Emerging Powers, Sexuality and Human Rights: "Fumbling around the Elephant ?"

Series Emerging Powers, Sexuality and Human Rights

by Sonia Corrêa and akshay khanna

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Emerging Powers, Sexuality and Human Rights: "Fumbling around the elephant?"

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Preface

The world is witnessing the emergence of geopolitical shifts and novel political economic and ideological formations, foremost amongst which are the BRICS (Brazil, Russia, India, China, and South Africa) and IBSA (India, Brazil, and South Africa) blocks. The presence and influence of these "rising" powers are rapidly increasing, politically and economically, in various regions of the Global South. Both IBSA and BRICS now inhabit the political imagination of states, of the private sector, and also of civil society actors, south and north of the Equator. In all these quarters, questions are being raised about the relevance of these shifts for development patterns, bilateral and multilateral arenas, and cooperation systems.

Among civil society actors, expectations and questions are also emerging with regard to how these trends intersect with the ongoing global and national politics of gender, sexuality, and rights. However, these domains of social, political, and personal life are not addressed in the academic debates devoted to understanding and intervening in the dynamics of IBSA and BRICS, much less in conversations and agreements emanating from the interactions between these new blocks. This absence inspired Sexuality Policy Watch, a global forum of researchers and activists, to invite partners based in the Global South to initiate a cross-country effort to better understand this gap and, eventually, expand the visibility of these topics in ongoing debates on emerging powers, development, and geopolitics.

The second working paper aims at sharing the outcomes of this effort. It covers the topics discussed at a meeting of researchers and activists in Rio de Janeiro in July 2013, which examined the ways in which current geopolitical shifts resulting from the emergence of centers of power in the Global South, specifically BRICS and IBSA, are transforming global and national landscapes of sexuality and human rights. It is fundamentally informed by a number of provisional papers and ideas brought to the discussion by these partners. We, therefore, dearly thank Paul Amar, Dawn Cavanagh, Rafael de la Dehesa, akshay khana, Peter Konijn, Maurício Santoro, Nitya Vasudevan, Cai Yiping, and Laura Waishbich for their remarkable contributions. We are also grateful to the Coalition of African Lesbians for supporting a final revision of the working paper, to Carrie Shelver for her contribution to the section on South Africa, as well as to Dipika Nath for the final editing of the manuscript.

Good reading.

Richard Parker and Sonia Corrêa

Introduction

> Apart from the question of the "actual" influence, in economic or political terms, of these countries, we see the slow, but tangible emergence of the "BRICS"-"IBSA" formations also as a discursive or ideological object. These formations now inhabit the political imagination of not just states, but also of NGOs, networks, and social movements in the Global South, even though the engagement with this imagination may be rather uneven across this vast spectrum of actors. Discourses and positions on the possibilities of transformed transnational sexual politics as one potential effect of the current geopolitical shifts have also circulated in many quarters. (SPW, 2013)

In July 2013, a group of researchers and activists met in Rio de Janeiro (henceforth, the Rio meeting) to critically examine the effects of current geopolitical shifts—which have at their center the so-called emerging powers, now clustered under the acronyms of BRICS (Brazil, Russia, India, China, and South Africa) and IBSA (India, Brazil, and South Africa) —on global and national landscapes in the realms of sexuality and human rights.[1] This exercise was the starting point of a new track of research and analysis now being developed by Sexuality Policy Watch (SPW), as a sequel to previous exercises in critical reflection on transnational sexual politics that have resulted in publications such as *SexPolitics: Reports from the Frontlines* (Parker, Petchesky, & Sember, 2007) and *Sexuality and Politics: Regional Dialogues from the Global South* (Corrêa, de la Dehesa, & Parker, 2014a, 2014b).[2] This new line of work aims at critically examining how the emergence of the powers of the new Global South—Brazil, China, India, and South Africa—intersects with issues of sexuality, including aspects relating to gender and human rights.

This path of inquiry opened in response to a chasm identified in ongoing debates on the emerging national and regional powers. Since the mid-2000s, the topic has gained relevance in the mainstream media, in economic

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1   Participants at the meeting were Sonia Corrêa and Alana Kolundzija (Sexuality Policy Watch), akshay khanna (India, then professor at the Institute for Development Studies, who participated remotely), Cai Yiping (China, DAWN Executive Committee), Dawn Cavanagh (South Africa, Coalition of African Lesbians and Sexual Rights Initiative), Laura Waisbich (Brazil, Conectas Human Rights), Nitya Vasudevan (India, Centre for the Study of Culture and Society), Mariana Britto (Brazil. Brazilian Institute of Social and Economic Analyses), Maurício Santoro and Jandira Queiroz ((Brazil, Amnesty International), Mirjiam Munch, (The Netherlands, HIVOS), Paul Amar (The United States, University of California, Santa Barbara), Peter Konijn (The Netherlands, then the director of Knowing Emerging Powers), and Rafael de la Dehesa (The United States, City University of New York).

2   http://www.sxpolitics.org/frontlines/book/pdf/sexpolitics.pdf and http://www.sxpolitics.org/sexuality-and-politics/.

studies, the development industry, and amongst Civil Society Organizations (CSOs) engaged in social justice activism. At these various sites, questions are being raised about how the shifts currently underway are reshaping geopolitical balance, trade patterns, the multilateral complex of governance (in particular, of financial institutions), and development models. Yet the domains of gender, sexuality, and related human rights claims are absent or have barely been touched upon in these analyses, even when it is hardly possible to entirely evade these aspects either when examining internal politics within BRICS countries or because the emergence of this new grouping will sooner or later be felt in global policy arenas where, since the 1990s, these matters have been intensively debated and subject to controversies (Corrêa, 2014).

The conversation at the Rio meeting began with participants sharing insights and interrogations, many of which are also being raised in other quarters and arenas. What exactly do the BRICS and IBSA formations reveal and what do they conceal? While the emerging powers themselves portray the shifts underway as a counter-hegemonic trend, should we accept that claim at face value? Would it not be more appropriate to say that the new geopolitical landscape is marked by struggles around old but also novel, rival hegemonies? How are the new rivalries playing out in places such as Africa, the Middle East, or in the poorest regions of Latin America? Instead of concentrating attention on the BRICS formation, would it not be more productive to begin mapping where and how political resistance is taking form to contest the claims of development adopted by these states, both internally and across borders? Will BRICS and IBSA facilitate or hinder the promotion of human rights at global and national levels, and, in particular, in the domains of gender and sexuality? Furthermore, if economic development and trade form the core of these new geopolitical formations, what might this imply in terms of the tendency systematically barter human rights—in particular, gender and sexuality related rights—in exchange for issues considered to be of "real" national and regional importance?

This group of researchers and activists began charting the intersections between the visible dynamics of the emerging powers and the transnational politics of sexuality and human rights at the Rio meeting. Given the scale and scope of the exercise we can perhaps describe it better by making an analogy with the popular fable that tells the story of a group of blind people touching different parts of an elephant to guess exactly what such a gigantic mass may be. We have also been fumbling around four big and complex countries—Brazil, China, India, and South Africa—in order to go beneath the geopolitical and economic assessments that dominate the conversations and grab signs and trends in relation to gender, sexuality, and human rights. The results of our

investments are as yet partial and provisional.[3] However, it is our expectation that even though preliminary, this cartography can contribute to debates on how the emergence of new global powers intersects with ongoing debates around sexuality and human rights.[4]

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3   It is worth noting that incomplete understanding and blind spots are also identified in the wider field of research on emerging powers. For example, in the Conectas colloquium that took place a few months after the Rio meeting (in October 2013), Adriana Abdenur, from the BRICS Center in Rio, defined BRICS as a "moving target."

