other role in the study.

58 Headaches (43% vs. 27%), flushing (27% vs. 0%), transient changes in vision (14% vs. 2%) were more common in the experimental group, while nausea (16% vs. 2%) and anxiety (6% vs. 2%) were common in the control group.

59 'Lack of biological criteria for female sexual dysfunction, assessment instruments with high correlation, and use of analysis-of-variance models for samples assigning integers to ordinal categories of an outcome measure when the phenomenon in question has an underlying continuous scale' (Nurnberg et al., 2008: 403) as well as, reliance on scoring based on subjective responses to different questions for men and women, and the influence of the role of expectations, adverse effects, and treatment response on the outcomes.

Campaigns

Even after more than sixty years of freedom from British rule, the Indian middle class is still burdened by a Victorian puritanical outlook and morality. This colonial legacy, combined with reconstructed notions of the golden Indian past, has led to rejection of the plurality, diversity and syncretic nature of Indian society. The outspoken vocal group that is in the forefront of policymaking, planning and implementation has a disproportionate impact. The diversity of views held by the silent majority is masked. People hesitate to question, or to express divergent views for fear of being branded as immoral, unpatriotic or not subscribing to the Indian tradition. Space for dissension has reduced. At the same time, women are increasingly being educated, getting well-paying jobs, becoming more mobile, dressing differently, and being more assertive.

I would like to present a campaign that using information technology effectively, has rapidly mobilized an otherwise apathetic educated elite. First some background. Recently, women in a pub were attacked (beaten and some injured quite badly) in full view of the public and recorded by television cameras and broadcast to the whole nation a few hours after the incident. The police did not respond swiftly, and the women were blamed for being in the pub. The leader of the right wing group, Sri Ram Sena,[60] said that these women were not behaving the way 'good' women should, that they should have been at home learning to cook for their husbands. This group, like many others of the ilk, has been protesting against the celebration of Valentine's Day and the expression of love between people of the opposite sex. This year the group threatened to force unmarried heterosexual couples seen in public together to marry. In addition, women who were out on their own, especially if they were clothed in non-Indian clothes, were attacked. These attacks

60 Shri Ram Sena (SRS), founded in 2006, aims to organize–consolidate the Hindu society and build a Hindu Nation by preventing conversion to other faiths, and preserving religious structures and practices, as well as preventing adoption of a 'western/non-Indian' life style, safeguarding Hindu women. See the organisation website http://sriramasena.org/index1.html for further information.

seemed to have an ethnocentric element to them as well, as women who could not speak the state language were particularly targeted. In other areas, there have been attempts (threats and violence) to curtail interaction between youth of different religious persuasions. Conservative elements in all the religions are tacitly supportive of this action. The media coverage of these incidents labeled it as Talibanization. This caused more furor, with people protesting, perhaps rightly, that in a Taliban country such debate would not be possible.

A young IT professional formed a group with membership on the Facebook social network website. They called themselves The Consortium of Pub-going, Loose and Forward Women, thus effectively sabotaging the people who would potentially label them abusively. This subversive tactic has been used effectively by other stigmatized groups. They asked all those who did not agree with the action of the Sri Ram Sena to send pink chaddi (knickers) to the leader of the group on Valentine's Day.[61] The originator of the campaign, Nisha Susan, explained: "The chaddi is slang for right-wing hardliners (shorts are part of the uniform) and the saffron agenda, while pink stands for things that are frivolous. The combination is offensive" (Suraiya, 2009). Others have pointed out that pink also symbolizes love. It is also the symbol of the gay movement and stands for a 'soft' communist (not so red). The aim was to reclaim Indian culture one chaddi at a time.

The campaign has been surprisingly successful, over 800 having joined the Facebook group. Collection points were organized and people dropped off packages containing pink chaddi and valentine cards. The campaign caught media attention and received wide publicity. Even older women and men who would probably never go to a pub joined. Some said that they feared what would happen to their daughters in future, and this motivated them to participate. The Ram Sena did not appreciate being ridiculed and predictably labeled the campaign as being un-Indian and not

61 Many have criticized the commercialization and commoditization of days, including Valentine's Day. The Hindu right wing views it as an imposition of Western culture.

befitting Indian women. As a follow-up, to highlight the diversity and beauty of Indian culture, the campaign is asking Indians to make short videos of what they think of Indian culture. These videos will be hosted on You Tube.

The Alternative Law Forum (ALF),[62] which has been at the forefront of fighting for rights, including those of the sexual minorities, has started another campaign called Fearless Karnataka. It is working towards reclaiming lost spaces – Take back the night, take back the street. It is organizing to protest against these incidents, showing solidarity with the 'victims' and raising public awareness by involving bystanders. And, the People's Health Movement[63] has brought together a wide coalition of marginalized groups to contribute to the gender and health section of the People's Health Manifesto 2009, Health for All Now. The manifesto has come out just in time for the Indian general elections. Demands include:

Gender and Health

- Abolish all coercive laws, policies and practices – including the two-child norm – that violate the reproductive and democratic rights of women.

- Stop coercion in the use of contraception; make user-controlled contraceptives available.

- Ensure safety, transparency and accountability in all clinical trials, and guarantee that the post-trial benefits of research are made available to women, even from marginalized groups. Ensure

62 ALF started in March 2000. It is run by a collective of lawyers who recognize that the practice of law is political and that there is a need to address social and economic injustice, and who believe that there is a need for an alternative practice of law. For more details, see http://www.altlawforum.org/.