4   See Sonia Corrêa, "Emerging powers: Can it be that 'sexuality and human rights' is a 'lateral issue'?," originally published in the journal Sur and re-published as SPW Working Paper No. 10 (http://sxpolitics.org/spw-working-papers-no-10-emerging-powers-can-it-be-that-sexuality-and-human-rights-is-a-lateral-issue/10829); an ethnography of the civil society meeting parallel to the Fortaleza BRICS Summit (by Sonia Corrêa and akshay khanna); a paper on the role and meaning of religious dogmatism in Brazilian politics and its connection with BRICS; eight video documentaries on civil society perceptions on the Fortaleza BRICS Forum.

"Emerging Powers": A preliminary cartography

The long cycle and lateral connections

The complex and globalized world we live in cannot be thoroughly understood without taking into consideration the long historical cycle that led to the establishment of an interconnected world system under the hegemony of the West (Wallerstein, 1999) and its multiple traces and legacies. In the context of the analysis presented here, this backdrop is particularly relevant because the imaginary of an emerging new world—which is projected as distinct from its colonial and postcolonial trajectory—is at the center of discourses propelled by states belonging to BRICS and IBSA. While the rhetoric employed by these states definitely touches the nerve of longstanding exploitation and inequalities, it is worth recalling that the historical trajectories of the nation states now clustered under these new groupings is much more heterogeneous and complex than what is suggested by their schematic location within a North-South divide.

To begin with, if the anti-colonial imagination currently propelled by emerging powers is consistent with the historical experiences of Brazil, China, India, and South Africa, it does not exactly apply to Russia. For centuries the Russian Empire had control over Central Asia and, across the 19th century, it fiercely competed with other imperial powers for trade routes and the control of distant territories, even when it continued to be seen by dominant Western powers as a second-class potency. As noted by Mishra (2012), for example, the victory of Japan in the 1895 Russian-Japanese war was widely viewed and appraised as a first strong sign of Asian anti-colonial strength. More significantly still, in the post–1917 Communist revolution era and, in particular, after 1945, the Soviet Union would position itself as a main opposing force against Western hegemony, remaining as such until the "fall of the walls" (1989-1991). The trajectory of Russia is, therefore, glaringly distinctive, even when competition and rivalry with Western powers is not new.[5] This may explain the preference some have for IBSA as opposed to BRICS.

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5   During the BRICS Academic Forum that took place in Rio in March 2014, the discourse deployed by the Russian representative on a panel on multilateral cooperation bluntly echoed this long standing rivalry between Russia and the West in the following terms: "In the past, the West hated us because we were Communists, because we were Red. Now they hate us simply because we are Russians" (noted by the author while watching the remote transmission of the debate).

Marked historical heterogeneities can also be charted in the case of the other BRICS member states, such as sharp differences in pre-colonial economic and cultural formations or even in the demographic make-up and scale of populations that would become subject to colonial domination from the 16th century onwards. Modalities and instruments of colonial control have also varied widely across the member states, as illustrated by the perennially underlined difference between Portuguese and British expansion and administrative apparatuses, and distinction also needs to be made between Brazil and South Africa, established as settlers colonies, and India, where the number of colonizers never exceeded 10 per cent of the total population. China, though systematically encroached upon and humiliated by Western imperialist powers, in particular in the late 19th and early 20th centuries, has never been a "colony," as such. Not less important, the processes of de-colonization that transformed Brazil, South Africa and India into independent nation-states have followed highly diverse paths and led to independence at very different historical moments (1822, 1910-1931, and 1947 respectively) and resulted in quite distinctive socio-cultural formations and political regimes.[6] These processes also differ from China's 20th-century evolution from the oldest existing empire in the world to a modern Communist nation-state in 1949.

Despite the many differences among the BRICS nations, deep historical threads can also be tracked in relation to the present economic strength of and the connections amongst the emerging powers, though these are usually projected as something entirely new. Among many other examples, it can be mentioned that the late-20th-century upsurge of Asian economies, and most particularly of China, can been traced to old trade routes established by Chinese expatriate merchants, at least since the 14th century (Arrighi, Ahmad, & Shih, 1997). Or recall the intense 17th-century trade flows between South America and India, in particular, exchanges involving silver and gold, which were also—and no less importantly—deeply intertwined with the African slave trade controlled by Rio de Janeiro settlers (Alencastro, 2000). Later on, under the impact of British colonization, a maze of connections developed between India and South Africa, including the direct transplantation of populations

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6   Even though there were earlier independence rebellions and public debates, Brazilian independence involved a negotiation between the Portuguese crown and Brazilian agrarian and financial elites, which led to the establishment of a monarchy. South African independence from Britain did not come about through fierce de-colonization struggles either; it was also, mostly, the result of a long negotiated outcome amongst whites that began after the Boer Wars, which were, nevertheless, as bloody as any other war. However, this independence benefitted the majority black population of South Africa very little and in fact contained the seeds of the apartheid state, which was formally established in 1948. Democratic rule, guaranteeing formal equality to all, came about in South Africa only in 1994. In contrast, Indian independence was the result of almost a century of fierce struggle and anti-colonial mobilization, while China also materialized as a modern Communist sexation after many decades of harsh and bloody internal struggle.

(indentured Indian labor) but also the flares of anti-colonial struggles, which led, among other things, to the creation of the African National Congress in 1910, inspired by Indian National Congress created in 1885.

And, as is well known, the Russian and Chinese economic, social, and cultural connections can also be charted far back in time, having intensified after 1949, under the umbrella of the Soviet-established cooperation systems. China and Russia were and continue to be systematically allied as members of the UN Security Council, even when several geopolitical disputes kept sparking between these two dominant communist states during the Cold War.   Post-independence India has also nurtured close connections with the Soviet Union in trade and technology and not rarely aligned itself with socialist countries in multilateral arenas, despite continuing border conflicts with China. As will be seen later, these older articulations between the Asian countries are important elements to be taken into account in the process leading up to the constitution of BRICS.

Then in 1964, Brazil, India, and China were founders of the Group of 77, the political formation created at a meeting of the United Nations Conference on Trade and Development (UNCTAD) to serve as a platform to contest, in multilateral arenas, the systemic economic imbalances between Northern industrialized and Southern developing countries (or the ex-colonial metropolis and their ex-colonies). The Group of 77 has since then expanded as the main channel voicing the positions and demands of Southern (post-colonial countries) in UN multilateral debates, in particular at the General Assembly and the Economic and Social Council (ECOSOC) Committees.[7]

A vast, complex, and contradictory maze of previous relationships, some of them very old indeed, lurks, therefore, beneath the brisk novelty of economic and political cooperation amongst the five states now clustered under BRICS (or even the three that compose the IBSA Forum). When seen through conventional economic lenses that focus on GDP, trade, and related indicators. these historical threads may not appear to be very relevant. Yet, when examining the dimensions privileged by the SPW project—gender, sexuality, and human rights—the imprints left by these longer cycles of nation-state formation cannot be glossed over.

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7   The G77 currently aggregates 133 states and constitutes a key negotiation block in the United Nations General Assembly (UNGA) and ECOSOC policy debates.

BRICS and IBSA: Basic facts

The terms BRICs began spreading as a buzzword in 2001, when the finance economist Jim O'Neil predicted in a paper titled "Building Better Global Economic BRICs" that the share of Brazil, China, India, and Russia in the global GDP would jump from eight to 14 per cent between 2011 and 2010 and that their economies would surpass the G7 by 2027.[8] This projection altered the dominant perception amongst policy analysts that the future of the world economy would be played out between the decline of the US and the rise of China, or the famous shift from "Washington towards the Beijing Consensus" (Halper, 2010). Though later reports would predict a much less bright future for the emerging economies, the image and the name were crystallized in the public imagination. Most principally, the BRICs icon fueled the creation of new institutional formations now known as BRICS and IBSA.

Coinciding with the BRICs buzzword, two distinct platforms for coordination connecting China, Russian, and India emerged in Asia. The first was the Shanghai Cooperation Organization of 2001 formed by China, Russia, and Central Asian Countries (the ex-soviet republics) and the second, the RIC (Russian, India, and China) initiative through which the foreign ministers of the three countries held annual meetings between 2002 and 2008.[9] An early strong signal that an enlarged platform, also including Brazil, would eventually emerge was the meeting of chancellors called by Russia during the 2006 UN General Assembly. Concurrently, the BRICs finance and foreign ministers began meeting at side events at the G20. Then, in 2009, right after the 2008 financial meltdown (and the G20 London meeting convened to cope with its effects) the formal BRICs institutional frame was established at a Summit convened by Russia in Yekaterinburg. Since then, five other BRICS meetings have occurred: Brasília, 2010, when South Africa was incorporated into the group and BRICs became BRICS; Sanya, 2011; New Delhi, 2012; Durban, 2013; and Fortaleza, 2014.

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8   When measured in terms of Gross Domestic Product (GDP) levels adjusted to purchasing power, in 2008, the BRICS economies (now including South Africa) corresponded to roughly 30 per cent of the global adjusted GDP, compared to 21 per cent in 1980.

9   The three foreign ministers met every year between 2002 and 2006 while attending other meetings, but also held stand-alone meetings in Vladivostok (Russia) in 2005, New Delhi (India) in February 2007, and in Harbin (China) in October 2007 to discuss regional and security concerns. Some commentators have, in fact, suggested that the BRICs institutional frame is the brainchild of Sergey Lavrov, the Russian foreign minister.

While RIC and the Shanghai Cooperation Organization gained strength, Brazil, India, and South Africa established the IBSA Dialogue Forum. Created in Brasília in 2003, IBSA aimed at aligning the three countries' directives in respect to multilateral policies and South-South Cooperation.[10] Since then, the IBSA chancellors have met annually during the UN General Assembly and the forum has hosted five heads of states meetings (two each in Brazil and South Africa, and one in India). The three countries have also created consultation procedures on the sidelines of other summits and conferences and coordinated their positions at the Security Council and the General Assembly. However, the sixth IBSA meeting that was scheduled to take place in Delhi in June 2013 was postponed and no dates are predicted for its realization.

It is important to note that the formal structures of IBSA or BRICS are not defined by international law. These new formations are governed by internally agreed-upon statutes and regulations, as is also case of the G7 of the past and its substitute the G20 (Utzig, 2013). This format allows for characterizing these groupings as "clubs" with greater normative and political flexibility than longer-established organizations that comprise the global complex of governance. However, as these formations evolve and gain political and economic power, they will inevitably be required to comply with existing international laws and rules of governance, transparency, and accountability.

Outcomes and prospects

The IBSA Dialogue Forum since its inception has defined as one of its main priorities the construction of common coordinated positions in relation to the necessary reform of multilateral institutions, in particular the UN Security Council. This is not surprising given that all members have for a long time expressed their aspirations to permanent seats on the council. Waisbich (2013) observes that another less debated feature of the IBSA forum is that it has since its first meeting expressed common shared values in relation to democratic governance and a human rights perspective. Since 2003, IBSA has indeed manifested itself in a coordinated

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10   The IBSA Multilateral Cooperation agenda includes peace, security, and non-proliferation; UN reform; trade issues; and the World Trade Organization (WTO). In terms of South-South cooperation, the two most relevant components are the New Partnership Initiative for Africa and the IBSA facility for hunger and poverty alleviation. The portfolio also includes Latin America integration and bilateral lines of work, with a focus on gender equality and science and technology—in the latter case, covering HIV and nanotechnology (led by India), oceanography and malaria (led by Brazil) and tuberculosis and biotechnology (led by South Africa).

manner with regard to the ongoing crisis in the Middle East, in particular the Gaza and Syria conflicts, as well as articulating a series of common statements at the UN Human Rights Council in addition to a few joint resolutions on the right to health and access to medicines.

However, the pace of IBSA has evidently slowed down since 2012. The joint document signed by the three foreign ministers on September 25, 2013, was rather ambivalent in relation to the prospects of the forum. On the positive side, the text goes beyond the usual commentaries and claims in relation to the UN Security Council and addresses other topics related to the international policy agenda and the trilateral cooperation among the members. It also speaks of the crisis in Syria, condemning the use of chemical weapons, even though it does not go further than the March 2013 BRICS Declaration that called for a diplomatic solution and unimpeded access for humanitarian assistance to all parties involved. The document also includes a strong complaint in relation to the spying activities performed by United States' National Security Agency (NSA) on Internet communications of heads of states, including Brazilian president Dilma Roussef. On the other hand, it does not provide any clear direction on how IBSA countries will coordinate within BRICS.

The reasons that Brazil, India, and South Africa may be losing interest in IBSA are not fully clear, though this may be an inevitable collateral effect of the parallel strengthening of BRICS. If IBSA was created primarily to serve as a counterpoint to RIC, the original motivations for the forum's existence may have waned as the five countries developed a solid common ground of cooperation and coordination within BRICS.

By contrast, the BRICS policy and ideational agenda has gradually expanded and become more muscled since 2009. Rios and Motta Veiga (2013) consider the first Declaration issued by the group at Ekaterimburg to be very diffuse, except in relation to the reform of global finance institutions, in particular the rebalancing of IMF quotas, a goal that was also being extensively discussed at the G20 itself. Utzig (2013) identifies the Delhi Summit of 2012 as one critical moment when a more robust and substantial policy agenda materialized in the form of a proposal to create a BRICS-funded financial safety mechanism, the first discussions about the establishment of a BRICS bank.

BRICS also showed more strength in Los Cabos, México, in 2012, when, overcoming previous difficulties to operate cohesively, the group indicated that it wanted to contribute to the stabilization of the Eurozone

and strongly called for the acceleration of IMF reforms, pleaded for the expansion of the financial base for development infrastructure, and formally proposed the establishment of the intra-BRICS financial safety mechanism (Contingent Reserve Arrangement, CRA).[11] After Los Cabos, the idea of a BRICS Bank further matured; discussed at length in the Durban meeting in March 2013, it materialized in the Summit of Fortaleza in July 2014.

Human rights in the BRICS policy agenda

Conectas Human Rights, the Brazilian human rights organization that is a partner in the SPW project on Emerging Powers, Sexuality and Human Rights, has reviewed the final declarations of all five BRICS countries in relation to a number of policy areas: the group's common vision; the reform of global financial institutions; the global financial crisis; terrorism; Millennium Development Goals (MDGs) and development; sustainable development / climate change / energy; poverty; sectorial cooperation; human rights; world order and peace; conflict situations in specific countries—Haiti, Libya, Syria, Iraq, Israel-Palestine; South Sudan, the DRC, Central African Republic, and Mali (Waisbich, 2014).[12]

The key areas of policy concern addressed in all six meetings, albeit with different degrees of attention and intensity, were: the reform of multilateral institutions; the MDGs and development; sectorial cooperation, and terrorism. Other topics also receiving great attention were the global financial crisis, sustainable development, and world order and conflict. Interestingly enough, the only meetings in which the fight against poverty gained prominence were those that took place in Brazil (Brasília and Fortaleza). It is also notable that the issue of crisis in specific countries has gained space and visibility after the 2012 summit held in Delhi. This comparative analysis shows that the common vision of the BRICS countries has become further sophisticated with time, moving from one short paragraph on promoting dialogue and cooperation to a much longer elaboration on common goals around peace, security, development, equality, social inclusion, and cooperation—a change that emphasizes their commitment to international law and multilateralism, with the United Nations at its center. The text also portrays BRICS as an important force for "incremental change and reform" of international institutions.