63 The PHM is a global network of grassroots health activists, civil society organizations and academic institutions from 70 countries, particularly from low- and middle-income countries. http://www.phmovement.org/.

disclosure of funding and of potential conflicts of interest in all clinical trials, medical research and publications.

- Make mandatory the inclusion of women's organizations and women's health advocates on ethics committees, from the national to the local and institutional level.

- Recognize violence against women as a public health issue and ensure provision of necessary services. Ensure prosecution and conviction of violators of the Prevention of Domestic Violence against Women and Girls Act, as well as the Pre-Conception and Pre-Natal Diagnostic Techniques Act.

- Include the topics of 'Violence against women' and 'Sexuality and gender' as part medical and paramedical curricula to equip medical professionals to deal in a sensitive manner with survivors of violence, including domestic violence. Train forensic experts on the social aspects of sexual assault and rape as well as the collection and retention of proof in cases of individual or mass sexual violence.

- Repeal Section 377[64], concerning 'unnatural offenses,' of the Indian Penal Code, and other laws, policies and practices that discriminate on the basis of sexuality.

This manifesto is being distributed to all the political parties and their endorsement is being sought.

64 In a historic judgment the Delhi high court, in July 2009, 'read down' this section as it went against the fundamental rights of citizens.

The condoms and Viagra paradox

It is easy to note the differences between condoms and Viagra. Condoms have been around for a long time, they are, essentially, mechanical devices, and they are not glamorous. Condoms also have negative association with sexually transmitted diseases, and relationships outside marriage ('illicit relationships'). Condoms are for prevention and not pleasure. Although condoms help to prevent conception and sexually transmitted infections, the dual use is not emphasized. Viagra (or Viagra clones), on the other hand, promises pleasure, increased self-esteem, an improved self-image and magical swift action. It is backed by slick advertising and marketing. It is prescribed by doctors whose authority over the sexual domain is deepening and is increasingly unquestioned. In other ways, too, the nature of condom use and Viagra is essentially different. For condoms to work, they need to be used correctly and consistently. Such consistent behavior needs support and reinforcement, which is sadly lacking. Correct and consistent use of condoms needs the partners to be able to talk about sex, to discuss and negotiate. This would mean an equal relationship. Unfortunately this is often not the case.

The persistence of Victorian morality among the Indian middle classes who have disproportionate influence on policy formulation and program implementation has greatly hampered the propagation of condoms. Policies in 'developing' countries are also greatly influenced by other agencies such as The World Bank[65] and the IMF, and the process of globalization that transforms national institutions may be seen as a form of neocolonialism. This is visible in the condom debate, the policies made by PEPFAR and the pressure on India to change its patent laws and comply with the international patent regime.

65 World Bank policies have been largely responsible for the dismantling of the Indian public health system.

There is also a conflation of science and religion, as seen in the propagation of Vedic sciences (which are distinct from scientific discoveries made in India) and the recent pronouncements by the pope on the inefficacy of condoms in curbing the spread of HIV in Africa. This was evidenced by references to an opinion piece published in the *Washington Post* by the senior research scientist of the Harvard School of Public Health, Edward C. Green (2009), entitled, 'Condoms, HIV-AIDS and Africa – The Pope Was Right.' Green's statements on the ineffectiveness of policies promoting condoms in countries with a generalized epidemic, where their use is often inconsistent, are nuanced and couched in caveats. However, the readings of his article in the media, particularly those affiliated to the Church, have been totally anti-condom. After quoting Green, The Catholic Secular Forum makes this observation: "If condoms were the answer, then why is it that New York City, which under Mayor Michael Bloomberg has given away tens of millions of free condoms, has an HIV rate three times the US national average? Furthermore, the promiscuous distribution of condoms in New York has coincided with a spike in sexually transmitted diseases of all sorts".[66]

As for Viagra, it is not doing well in the Indian market, despite the new regulations. Generic sildenafil as well as Ayurvedic and other preparations are able to fare better. It is ironic that after the global economic meltdown, India was the lone voice rooting for 'free trade,' while the countries that had hitherto advocated the free market and privatization were firmly for protectionism and government regulation. A new world order seems to be developing.

66 The Catholic–Christian Secular Forum, 'Movie Angels & Demons, 2 Lac Missing Christians, Pope on AIDS, Hindutvawadi, Molestation …,' Public statement, March 26, 2009. www.thecsf.org.

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Reflections on Digital Information and Communication Technologies, Gender and Sexualities in Asia

Michael L. Tan

Introduction

This paper will present an overview of issues related to gender and sexualities in an age of digital ICTs (Information and Communication Technologies), referred to by the futurologist Alvin Toffler (1980) as the third wave of societal development, following the agricultural and industrial revolutions. The article is divided into three parts. The first offers an explanation of the theoretical framework used in this paper. The second provides a historical review of information media in general, leading to the current digital revolution, and presents some statistics on the reach of digital ICTs in Asia. In the final section, I describe distinctive characteristics of digital ICTs that have implications for the area of sexuality and move on to focus on their space-making functions and interactions, as they relate to gender and sexualities.

Much has been written about the digital revolution but there seem to be different worlds in the academy, each dealing with the topic from particular perspectives. Even within the social sciences, different analytic approaches to the topic prevail, depending on the field: sociology, anthropology, political science, or media studies. Each too has its own jargon, of sampling and bits (and bytes) and packets, of CMC (computer-mediated communication) and SCSSK (sociology of cyber-social-scientific knowledge) (see Hine, 2005, p. 9).

In writing this piece, I had to go through some of the technical material explaining some of the intricacies of digital technology, and then wade through media studies, before coming to the emerging field of virtual ethnographies. To begin the discussion, it is worth revisiting the work of Marshall McLuhan, known for his analysis of mass communications and modernity and also for sharing a view that technologies constitute social relations. McLuhan proposed that "the medium is the message", meaning that while a technological medium may itself carry no message, its transformation of space and time shapes people's perceptions of the world and the way they structure their social relations. McLuhan's examples of the importance of the medium included the differences between watching a movie on television and watching it in a theater, as well the difference between listening to and reading the news. Today, we could reflect on the implications of people requesting particular newspapers, for example the *New York Times*, through email alerts on very specific news articles.

McLuhan's first book, *The Mechanical Bride: Folklore of Industrial Man*, published in 1951, already alluded to sexuality, with some interesting insights into how his own conservative Catholic background had shaped his views. Analyzing 60 print advertisements, he concluded that the human body had been transformed by these ad campaigns into "a sort of love machine capable merely of specific thrills", arguing that "this extremely behavioristic view of sex … [reduced] the sex experience to a problem in mechanics and hygiene" (p. 99). McLuhan's later work had a more optimistic view of the power of mass communications, with an interest in developing taxonomies of mass media. McLuhan looked into the space- and time-biases of various media, which, he contended, depended on their portability. For example, what he called a light information medium such as paper was important for the administrative functions of bureaucracies, reflecting a bias toward space with its portability, but having the disadvantage of deteriorating rapidly. Time-biased media, on the other hand, were based on more durable media (e.g. text etched in stone) and were more useful for preserving and propagating religious doctrines. McLuhan also developed a taxonomy of "hot" (intense media, like cinema, which tends to create passive consumers) and "cold" (more interactive) media. McLuhan

died in 1980, right at the threshold of the era of personal computers, but he had already taken notice of the emerging electronic media.

While McLuhan has been accused of technological determinism, his work resonates in this era of digital ICTs, particularly in the way these technologies have allowed people to reconfigure not just space and time, but their social relations and personal identities. He is certainly not the only theorist to have underscored the strong role in society of communications technologies. Benedict Anderson's (2006) classic, *Imagined Communities*, describes the seismic societal transformations that print technologies heralded. Specifically, he refers to how the invention of the printing press and the circulation and consumption of printed material facilitated "print capitalism", which meant that more people could have their own copy of the Bible in vernacular languages. This meant that they could reflect on and question Catholic religious leadership and its monopoly of the interpretation of scripture. Anderson also describes how the mass circulation of newspapers in the 19th century collapsed spatial distance, permitting the consolidation of national identities as "imagined communities".

The digital ICTs open a window onto certain dilemmas raised by modernity (and postmodernity) in relation both to structure and agency, technologies and technological media. We are coming to a better appreciation of the work of Anthony Giddens (1986) on modernity and structuration, and Arjun Appadurai (1996) on globalization, global ethnoscapes and global imagination. Finally, given the many powerful metaphors of digital and virtual realities, and our interest in a dialogue on geopolitics, Marc Auge's (1995) work on spaces and places and non-places becomes all the more relevant.

Together then, these various social theorists allow us to navigate the digital sexual landscapes in a way that goes beyond traditional phenomenological studies of texts (which in fact Appadurai is sometimes prone to), with their often disembodied and depoliticized focus on meanings, and beyond

accounts informed by classical political economy, which tend to look at mass media mainly in terms of ideological hegemonies in capitalism, manipulating passive consumers.

A timeline

Kalus Bruhn Jensen proposes a framework for looking at the development of media, referring to them in terms of 'degrees' (2002, pp. 3–4). The framework lends itself well to a historical review. Jensen defines media of the first degree are "… biologically based, socially formed resources that enable humans to articulate an understanding of reality, for a particular purpose, and to engage with others in communications about it". These include verbal language, song, musical expression, dance, drama, painting, and creative arts. Social interaction occurs, but it is limited to small groups or communities.

Media of the second degree are "… technically reproduced or enhanced forms of representation and interaction which support communication across space and time, irrespective of the presence and number of participants and include printed materials, cinema, [and] television". Interaction is limited, with a passive recipient (reading, watching a movie) although the telephone, technically a medium of the second degree, was one important exception. Analogue recording media developed across time to produce high-quality recordings, but this depended on capturing large amounts of 'data' (sound waves, for example), which had the disadvantages of needing large storage media, and erosion with each re-recording. These media did allow some play with reality in the way images and sounds could be edited and retouched.

Media of the third degree include "…digitally processed forms of representation and interaction which reproduce and recombine previous media on a single platform". They are highly interactive and allow much re-representation. Data – text, sounds, colors – are converted into numbers (digits) which can be packed for rapid re-reading (or sampling), reproduction and dissemination.

The digital revolution is usually dated to 1947, when the transistor was developed, paving the way for digital computers. Through the next two decades, many small but important discoveries – integrated circuits, the Intel chip, the mouse, floppy discs, even Spacewars, the first computer game – paved the way for an explosion of digital technologies. In 1969, Arpanet – the predecessor of the Internet – was developed to facilitate communications between computer networks. Microsoft and Apple Computers were formed in the 1970s.In 1979, IBM introduced its first personal computer (PC), and in the 1980s, PCs (IBMs and clones) became commercialized. The 1980s also saw software such as Lotus 1-2-3 and Microsoft Word, as well as other digital technologies, from Swatch watches to the first handheld mobile phone.

The 1990s and the 2010s and beyond have seen continuing explosive expansion of the Internet and the World Wide Web with all its derivatives: blogs and social networking sites. The last decade has also seen the rapid development of greater access to personal computers and laptops, as well as ever more sophisticated mobile phones, digital cameras, video recorders, and MP3 players.