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11   The initial capital of the CRA is USD 100 billion, of which 40 billion will be supplied by China, 18 billion each by Brazil, India, and Russia, and 6 billion by South Africa.

12   The full chart is presented in the Annex.

The analysis shows that the Durban Declaration of 2013 was the first time when human rights were explicitly mentioned as a policy area of concern to BRICS, and the mention was limited to praise for the 20th Anniversary of the 1993 International Conference on Human Rights. In contrast, the language of human rights language appears several times in the 2014 Fortaleza Declaration, which must be seen as groundbreaking, at least from rhetorical point of view (Waisbich, 2014). The text reaffirms the indivisibility of all human rights, while at the same time emphasizing the right to development and encouraging dialog and cooperation on human rights within BRICS and in multilateral arenas in a "non-selective, non-politicized and constructive manner, and without double standards." The text also calls for the fight against terrorism to be conducted with full respect for human rights and fundamental freedoms,[13] and reminds us that human rights standards have been breached by NSA operations of massive Internet surveillance.

More importantly and surprisingly, the document urges the BRICS countries to address "social issues in general and in particular gender inequality, women's rights and issues facing young people" and it reaffirms BRICS countries' "determination to ensure sexual and reproductive health and reproductive rights for all."[14]

The emerging powers, human rights, and social justice: What to expect

Rios and da Motta Veiga (2013) note that the acronym BRICS hides a marked heterogeneity amongst the member countries in terms of economic structure and performance, political regimes, and social structures. Konijn (2013) suggests that the strategy used by the "rising powers" to overcome this heterogeneity and build internal cohesion has been exactly to project the image of BRICS as the pioneer contestants of Western hegemony. The official BRICS discourse often uses the language of global justice when addressing the reform of multilateral institutions and the re-balancing of trade. However, Konijn (2013) also observes that the principles of social justice and human rights have, until quite recently, been virtually absent from their discourse, in their bilateral relations, and in cooperation programs implemented with third countries. In his view, the call for democratizing global governance structures and for a more just global economy for justice remains limited to relations *between* the Global North and the Global South or else, and eventually, to poverty reduction *within*

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13   Waisbich notes that this quite advanced position may have been inserted because it contains a non-explicit critique of the United States' use of drones.

14   The Fortaleza Summit Declaration, the repercussions of the summit at national levels and, in particular, the debates that took place at the civil society parallel forum will be the subject of our next working paper.

countries.

This vision is not so different from conventional neo-realist views of international relations in which nation-states pursue their self-interest in a hostile environment. It is, however, problematic in this context because, as observed by Paul Amar at the Rio meeting, the emerging powers' dominant discourse seems, in fact, to be concealing the increase (or stabilization) of internal inequalities and the emergence of new forms of lateral peripheralization across countries—trends that are not captured by schematic North-South frames. Furthermore, the emerging powers constantly remind their partners, and the world at large, that their model of development cooperation does not contain any form of conditionality—including any related to human rights standards, which are viewed as neo-colonial impositions of Western powers.

On the one hand, this rhetorical stance marks a key difference between BRICS and longstanding Western modes of operation in the arena of development cooperation, which often involve aid conditionalities and the instrumental use of human rights. On the other, however, it resonates with the positions of most BRICS countries on universal human rights claims. Since the Cold War, China and Russia have rejected the universalizing claims of political and civil rights and, in the course of the last 20 years, these positions have been reframed in order to criticize the universality of human rights as an expression of Western cultural imperialism. China and India (despite India's adherence to the IBSA human rights framework) have also long argued that current norms and standards in relation to labor rights as developed by the West are instrumental for protecting Northern industries and agriculture from competition from the Global South. Brazil and South Africa, on the other hand, after their democratic transformations, are the only countries in the group that are not explicitly resistant to human rights language in global policy arenas.

Furthermore, as insightfully noted by Konijn (2013), Southern activists and researchers working in diverse areas should not lose sight of the fact that, apart from this rhetoric, IBSA and BRICS cooperation programs as well as development investments made by their members in other countries will inevitably impact on cultures and social structures, with predictable and unpredictable negative effects on the rights of local populations.

In revisiting these trends at the Rio meeting, Maurício Santoro, from Amnesty International (Brazil), suggested that, when looked at through the lens of human rights, BRICS could eventually be portrayed as the soft face of Russia and China, meanwhile IBSA is, somehow, the soft face of BRICS. Some observers consider that,

while it may not be possible to integrate human rights within the BRICS framework, the IBSA Dialogue Forum, which gathers the three biggest democracies in the world, could be an easier and more enabling platform for the advancement of human rights from a Global South perspective. The reflections on IBSA shared by Laura Waisbich in Rio suggest, however, that this optimistic prospect may not be so easily realizable.

While IBSA leaders have declared their commitment to "participatory democracy, respect for human rights, and the Rule of Law,"[15] and while the group's declarations systematically express allegiance to human rights in general, as well as in relation to specific topics, such as the right to development, the fight against racism, gender issues, and the right health,[16] until very recently, the IBSA group did not take express positions in relation to human rights violations in crisis situations in third countries, such as Haiti, Zimbabwe, Iran, and Libya. The first time this happened was in 2012 in relation to Syria. No specific institutional structure devoted to the promotion and protection of human rights has been established by IBSA and the concrete spaces open for civil society participation in IBSA policy definitions remain limited and fragmented.[17]

Lastly, as noted above, IBSA seems to be losing ground and relevance and this has raised many concerns amongst human rights activities from the Global South. If indeed the Forum disappears, as BRICS gains relevance, how will this affect the integration of human rights premises in the policy scaffolding of the emerging powers? The outcomes of the 2014 Fortaleza Summit also raise a number of questions. What were the motivations for the inclusion of the human rights language in the Fortaleza Declaration? Could this language be signaling a dislocation of human rights commitments from IBSA to BRICS? More importantly, will this language effectively translate into concrete standards for cooperation programs, in particular, in the new Bank of the South, or result in coordinated positions in global arenas?

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15   From the declaration of the 2011 IBSA Dialogue Forum Summit.

16   In addition to joint resolutions on HIV/AIDS and access to medicine in 2008, IBSA members have expressed their commitment to the outcomes of the Beijing Conference and have systematically supported language on women's health.

17   The existing IBSA civil society forums are: Business and Small Business, Women, Parliamentarians, Academics, Editors, and Local Governance.

The human security state: A bird's eye view

The intersections between the emergence of the rising powers and the circulation of human rights premises and language can also be examined through the lenses used by Amar in his 2013 book *The Security Archipelago*. Amar's theoretical frame interrogates dominant Northern scholarly views on governance and geopolitical shifts currently underway. Taking distance from mainstream predictions that global economic and political power is shifting from the Washington to Beijing, he also points toward the limitation of dominant analyses of the electoral victories of the 2000s in a large number of Latin American countries, including Brazil, which interpret these transitions as localized national or regional responses to the global order; in his view, the main shortcoming of this narrative is that it interprets the policy models adopted in other emerging countries of the Global South in recent years as mere variations of the Chinese paradigm.

Amar emphasizes the generative nature of South-to-South connections established in the last 10 years and develops a Global South–centered critique of both neoliberalism and the "post neoliberal order," which substitutes the Sinocentric "Beijing Consensus" with another heuristic frame: the human security state paradigm. While recognizing that current securitization trends preceded the 2000s but intensified as an effect of the "war on terror," Amar scrutinizes other currents that have added fuel to the logic of human security now prevailing north and south of the Equator.