Digital ICTs are still built, and are partly dependent, on older information technologies and media. For example, broadband Internet connections are still largely dependent on fixed telephone lines. However, they have taken radical new forms, allowing an interrogation of the very concepts of "information" and "communication". The new forms come about as these technologies converge. Cellphones, for example, now have Internet capability and incorporate digital cameras and audio players/recorders, while the Internet allows for the transmission, and reproduction (often illegal) of data captured through these digital technologies. Digital technologies have also allowed more reproduction and distribution of older analogue products, an interesting example of modernity riding on nostalgia as old movies, old songs, and old photographs are restored and re-stored.

The speed with which digital ICTs have penetrated developing countries has taken many by surprise. The International Telecommunications Union's 2009 yearbook notes that:

> In the developing world, mobile phones have revolutionized telecommunication and have reached an estimated average 61 percent penetration rate at the end of 2008 – from close to zero only ten years ago. This is not only faster than any other technology in the past, but the mobile phone is also the single most widespread ICT today. The number of Internet users, on the other hand, has grown at a much slower rate, in particular in the developing world, where at the end of 2007 only 13 out of 100 inhabitants used the Internet. Fixed Internet access in developing countries is still limited, and, where available, often slow and/or expensive. High-speed (broadband) connections are rare and mobile broadband, while increasing steeply in high-income countries, is still insignificant in most developing countries. (International Communication Unit, 2009, p. IV)

Table 1 provides statistics on ICTs from Asia, with the leading developed countries included for purposes of comparison. Asia provides an interesting case for study because quite a few countries have leapfrogged into the digital age – many countries now have more cellphone subscribers than fixed phone lines – with some countries (e.g. South Korea) faring better now than many developed countries in terms of digital ICT coverage and access. The percentages for digital penetration may be small but because Asia's population is so large, these percentages convert into large absolute numbers. China, for example, has an estimated 200 million Internet users, while Vietnam had, as of the end of 2007, 24 million mobile cellular phone subscriptions (International Telecommunications Union, 2009, pp. 5–6, 31).

Table 1: ICT penetration in selected Asian and developed countries, 2008 and 2010

COUNTRY	Mobile Cell Subscribers (per 100 inhabitants)		Percentage of households with Internet	
	2008	2010	2008	2010
Cambodia	30.7	57.7	0.2	0.4
China	48.3	64.0	18.3	23.7
Hongkong, China	167.2	190.2	70.9	75.7
Indonesia	59.8	91.7	1.9	3.9
Korea (Rep)	95.5	105.4	94.3	96.8
Japan	87.2	95.4	79.8	85.4
Lao PDR	33.6	64.6	2.1	3.4
Malaysia	100.8	121.3	21.1	25.1
Philippines	75.5	85.7	7.2	10.1
Singapore	134.4	143.7	76.0	82.0
Thailand	90.6	100.8	8.6	11.4
U.S.	85.7	89.9	63.6	71.6
U.K.	125.2	130.2	71.1	79.6
Vietnam	87.1	175.3	4.9	8.1

Source: International Telecommunications Union (2011).

Also important is the way the ICT sector itself has become globalized, especially since 2002, from software development to the manufacturing of hardware, all the way up to the operation of call centers, so that the ICT sector is now a vital part of many Asian countries' economies.

Digital ICTs and digital spaces

The revolutionary potential of digital ICTs draws from several distinctive and common attributes.

- First, digital technology has meant greater reproducibility, with large amounts of information packed into smaller and smaller media, without losing fidelity or quality.

- Second, digital technology is marked by its ease for and versatility in sharing and dissemination, including the options of going from one-on-one to many-to-many connectivity, and the many peer-to-peer file-sharing functions.

- Third, digital technology, being easy to reconfigure, recombine and/or re-embed, is highly flexible.

- Fourth, digital technology is relatively accessible. While many of the computers and gadgets are expensive, costs have been dropping quite significantly over the years. In addition, Internet cafes allow even low-income individuals to access the Internet at extremely low costs.

- Fifth, digital technologies allow for autonomy and decentralization with reproduction and distribution, often in the privacy of the home.

- Sixth, digital technologies allow for relative anonymity.

- Note how these attributes allow us to revisit McLuhan's contentions about media shaping society, even while rendering their taxonomies obsolete. Multi-platform, multi-media, these digital ICTs transcend both space and time.

These attributes have allowed digital ICTs to become more than information media. Instead, we speak now of digital ICTs as constantly growing potential spaces, albeit "virtual", "hyper real" or even "non-places", which I have broadly categorized into seven types, and to which we can apply McLuhan's insights into socially constituted and socially constitutive spaces. (I invite others to come up with more metaphors besides the "information superhighway" to describe the digital spaces and places.)

1) Libraries. Sites for information. Given the digital ICTs' characteristics, we speak here of large amounts of information now becoming more accessible either through facilitated searches (search engines) or by simply being accessible through a computer. Digital ICTs have allowed a customization of information, people now choosing what they want. The potentials are tremendous for education, information and advocacy around reproductive and sexual health. This can range from vital biomedical information about contraception and abortion to explanations of homosexuality and other issues around which there is stigmatization or socially-imposed silence.

I use *libraries* here loosely. The idea of private electronic libraries is also important, with its tensions between privacy and disclosure. If in the real world people keep *dirty drawers* of porn and sex toys, folders in computers can be *secret* places for *sexy* materials, materials produced on something as basic as a digital camera embedded in a mobile phone.

2) Recreational sites. The entertainment aspect of digital ICTs cannot be overestimated. Internet cafes cater more to these recreational demands than to educational needs, in activities from downloading MP3 music files to gaming. There has been an explosion in the availability of videos, including previously banned films with sexual themes, escaping censors and becoming readily available at extremely low costs. Appropriately, the regional dialogue is being held in Hanoi, where tiny DVD shops can yield films ranging from those of the Spanish filmmaker Pedro Almodavar to Japanese hentai (anime pornography) and even an occasional Filipino independent film like *Ang Pagdadalaga ni Maximo Oliveros* (The Blossoming of Maximo Oliveros), about a transgender child growing up in an urban slum area with a family of cellphone snatchers, while struggling through first love, the neighborhood policeman.

I intentionally chose the term *recreational* to highlight the way these electronic spaces are entertaining as well as re-creational (and re-presentational) in selective ways, a particularly important dimension in considering sexuality. Recreational spaces are most intriguing in the way they let loose the

surreal and the fantastic (as in fantasies), a point to which I will return later when discussing digital spaces as platforms for performance.

3) Socialization. Digital ICTs allow socialization that defies physical borders and, more importantly, that is able to overcome social strictures and inhibitions. At the most basic level, mobile phones, email and, increasingly now, VOIP (voice over Internet protocols) have revolutionized communications and the meaning of "being in touch". As part of its marketing, Skype flashes on the screen how many other users are online. While I was using Skype on April 8, 2009, the numbers ran from 8 to 15 million.

Other Internet sites further expand the potentials for socialization, explicit about possibilities for partnering, from cruising to non-sexual 'dating' (including as a prelude for actual physical dating or eyeballing), to sexual activities (audio or audio-visual). Again, the numbers can be staggering. On March 21, 2009, Planet Romeo, an international gay site, reported the following number of posts:

Planet Romeo postings, statistics posted March 21, 2009	
Europe	607.936
Asia*	260.352
North America	75.537
Africa	14.259
South America	12.430
Middle East	7.193
Australia	7.174
Central America	2.566
TOTAL	987.447

* For Asia, the Philippines accounts for 133,545 posts, compared to Vietnam with 760 and Afghanistan with 74.

4) Social networking. The term "social networking" is used to describe sites like Friendster, MySpace, Orkut and Facebook. I use social networking here as distinct from socialization. Social networking has a more deliberate organizing component that goes beyond dyadic social relations. Social networking is particularly important for organizing people around common interests, as well as in the building of identities around gender and sexualities. The number of groups that have sprouted is amazing, including intersex people, transsexuals, and many "sexual minorities" or even "sexual outlaws".

Social networking sites allow people to acquire hundreds of friends. In relation to gender and sexuality, the social networking sites may be more circumscribed, but are still significant, and some sites that cater to specific sexual minority populations can become highly segmented, allowing subgroups to form around specific interests, from sexual fetishes to pets to religion.

In countries like the Philippines and Indonesia, mobile telephony remains a major channel for social networking. In the Philippines, *clans* that take on the nature of a fraternity/sorority, with up to a hundred members, have been built through random dialing of numbers, and then snowballing through the new contacts. The clan members meet up physically, and allow for new friends beyond the immediate geographical neighborhood.

5) Marketplaces. E-commerce has opened many new possibilities in terms of access to sexual materials, from pornography to sex toys to academic materials to Viagra and Cialis (which seem to form the bulk of spam solicitations). Although access to foreign exchange is still restricted in many countries, E-commerce has developed rapidly and it has become easier now to obtain materials that were once heavily restricted. Digital technology allows potential buyers to overcome many of these restrictions, starting with initial "browsing" or "shopping". Even in relatively liberal societies that have sex shops, entering the store may be considered embarrassing so online shopping opens new possibilities. E-commerce has also allowed access to lifestyle pharmaceuticals, sex toys, books and

videos.

E-commerce has also expanded the possibilities for sex work, from the more traditional forms with agents or pimps processing bookings, to autonomous sex workers now advertising openly.

6) Platforms for performance. Digital spaces and technologies allow a reconfiguration of the self and of one's private lives, of communities, and of what Appadurai (1996) calls "imagined selves, imagined worlds" (p. 3). Socialization and networking in digital spaces hinges now, not on *presentation* but on re-presentation and performance. Suddenly, for example, every other gay Filipino male presents himself as 'bisexual,' 'discreet' and 'masculine' because these are perceived to be desirable traits among men who have sex with men.

There are other implications for gender and sexuality that may not be as apparent but are important as well, especially as we look at lived sexual lives, from the little lies around one's physical location (a theme that has made it into Thai and Filipino rap songs, of the feckless husband lying to the wife on a cellphone) to the reinvention of self on MySpace.

Performance allows other digital spaces to be constantly recolonized and reculturalized, allowing an explosion of digital fantasies, from strippers on one's desktop to webcam-facilitated cybersex. In the Philippines, there have been at least two instances where police raided Internet cybersex shops, with transvestites presenting themselves as female-bodied women to entertain heterosexual Korean clients.

7) Political arenas. To a large extent, all the previous 'spaces' that I discussed have characteristics of social arenas. Digital spaces are forums for expression, and for contestations of those views. Blogs and chat rooms, even in sites for dating and cybersex, are also active with chatters, discussing everything from sexual fetishes to national politics. Sites can be subversive, allowing prohibited images, and ideas to be reproduced and disseminated.

I will return to the discussion of politics and political arenas, but want to emphasize here that the taxonomy I present is in a sense artificial because digital spaces are often contemporaneous hybrid or 'mestizo' spaces (Auge & Jacobs, 1999), used at once for recreation, political expression, and socialization.