His analyses scans the processes and results of transnational UN-sponsored gatherings involving states as well as large numbers of NGOs and social movements, from the 1990s and early 2000s, that legitimized, pluralized, and broadened human rights frames: Rio, 1992 (the environment); Cairo, 1994 (population); Beijing, 1995 (women / gender); Istanbul, 1997 (habitat); and Durban, 2001 (racism). Amar shows how these trends converged and overlapped not only with leftist victories in Latin America during the same period but also with the growing political relevance of   conservative religious forces in local politics and the related phenomenon of the emergence of the Global South as a powerhouse.

A nodal element of Amar's analysis is that these multilayered trends and dislocations paved the ground for the gradual articulation of a South-framed social justice agenda that encompasses new premises of global governamentality (now materialized in BRICS and IBSA) as well as novel orders of subjectivity:

If the neoliberal state had orbited around one logic of subjectivity—the rational-liberal individual who was market-investor, consumer-chooser, and entrepreneur-innovator—by contrast, a new kind of governance that I term the human-security state emerged as a node of four intersecting logics of securitization: moralistic (rooted in culture and values based on evangelical Christian and Islamic piety discourses); juridical-personal (focused on rights, privatized property, and minority identity); workers (orbiting around new or revived notions of collective and social security and postconsumer notions of participation and citizenship); and para-military (a masculinist, police-centered, territorially possessive logic of enforcement). These relatively autonomous four logics of securitization came together in what I call here a human-security governance regime. They all explicitly aimed to protect, rescue, and secure certain idealized forms of humanity identified with a particular family of sexuality, morality, and class subjects, and grounded in certain militarized territories. (Amar, 2013, p. 46)

Amar further spelled out the implications of this shift. On the one hand, the human-security state model of governamentality can be interpreted as a positive shift away from previous national security models deeply imbricated with repressive and neoliberal modalities of government and social control. One the other, however, this is a deeply paradoxical model because it conceives and treats the human as an object of securitization, which often implies heavy-handed state protection or even police intervention to save these subjects from abuse, violation, and vulnerability. This novel logic of governamentality may include a participatory but double-faced component in the form of state-society or state-community dialogs and interaction; if, on the one hand, they may potentially expand democracy, on the other, they can also be tied to renewed forms of political and social control (including security-fetishizing expressions of clientelism and populism).

The human-security state model inherited and transformed the frameworks of humanitarian intervention conceived and implemented from the late 1990s onwards under the principle of the "right to protect" (that began with Kosovo and continued with Haiti, the DRC, and other African countries). Today, the emerging powers as well as other Southern countries are directly engaged in "protective" and peacekeeping operations within and far beyond their regional contexts.[18] More significantly, these models of state intervention also began to be

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18   These engagements in militarized humanitarian interventions, such as in the case of the central role played by Brazil in the pacification of Haiti, are at odds with the systematic critiques expressed by the same emerging powers of sovereignty infringements perpetrated through external military interventions. This contradiction, however, is obscured in public discourse and the militarized actions are justified by the humanitarian rationale in which these interventions are re-framed.

applied domestically—to curtail crime and control "troubled' territories, but also to contain "social disturbance," as happened in Brazil during the 2013 "journeys" of protest -- which started with discontent about public transportation fare hikes but soon encompassed broader issues of corruption and police brutality -- and during the 2014 World Cup.

Last but not least, and as noted above, gender and sexuality systems and families are critical in the ideological construction of the human-security paradigm, because these spheres of life are constantly targeted by moral discourses on social order and are more easily prone to "justified" measures of state protection and humanitarian rescuing. For example, the case study on Brazil included in Amar's book examines the growing legitimacy of discourses and law enforcement interventions related to trafficking of persons for sexual purposes in the early 2000s, which contrasted with previous human rights policy approaches to sex wrok adopted by the Brazilian state (Blanchette & da Silva, 2012; Pimenta, Corrêa, Maksud, Deminicis, & Olivar, 2010). Amar interprets this shift as an effect of both transformed public security policies and the emergence of Brazil as a global player, which implies the construction of a novel national image of credibility and respectability (in which sex workers' rights do not fit well).[19]

Amar's conceptual frame is a lightning rod to guide further exploration in relation to how the politics of sexuality and humanity are being reshaped by and within the emerging powers, because it compellingly suggests that simply charting the ways in which BRICS and IBSA states formally criticize, side-step, or void human rights premises and language, in multilateral arenas and in their own formal communiqués, though necessary, is not sufficient. This is so because beneath the surfaces on which these discourses and positions are deployed, the emerging powers , in fact, seem to be deeply engaged with deploying salvationist and rescue-oriented streams of human rights interpretation and application, which are, furthermore, not systematically interrogated by human rights and sexual rights activists.

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[19]   At the Rio meeting, Amar also examined how the now homonationalist human rights interventions aimed at saving and rescuing LGBTQI subjects in "hostile places" fit perfectly into the same frame. Amar illustrated the point with photographs of the various 2011 excursions performed by Hilary Clinton in her role as US State Department Secretary, beginning with the "promotion' of LGBT rights at the UN in Geneva, continuing with a handshake with President Morsi in Cairo, followed by a photograph with LGBT rights activists in Uganda, and ending with a visit to Libya. Ironically enough, as Amar noted, these US State Department LGBT policy operations share with the transnational interventions of US evangelicals the tropes of protecting and saving victims.

Brazil: Legacies and paradoxes

The complex trajectories of and intersections among perceptions and articulations of gender and sexuality, the political economy, and processes of cultural formation and transformation are significant in all four societies examined in this working paper. Yet, a Brazilian peculiarity in this regard is that sexuality is a core element of the national identity, a marked trait of the past and present, national and transnational imageries of the country and its culture. As a result of the cumulative layering of colonial and post-colonial cultural processes, sexuality is a prominent pillar of the individual and collective national imagination of what it means to be Brazilian. Richard Parker (1991) underlines the ways in which the construction of the Brazilian identity and its complex relationship to sexuality differs sharply from the imbrication of sexuality and individual-identity-as-truth that marks Northern Atlantic culture and politics.

The accumulation of layers of sexual meanings that came to define Brazilian national culture itself began with early Portuguese narratives on the nakedness and sexual ease of the indigenous people they encountered in Brazil—narratives which have been continuously and systematically re-activated since the early 16th century. The Jesuits and other missionaries who were particularly obsessed with indigenous sexuality and gender practices wrote volumes on what would later crystalize as peculiar 'Brazilian' sexual mores; armed with visions of Edenic innocence, their horror at the display of nudity, of genital organs and sexual intercourse led them to sometimes describe these in association with ritual anthropophagy performed by some native Brazilian societies. This association combined therefore fascination with and denigration of their sexual practices and general way of life as uncivilized. From the mid-16th century on, as the sugar plantation economy matured and the transatlantic slave trade escalated, similar tropes of sexual excess were increasingly used to also portray the practices of captive Africans. Not surprisingly, after its first visit in 1591, the Inquisition systematically chased, investigated, and chastised fornicators and sodomites, including, in the early days of this persecution, women who had sex with women.[20] While inquisitors also targeted white colonizers, a large number of those accused and punished were black, indigenous, or of "mixed" race.

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20   In 1591, the Inquisition condemned a Portuguese woman, Felipa de Souza, for the nefarious sin of *Sodomia feminarum* and sent her into exile in Angola. But after 1642, *sodomia feminarum* was taken out of the list of nefarious sins and inquisitors would devote themselves to chasing male sodomites and Jews (see Vainfas, 2001).