It is also important to remember that digital spaces, for all their hyper real attributes, are still linked to the physical world. In fact, the power of digital spaces lies not just in simulation of the physical, but in attempting interfaces. This has been particularly important in the area of cybersex, with attempts to conflate the virtual and the real with gadgets and devices like the cyberdildo (a USB interface dildo, used while watching porn).

The politics of digital spaces

Christine Hine (2000) suggests three possible ways of looking at the Internet, which could well apply to an examination of the actors and stakeholders in digital ICTs. First, we could look at these technologies as a logical upshot of modern society preoccupied with rationality and control. Toffler's description of a third wave for humanity does in fact recognize how, in industrial society, information needs to grow for the military and corporations along with the need to organize and access this information more efficiently. Some questions do revolve around political economy. Who controls information and information flows, and for what purposes? Certainly, digital spaces often end up maintaining if not amplifying the status quo, reinforcing essentialized, medicalized, and commodified sexualities and further privileging men in terms of access to these spaces.

Other sexual ideologies are reproduced through the gendered spaces of digital ICTs. For example, the re-presentations of self on Internet sites may conform to perceived norms and explicit rejections of certain physical types such as, among gay men, *uglies*, *fems*, and *fatties*. Often, too, the rejection

of physical types carries elements of class discrimination. "No *fems*", for example, is actually a rejection of lower-class transgender people.

A second view Hine proposes is that of digital ICTs as "embodiments of a postmodern mode of (dis) organization, with fragmentation of science, religion, culture, society, self". This "postmodern" view could look at the digital frontiers as areas of refuge and growth for diverse ideas and identities, as spaces that do not define some as sexual minorities or sexual outlaws. Conservatives, regarding such possibilities as modernity leading to moral decay, respond with moral panic, embodied in stricter rules and laws Finally, and this view overlaps with the second, digital ICTs could be looked at as "agents of radical changes in social organization" (p. 2). Information and information flow are important, as are spaces for talking, and talking back.

How might we go about studying the politics of digital spaces? Drawing on Keith Grint and Steve Woolgar (1997), Hine (2000, p. 6) de-emphasizes attributes of technologies as shaping or determining forces and suggests instead that we look at the Internet both as a cultural artifact (i.e. a product of culture) and as a space where culture is being formed and reformed. She also emphasizes the need to examine the social processes involved in the digital ICTs raging from the design of their technologies to Internet's architecture and to actual utilization.

Some of the methods for looking into these digital spaces come from traditional media and communications research. There is content analysis, looking at representations in the texts and images of the digital jungle. There can be discourse analysis, looking at who is saying what, and to whom, although the digital ways of expression may be very different. Links on a website, for example, speak of who someone, or an organization, might be, and its interests. The Catholic Bishops Conference of the Philippines (CBCP) has a website with links to conservative causes, for example, a piece that talks about homosexuality being caused by a "weak or absentee father and

dominant or overindulgent mother".[67]

There are also "big picture" analyses. State, supra-State and non-state actors recognize the power of the digital ICTs and their spaces. Classical political economy focuses on the hegemonies, with concerns over the reproduction of First World colonialism through digital spaces, as well as the political economies of media control through the big five: Time Warner, Disney, NewsCorp, Viacom and Bertelsmann (Bagdikian, 2004).

Digital ICTs have also sparked conservative reactions as well as social and moral panics. These institutional responses are important to document. For example, as early as 2001 the Catholic Church in the Philippines produced its own Internet filtering mechanism with prepaid Internet cards. Entry into an X-rated site brought up a warning message and a block. The business, however, went into bankruptcy the following year.

Even earlier, in 1997, China's State Council passed a Computer Information Network and Internet Security, Protection, and Management Regulation, with Section 5 providing for very specific prohibitions: "No unit or individual may use the Internet to create, replicate, retrieve, or transmit the following kinds of information". Included were such prohibitions as "inciting to overthrow the government or the socialist system" as well as 'promoting feudal superstitions, sexually suggestive material, gambling, violence, murder".

Moral panics have taken numerous forms. In the United States, public attention in recent years has focused on *sexting*, where young people send photographs of themselves to friends through mobile phones (Gibbs, 2009). An even more controversial development was the case of a 14-year-old

67 http://cbcpforlife.com/?p=8372, Accessed February 1, 2013.

American girl charged in March 2009 with distributing pornographic materials. The materials were photographs of herself naked, which she posted on her Internet site. The debates here resurrect many old issues around civil liberties and the very definitions of obscenity and pornography. The following passage from a National Research Council study (conducted by a Committee to Study Tools and Strategies for Protecting Kids from Pornography and Their Applicability to Other Inappropriate Internet Content) reflects old debates on what constitutes obscenity:

> Extreme sexually explicit imagery to create sexual desire on the one hand, and responsible information on sexual health on the other, are arguably unrelated and, many would contend, easily distinguished. But much content is not so easily categorized. While some extreme sexually explicit material meets legal tests for obscenity (and therefore does not enjoy First Amendment protection), less extreme material may not – and material described in the previous paragraph, lingerie advertisements, and models in swimsuits generally do enjoy First Amendment protection, at least for adults and often for children [Section 7.3]. In short, sexually oriented content that falls outside the realm of extreme sexually explicit imagery is likely to be the source of greatest contention, and there are arguments about whether such content would be subject to regulatory efforts aimed at reducing the exposure of minors to material that is or may be sexual in nature [Section 7.3]. (Thornburgh & Lin, 2002, p. 5)

Some of the moral panic draws from old social phobias, as in the Religious Right's tirades against homosexuality and homosexuals, while other dimensions respond directly to digital representations, as with recent fears over *sexting*. But the e digital chattering often also reflects the intersecting effects of class, race, ethnicity and gender. One example is an extended discussion that began with the murder of a young man in California, which brought out tensions around masculinities, Asian-ness and race.[68]

68 http://www.topix.com/forum/oakland/TKV3FNPVDE17SO5JB.

Many governments, as well as non-State actors such as religious bodies, face dilemmas, wanting to tap into digital ICTs, their potentials, their symbol value as markers of modernization and progress, but they also fear their destabilizing potential. We thus have the paradox of a country like China, where the government is actually wiring households for high-speed Internet access, and yet needs to bring in "information purifiers" to filter the Internet.

Future spaces and places

While it is important to look at the social dynamics surrounding moral panics, it is equally important to consider how Internet users themselves develop their own "street-smart" cybersex networks, including degrees of self-regulation for safer networking. This means going to the level of individuals and small groups, to explore how Internet cruisers see themselves and their risks. As one contribution to the anthology *Sex-word Memoirs on Love and Heartbreak* summarized so well: "If I get Chlamydia, blame MySpace" (Slocum, 2009).

For all the fears of an Internet-induced STD epidemic, we might lose sight of how the Internet could in fact create, in some instances, "virtual virtue and sex discarnate" (Levinson, 1999, p. 57), of how "virtual" sex allows a safe (and relatively chaste?) distancing of bodies. This puts McLuhan on his head, the master of modern mass communications actually fretting at one time about "discarnate man … relieved of all commitments to law and morals". Almost tongue-in-cheek it seems, Levinson talks about the relative chastity: "… as long as online angels take care not to jeopardize their status by falling offline, or coming to Earth to confirm or extend their relationship in the real, palpable world" (p. 60).

Virtual ethnographies need not be elaborate exercises in discourse analysis. Even casual surfing of the Internet will show how digital or electronic spaces reinforce older concepts of gendered spaces,

for example, 'female' sites devoted mainly to housekeeping and 'male' sites to cars and gadgets. De Certeau (1984) reminds us that "spaces are a frequented place," where there is an "intersection of moving bodies". Ultimately, it is important to look at how virtual spaces 'converse' with embodied places. There is in fact a whole field of cyberdildonics attempting to link the virtual and the physical to enhance sexual experiences, for example, dildos hooked up to the computer through the USB port so it can be remotely operated while watching porn.

The interfaces between the virtual and the "real" spaces are strongest for socialization. Some electronic chatting eventually leads to "eyeball" encounters, for actual physical interaction. Its links to sex tourism have been described in the Philippines, where a Filipino may have contacted potential sex partners in Thailand long before an actual visit (Dalisay, Tan & Ting, 2007). It is important as well to look at the physical "bricks-and-mortar" structures that have grown around virtual worlds, such as Internet cafes, which have become so important in developing countries. Internet cafe clients tend to be young males who use the spaces for gaming and socializing. In a way then, the Internet and Internet cafes become sites for male socialization and the reproduction of male ideologies, while excluding females (simply because more of the clients are males). One could look too into the gendered breakdowns in the ownership of personal and laptop computers and mobile phones.

Finally, some very real physical establishments are involved in the production and distribution of sexuality-related digital products. The networks for DVDs, with their many sexually explicit titles, need to be analyzed: who determines which titles and genres are to be produced and how are these consumed? I am also fascinated with the places where these DVDs are sold: in Manila, it is in Quiapo, in a predominantly Muslim district, in the shadow of a mosque and a Catholic basilica.

The growing interest in social justice and sexuality (Correa, Petchesky & Parker, 2008) means that we must deal as well with the continuing digital divide, not just among but also within countries. The ITU report (2009: 18) highlights two important features that affect ICT use: an ICT price basket, and

something as basic as literacy. Without basic literacy, even the cheapest ICT would be useless. And in countries with fairly high literacy, as in China and the Philippines, even relatively low ICT cost may limit access to the internet. One could argue about the impact of this digital divide. On one hand, it could mean depriving people of alternatives in relation to gender and sexualities. On the other hand, it could also mean people not becoming trapped by the increasingly globalized essentializing of sex and sexuality.

One should revisit, too, many of the assumptions about communications and information that are too quickly transferred into digital ICTs, for example, the assumption that the Internet amplifies the exploitation of mail order brides. Constable (2003) provides an interesting challenge to this, showing agency and negotiations in the Internet correspondence between potential brides and grooms. We are challenged to explore and to map the digital world, yet one is reminded of Jean Baudrillard's comment (1995) that "the territory no longer precedes the map, nor survives it" (p. 1). Even as we map the digital, the territory changes, morphs, mutates.

To give one concrete example, we might want to look quickly at how digital ICTs affect Filipino overseas workers, some 9 million of whom are spread throughout the world. What do the digital ICTs mean for them? Is "being in touch", including cybersex, sufficient to keep them faithful to spouses or partners left back home? What new tensions emerge with the use of digital technologies? For example, there has been some discussion of cybersex being sinful. An article on cybersex appearing in *PC Magazine* in 2001 made reference to the Catholic view: "To remove all murkiness, the church ruled recently that carnal e-mail and illicit online relationships are sins. Virtual reality can be just as much a vice as a reality made up of facts and actions" said Reverend Antino Sciortino, editor of *Famiglia Cristiana* magazine (Behr, 2001).