From very early on, missionaries and secular administrators obsessively described how, in the tropical climate of the newly occupied territory, colonizers themselves were prone to surrender to the power of these sexual excesses. These male authority figures launched into diatribes against concubinage between colonizers and indigenous and slave women that resulted in miscegenation or the abominable mark of "blood defect."[21] Then, surprising though it may seem, in the second half of the 18th century, the despotic Enlightenment reforms implemented in Portugal by the Marquis of Pombal, were transmitted to colonial Brazil through various rules and ordinances, including a detailed statute granting full freedom to indigenous people, which promoted the peaceful coexistence between them and the white colonizers, and deliberately called for mixed marriage between male settlers and indigenous women (Corrêa, Arilha, & Faleiros, forthcoming; Maxwell, 1995).[22] However, the import and enslavement of Africans remained untouched; if anything, the trafficking of Africans as slave labor into the newly established gold mines expanded at this time.

After independence, in 1822, as the structure of the modern Brazilian nation state began to be formed, gender roles and sexual practices would be subjected to liberal, "secular" European legal frames, but with very different results for different sections of the population. One striking example is the 1830 Penal Code, which abolished the crime of sodomy but criminalized those who performed abortions; marriage was to remain under the purview of canonic law until the creation of the First Republican Constitution in 1891.

Until its abolition in 1888, slavery had occupied the center stage in the political economy as well as in national policy formation, political debates, and social rebellions. Concerns about the so-called negative effects of slavery—sexual promiscuity and miscegenation—were also central to the propositions of late-19th-century modernizers who sought to reform family structures and regulate sexual and reproductive practices, including sex work. These debates were imbricated with the policies adopted at the time that aimed at "whitening" the Brazilian population through the state-led promotion of European migration into Brazil. These biopolitical

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21   The medieval rule of "blood defect" established distinctions between those of "pure" Christian and European breed and those whose genealogies included mixed procreation between Christians and Moors, Jews, and New Christians (converted Jews). In the colony, the rule would be extended to include indigenous and African populations.

22   The law, named the Diretório dos Índios (Directory of the Indigenous), transferred the governance of indigenous people from the Jesuit order to secular powers. Among other prescriptions, it proclaimed indigenous persons as free subjects, defined in detail how indigenous settlements were to be built, and established that indigenous persons could not be discriminated against (they could not be called "niggers").

concerns about sexual morality and Christian family norms did not disappear but rather gained muscle with the Brazilian transition to a Republic in 1889. As Richard Miskolci shows, the political elites of the new regime were overtaken by a fear of blacks that, after the abolition of slavery, translated into a fear of ordinary people.

> The Old Republic elites were also prone to gender and sexual anxieties, domains that, in their view, threatened the project of a nation construed on the basis of an idealized image of Europe… and grounded in the paradigm of whitening and reproductive compulsory heterosexuality. (apud Arantes, 2013, p.1)

The next point of inflection that is worth looking at more closely is the revolution of 1930. Led by Getúlio Vargas, this political upheaval began as a broad-based program for transformation, only to later be drawn into a harsh authoritarian regime (1937-1945) called the Estado Novo. This entire period (1930-1945)–which came to be known as the Vargas Era–has, in multiple ways, determined the subsequent path of Brazilian economic, political, social, and cultural formation vis-à-vis industrialization, urbanization, expansion of the middle classes, and the granting of labor rights and women's voting rights, among others (Skidmore, 1973). The 1930s were also the times when Gilberto Freyre, Paulo Prado, and Sérgio Buarque de Holanda published their interpretations of modern Brazil, that, from then on, would continue feeding ideologies of natioanlity. As noted by Parker (1991), albeit with varied intensity and leading to divergent conclusions, sexuality is central to their writings. If de Holanda addresses the matter in rather discreet terms and Prado deplores its negative effects on Brazilian mentalities and social conduct, Freyre (1986) "celebrates" Brazilian sexual hubris and miscegenation.

From a political economy perspective, the Vargas Era has been interpreted by a variety of writers as a sharp illustration of "conservative modernization," or a process that combined economic, social, and cultural modernizing processes, state centralization, and political authoritarianism (Bakota, 1979; Carvalho, 2001; Domingues, 2002). The model of governance then implemented had as one of its core premises the notion that "society was weak and disorganized" and that, therefore, state power and traction should be mobilized to transform the economy and social relations. In political terms, it implied the creation of a complex scaffold connecting the state apparatus with industrial entrepreneurs and unions—who were viewed as strategic social forces in promoting modernization—which, to a large extent, still remains in place. Most importantly, after its sharp authoritarian turn in 1937, the Vargas regime, on the one hand, enacted comprehensive labor rights legislation reform, guaranteeing social and economic rights and, on the other, it was engaged in the systematic

repression of all forms of political dissidence. It also flirted openly with European fascism and with Nazism, to the point of allowing the Gestapo to hunt Communist dissidents who had migrated to Brazil.[23]

With regard to gender and sexuality, the paradoxes of the conservative modernization at play in the period can be identified in various realms. For example, the granting of women's voting and labor rights coexisted with a robust pro-natalist policy aimed at expanding and improving the quality of the industrial labor force (which also relied on women). Or, to take another example, while the Vargas 1940 reform of the Penal Code left the early-19th-century liberal principles in respect to male same-sex relations intact, the state amplified top-down public health interventions to curtail the social effects of venereal diseases, which promoted stigmatizing views on homosexuality. The same reform liberalized sex laws in certain aspects, such as for age of consent or the possibility of abortion in the case of rape and generated deeply gendered criminal penalties in other areas, such as for rape and pimping.

To conclude, even this brief sketch of the long view demonstrates that contemporary Brazilian sexual politics can not be detached neither from the colonial legacies of slavery, miscegenation, and narratives of sexual hubris, nor from post-colonial biopolitical ideologies and policy practices. Last, but not least, it is also necessary to consider the trajectory of Church-State relations that oscillated from being intimate during colonial times and the Empire, to be distant during the Old Republic, and close again after 1930. In each of these moments, Catholic doctrines influenced state views on gender and sexuality and the present stridency of dogmatic Evangelical voices against homosexuality and abortion should not conceal the longer cycle of the influence of religious view on these policies.

Democratization, sexuality and human rights

The military regime that ruled Brazil between 1964 and 1985 has also been interpreted as another phase of "conservative modernization." It was a blatant sub-product of Cold War geopolitics. The dictatorship was highly successful in terms of economic growth but its policies led to increased levels of social inequality and coexisted

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23   As in the case of Olga Benário, the German-Jewish partner of Luis Carlos Prestes, the head of the Brazilian Communist Party, who was deported to Germany and died at the concentration camp of Bernburg.

with the systematic and brutal repression of labor organizing, political dissent, and freedom of expression broadly speaking (Gaspari, 2002a, 2002b, 2003). The recently released Report of the Truth Commission reveals that the military regime's ideology included conservative moral views on sexual conduct and contains a number of episodes of urban cleansing in which homosexuals, *travestis*, and female sex workers were evicted from public spaces and sometimes arrested.[24]

The long years of the dictatorship had an impact on many dimensions of social and economic life that are relevant for understanding current politics of gender and sexual rights. The military regime, while implementing a centralized state-centered economic policy also left the state open to privatization. Although most analyses of Brazilian (and Latin American) sexual politics emphasize the neoliberal imprint of the post-1989 period, it should be observed that signs of neoliberalism were already palpable in the "miracle development model of the dictatorship." Concurrently, in the absence of a population control policy, the combined effects of rural-urban migration, women's education and incorporation into the modern labor market, expansion of public health and social security networks, and a robust telecommunication policy resulted in a rapid demographic transition after 1970.   Lastly, the military regime seems to have stimulated, albeit not explicitly, the expansion of conservative Christian churches to countervail the political influence of liberation theology that was very powerful within the Catholic Church.

Urban and rural guerrillas, progressive intellectuals and Catholic leaders, and labor unions were the main poles of resistances against the dictatorship. As democratization evolved, the lingua franca of rights would be incorporated in the vocabulary of a wide spectrum of groups and movements, including those claiming rights in the realms of gender, reproduction, and sexuality (de la Dehesa, 2010; Vianna and Carrara, 2007). The HIV and AIDS epidemic coincided with the height of the transition to democracy and was unequivocally another key trigger for a renewed politics around sexuality and citizenship (Parker, Guimarães, Mota, Quemmel, & Terto, 1995).

Since the early 1980s, when claims for abortion rights, sex workers' rights, and homosexual liberation became visible in the democratization landscape, gender and sexuality politics has continuously become more

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24   See http://www.bbc.co.uk/portuguese/noticias/2014/12/141210_gays_perseguicao_ditadura_rb.

heterogeneous and diverse in class, race, and regional terms. If the 1980s' gender and sexual politics was mostly middle class in nature and content, in the second decade of 21ˢᵗ century, sexual dissidence and related struggles reached across various strata of the socioeconomic and racial fabric. A marked transformation in the feminist field, for example, has been the growth and greater visibility of black feminism. The dominant gay politics of the 1980s has also shifted towards the wider presence and visibility of lesbians (since the 1980s), travestis and female-identified transgender people (1990s) and, more recently, of trans men. In the early 2010s, debates on transfeminism and cis-genderism also moved rapidly from the margins to the center of Brazilian gender and sexual political arena.

1980-2012: Key trajectories and outcomes

Although much more could be said about the transformations within gender and sexuality movements, this section will mainly focus on aspects related to legal reform and policy formation, or the state-related dimensions of Brazilian sexual politics. At the Rio meeting, Rafael de la Dehesa traced two different pathways through which gender and sexuality matters have "entered the state" (or the policy space) in the course of democratization.[25] The first was a clear political trajectory of direct engagement between activists and political parties, particularly the PT (Partido dos Trabalhadores, or the Workers' Party), but also with local and national legislative processes. In this respect, feminist and gay advocacy lobbies had a direct influence on the 1986-1988 constitutional reform. The new bill of rights enshrined principles of gender and racial equality and the right to privacy, and did not include a "right to life since conception" clause. However, resistance on the part of the Evangelical group, already present in parliament, and of other conservative actors impeded the inclusion of non-discrimination on the basis of sexual orientation.

The second path was more technocratic. It consisted of connections and interventions into the bureaucracies of the health sector that advocated for women's rights to comprehensive healthcare and HIV/AIDS prevention and treatment. In critically assessing the two pathways, a lively dynamic between them can be identified in terms of opportunistic spaces for interventions at different moments. The pathway that traversed healthcare

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25   This analytical pathway departs from and expands the analysis developed by La Dehesa in his 2010 book *Queering the Public Sphere in Mexico and Brazil: Sexual Rights Movements in Emerging Democracies.*

bureaucracies often offered a smart way to bypass political obstacles at work in the legislative branch. This strategy, however, was not fully appreciated by all civil society actors engaged in gender and sexual politics, as they tended to privilege the path of negotiating with political parties and reforming legislation, in part because it was more closely related to the "heroic narrative" of Brazilian democratization.

Despite differences in tactics, the two paths intertwined and have been highly successful in raising the legitimacy and status of feminist and LGBT rights claims from the margins to the center of state politics and policymaking to the extent that in 2015, these and other related policy claims are decidedly mainstream and a number of state structures have been established at federal, state, and municipal levels to formally respond to them. It must also be noted that in Brazil, as elsewhere, certain areas of women's rights and LGBT political and cultural visibility have also been amplified through the dynamics of urban and cultural markets. One clear illustration of the intersection of markets and the politics of sexuality are the Guinness Book of World Record figures related to Brazilian LGBT pride parades, estimating that more than three million people marched through the streets in some of the major cities in recent years.

This brief description suggests that Brazilian sexual politics has had highly positive trajectory over the course of democratization. However, social realities tell a different story. One key aspect that cannot be ignored when analyzing the current landscape concerns Brazilian social and racial inequalities, which remain blatant despite the reduction in their scale over the last decade. In fact, even the recent reduction of inequality that translated into the widely discussed and appraised expansion of the middle classes should be more cautiously examined, as its basis has been quite fragile, as shown by the many fears raised by the economic recession and fiscal adjustments projected for 2015. Furthermore, and more critical, in view of our main topic, is the fact that a wider middle class does not automatically translate into progressive views on gender and sexuality, and, much less, on abortion. In fact, there are significant correlations between the growth in both the number of Evangelical churches and their constituencies, and urban social mobility in the last 20 years.

Furthermore, since the 1980s, and due to many factors–in particular prohibitionist policies on drugs–levels of state and social violence have not receded but rather amplified (there have been about 55,000 murders every year in the last ten years). The figures for homophobic and transphobic murders—lower in relation to some other countries, such as Honduras—that have made Brazil a champion of sexuality related hate crimes must

be always situated in relation to this broader picture of structural violence. When the lenses are turned towards policy formation, law making, and implementation, the ability of the democratic state to consistently deliver what is written on paper, in all areas but especially in the realms of sexual and reproductive health and rights, has been rather uneven and highly volatile (shifting according to the administrative turns following elections), when not entirely dependent of pressures exerted by civil society.

Lastly, as Brazilian democracy consolidated, the contradictory nature of the governability pact that allowed for democratization became increasingly flagrant, including with regard to negotiating and bartering with conservative religious sectors, whose influence in society and politics has skyrocketed in the last 15 years. This can be illustrated, for example, by the persistent difficulties in having a 1995 legal provision on civil union processed by the House as well as by the increasing number of anti-abortion propositions tabled in Congress since the mid-2000s.

As shown in the overview presented by de la Dehesa at the Rio meeting, since the constitutional reform of the 1980s, there has been a recurring pattern in sexual rights and abortion debates at the national legislative level; each time they are debated, they are easily traded off for other priority interests of MPs—usually demands for political positions in the state apparatuses or greater access to public funds. Moreover, as the political weight of conservative religious activists and politicians has grown in society, they have gained increasing influence not just in legislatures but also on the course of public-health policy, thus further constraining the possibilities once opened up by this longstanding alternative pathway for engagement with the state.

As to bypass the obstacles at work in legislative bodies (which would gradually spread to the executive branch) feminist and LGBT movements began resorting to the Supreme Court as a strategic road to achieve policy and legal change from the mid-2000s on. Pressured by these movements, the Supreme Court has issued two major decisions since 2010. In 2011, it recognized the constitutionality of civil unions amongst persons of the same sex, a decision that opened the space for a judicial administrative ordinance of the National Council of Justice that allowed same-sex couples an equal right to marriage.[26] In 2012, it finally delivered a decision on a plea

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26   Conservative religious sectors have announced that they will contest the constitutionality of the ordinance, as the definition of marriage in the Constitution establishes it as a union between a man and a woman.

presented in 2004 that requested the penal code to be expanded, in the light of constitutional premises, so as to allow for abortion in the case of anencephaly. While these developments are to be praised, they must be seen more as exceptional, rather than as auspicious signs, as they do not reflect the regressive climate presently prevailing in Brazilian sexual politics.

The 2010s: Regressions[27]

The growing influence of conservative Catholic and Protestant forces on policy and law, though very relevant, is not the only factor underlying the series of backlash recently witnessed in Brazil; nor is the backlash a new phenomenon. Catholicism has always been influential in Brazil and the interference of the Evangelicals, as shown in the episode concerning Constitutional reform, can be traced back to the early days of democratization. Yet, the relative weight of these forces in societal dynamics and electoral politics has evidently increased from the mid-1990s on (Mariano, 2004; Pierucci & Prandi, 2000).[28] These trends can be illustrated by few episodes.