Sonia Correa, Rosalind Petchesky and Richard Parker (2008) refer to the brave new world of sex in late modern capitalism, marked especially by an "explosion of intimate possibilities" (p. 20). Many

more exciting developments are likely in the future in this multi-terrain, multivocal age of digitalized bodies, senses, fantasies and desires, wired and lived.

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Profile of editors and contributors

Editors

Sonia Corrêa has a degree in Architecture and a post-grade in Anthropology. From the 1970´s on she has been involved in research and advocacy activities related to gender equality, health and sexuality. Since 2002 with Richard Parker, she co-chairs Sexuality Policy Watch (SPW. She has extensively published in Portuguese and English. This list includes, among other, *Population and Reproductive Rights: Feminist Perspectives from the South* (Zed Books, 1994) and Sexuality, Health and Human Rights co-authored with Richard Parker and Rosalind Petchesky (Routledge, 2008). She has also lectured in various academic institutions.

Rafael de da Dehesa completed his doctorate in Government at Harvard University. He is currently an Associate Professor of sociology at the City University of New York (Graduate Center and College of Staten Island). He has conducted research for a number of years on LGBT activism in Latin America and is the author of *Queering the Public Sphere in Mexico and Brazil: Sexual Rights Movements in Emerging Democracies* (Duke University Press). His current research explores sexual rights movements' engagement with public health systems in the region. In this volume he also co – authors with Mario Pecheny the chapter *Sexuality and politics in Latin America: An outline for discussion.*

Richard Parker is a medical anthropologist, whose research focuses on the social and cultural construction of gender and sexuality, the social aspects of HIV/AIDS, and the relationship between social inequality, health, and disease. He currently teaches at Department of Sociomedical Sciences in the Mailman School of Public Health at Columbia University in New York City and is also the president of f the Brazilian Interdisciplinary AIDS Association (ABIA) in Rio de Janeiro and THE co-chair of Sexuality Policy Watch. The list of his major publications includes *Bodies, Pleasures and Passions: Sexual Culture in Contemporary Brazil* (Beacon Press, 1991), *Sexuality, Conceiving Sexuality: Approaches to Sex Research in a Postmodern World* (edited together with John H. Gagnon, Routledge, 1995), *Framing the Sexual Subject: The Politics of Gender, Sexuality and Power* (edited together with Regina Maria Barbosa and Peter Aggleton, University of California Press, 2000), *Love and Sexuality, Health and Human Rights* (with Sonia Corrêa with Rosalind Petchesky, New York and London: Routledge, 2008).

Contributors

S.N. Nyeck is a PHD in Political Science from the University of California, Los Angeles and assistant professor in political science at Clarkson University. Nyeck has extensively written about sexuality and governance in Africa and co-edited, with Mark Eppretch, the book *Sexual Diversity in Africa - Politics, theories and citizenship* (Mac Gill –Queens University Press, fore coming, October 2013).

Mario Pecheny is a PhD in Political Science from the University of Paris III. Currently, he is Professor of Political Science and Sociology of Health at the University of Buenos Aires. He is also Researcher at the National Council of Science and Technology (CONICET) at the Institute Gino Germani, in Argentina. He was awarded in 2013 with the National Prize “Bernardo Houssay” as a Researcher in Social Sciences, by the Ministry of Science and Technology (Argentina). He has been visiting scholar and professor at the CEDES and CENEP (Buenos Aires), University of San Martín (San Martín, Argentina), Columbia University (New York), University of Michigan (Ann Arbor), University of Paris

III, Monmouth College (New Jersey), the University of Cape Town (South Africa), the University of the State of Rio de Janeiro and the University of Utah (Salt Lake City).

Jayashree Ramakrishna is a Professor of health Education at the National Institute of Mental Health & Neuro Sciences (NIMHANS) in Bangalore. She has worked on preventive and social medicine in Nigeria and her current areas of work include the child-to-child approach to health education in the school system, sexuality and sexual behavior, HIV/AIDs prevention. As a researcher she is particularly engaged with developing qualitative methodologies that ensure the participation of research subjects.

Sylvia Tamale is a leading African feminist lawyer and scholar based in Kampala, Uganda. She holds a Bachelor of Laws from Makerere University, a Masters in Law from Harvard Law School and a Ph.D. in Sociology and Feminist Studies from the University of Minnesota. Prof. Tamale teaches law at Makerere University where she served as Law Dean from 2004 to 2008. She also serves on several international boards and has been a visiting professor in several academic institutions globally. Her latest publication is *African Sexualities: A Reader* (Pambazuka Press, 2011). Prof. Tamale has won several awards for defending the human rights of marginalized groups such as women, sex workers, homosexuals and refugees.

Michael Tan is a social anthropologist who is presently the Chancellor University of the Philippines, in Diliman. For many years he has worked closely with NGOs on sexual and reproductive rights issues. He also writes an opinion-editorial column twice a week for the Philippine Daily Inquirer, which is the country's largest English broadsheet daily and, in 2012, he was elected to the National Academy of Science and Technology of the Philippines.

Juan Marco Vaggione is a Doctor in Law and Social Sciences from the National University of Cordoba (UNC- Argentina) and a Ph.D. in Sociology from the New School for Social Research. He currently serves as a professor in sociology at the National University of Cordoba and a researcher at the the National Scientific and Technical Research (CONICET). His research interests and publications can be grouped around two main axes. On one hand, he has published several papers on the links between religion and politics in contemporary democracies considering, in particular, the growing importance of sexuality in public debates. On the other hand, he is also involved in in research and debates on the development of sexual and reproductive rights in Latin America.