In August 2005, a Tripartite Commission created to reform punitive abortion laws presented a provisional draft proposing that abortion until the 12th week of pregnancy be made available in the public health system. This event coincided with a major corruption scandal (the Mensalão) and immediately after the proposal was made public, President Lula sent a letter sent to the National Conference of Bishops aimed at "explaining" the corruption crisis, which included the following statement:

> I want to re-affirm my position in the defense of life in all its aspects and in all its meanings. The debates currently evolving in the Brazilian society, in its religious and cultural plurality, are being followed and stimulated by our government, which, however, will not take any measure that may contradict Christian principles.

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27   After the Rio meeting de la Dehesa published a short article on the backlash against Brazilian sexual rights on the Fletcher Forum website that enriches the analysis he shared in Rio. This article is the basis of the section that follows. The original article can be accessed at: http://www.fletcherforum.org/2013/09/30/deladehesa/.

28   Battles have taken place in Congress on abortion-related provisions and a 1998 Ministry of Health protocol on abortion was systematically attacked by extreme anti-abortion Catholic groups. Also, as late as the mid-1990's, the Brazilian Catholic Church openly condemned the use of condoms for HIV prevention.

The Executive gave up the idea of tabling the provision in Congress, as had been its original plan, and this retreat left the space open for anti-abortion forces comprising both Catholics and Evangelicals to gain further strength.

The 2010 presidential race was another key moment in this regressive trajectory. To the surprise of many observers, the issue of abortion occupied the center stage in the campaign. Conservative pressure ultimately prompted President Rousseff to issue an "Open letter to the people of God" in which she promised to make the family a central focus of her administration and to steer clear of issues such as abortion and same-sex marriage, thus leaving any possibility of action to the Congress.

Not surprisingly, a series of policy regressions would be registered during Roussef's first mandate (2010-2014). To begin with, the country's Comprehensive Women's Health Policy, internationally appraised since the 1980s, was converted back into a conventional maternal health program.[29] Then, in 2012, the Minister of Health designed a policy guideline aimed at registering all women who tested positive to pregnancy, which included language on fetus rights. Though a sharp feminist resistance blocked approval of the guideline, in early 2014, under the pressure of Congress anti-abortion forces, the Minister of Health suspended a protocol regulating access to abortion in the case of rape. Under religious conservative pressures, the executive branch also censored various educational materials and campaigns on sexual matters, including a video kit on sexual diversity (2011), a TV spot about HIV among young MSM, HIV prevention books for adolescents, and a social media campaign on HIV and sex work.

The 2014 electoral campaign was the more polarized since 1989 and it certainly deserves a much more detailed analysis than is possible here. In shorthand, keeping in mind the topics under discussion, it is at least important to mention that the issue of homosexuality once again flared up, in particular because of the conservative views on the subject expressed by Marina Silva, the Evangelical environmentalist candidate, and systematically

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29   The Program for Integrated Women's Health Care (PAISM), launched in 1984 at the tail end of the dictatorship, was an astonishingly progressive policy for its time. It recognized abortion as a major public health issue and required the state to provide a wide range contraceptive information and assistance through the public healthcare system, at the same time that it pushed for improvements in pre-natal, obstetric, and post-natal care, STD and cervical cancer screening, and treatment, as well as gynecological care. A number of observers have noted that PAISM preceded the ICPD reproductive health agenda by ten years. Even though program implementation faced many obstacles, its agenda remained alive until 2010 amongst healthcare providers and reproductive health advocates.

explored by the PT. Furthermore, thousands of Evangelicals as well as other conservative candidates used the election to once again project their extreme ideologies on sexuality and abortion on to the social landscape. It is also to be noted that in the second round both Roussef and her opponent Aécio Neves had the open support of LGBT constituencies, even if this support was much stronger for Roussef. Lastly, even when a pact of silence on abortion seems to have been established amongst the main contestants for the presidency, the tragic death of two women after botched abortions in Rio has fully brought the topic back to the frontline pages and the electoral scene. But, regrettably, presidential candidates and state authorities at all levels have remained silent on the matter (SPW, 2014).

The analysis developed by de la Dehesa at the Rio Meeting provided a political science view of these regressive dynamics. He underlined how in a deeply fragmented political system such as the one in Brazil (there are more than 40 registered political parties), coalitions are essential to governability, regardless of who is in charge of the Executive branch. Under such conditions, Evangelical and other conservative lawmakers systematically leverage their influence by establishing a significant presence across party lines. In the last legislature, the anti-abortion and anti-LGBT group comprised 167 deputies and 26 senators of different party denominations and, in addition to that, one party, the PSC (Social Christian Party) emerged as an entity in which these forces are concentrated. The PSC, in fact, launched its own candidate, a pastor, for the presidency in 2014. As already underlined, for a long time now but with greater intensity in the last two legislatures (2006-2014), these Congressional groupings have articulated their attacks on abortion and LGBT rights as bargaining strategies aimed at achieving other objectives.

Last but not least, the record of the PT on issues of sexual rights has been decidedly mixed. On the one hand, the government has held three national conferences on women's rights and two on LGBT rights, produced national plans enumerating policies in these areas, and created national advisory councils on women's and LGBT rights to oversee their implementation. However, more often than not, public policies supportive of sexual rights remain only on paper. And, somewhat surprisingly, given the historic relationship between the PT and significant sectors of the feminist and LGBT movements, a number of political and structural forces have aligned to put sexual rights activists largely on the defensive.

As conservative religious politicians have grown stronger, other factors have helped weaken sexual rights advocacy. The ascent of the PT has also drawn many activists into the government and dampened their

willingness to openly criticize it. The creation of women's and LGBT councils at various levels of governance has bureaucratized and shackled activism at a time when greater outspokenness is needed. Moreover, many organizations are facing financial crises and closing down as a result of the administrative decentralization undertaken by the National STD/AIDS Program and many international foundations are turning away from Brazil. Together, this perfect storm is revealing the precariousness of a model of close cooperation between government and activism built over the last three decades.

While this brief assessment mainly focuses on the shifting terrain of the domestic political economy of sexuality in Brazil, this landscape is not disconnected from the emergence of Brazil as a global actor and its investment in and association with IBSA and BRICS. First, it is worth recalling that in the course of the UN conferences of the 1990s, Brazil had gradually moved towards recognizing progressive positions with regard to matters of sexuality and abortion. This diplomatic performance reflected the internal dynamics of sexual politics (and its gains) and was, to a large extent, constructed in processes of dialogue (and conflict) with civil society organizations working in these domains, in particular feminists. One landmark of this trajectory was the tabling of the Brazilian resolution on sexual orientation and gender identity at the UN Commission on Human Rights, which made Brazil a "lightening rod" in the context of inter-governmental debates on LGBT rights (Girard, 2004; Pazello, 2005). This highly "progressive stance" was also manifested in 2005, when the Brazilian government suspended its agreement with USAID for financing HIV prevention, because it refused to sign the clause requiring recipients to express a formal position against "prostitution."

As previously mentioned, in his last book, Paul Amar pushed his exploration of this domestic-global articulation further in his analysis of the complex dynamics at play concerning sexuality, race, old and new logics of securitization, and the full entrance of the Evangelicals into electoral politics in the late 1990s and early 2000s. His view is that global emergence must be added to the already mentioned internal requirements for governability—-Congressional bargaining patterns and the PT's mixed record in relation to sexuality and abortion—to more fully comprehend the political and policy regressions briefly mapped in this essay. Amar's hypothesis is that the transformation of Brazil into a global player required the construction of a new image of rectitude and respectability that was at odds with the crystalized imagery of Brazilian sexual hubris. Already palpable during the Lula years, the novel requirements of respectability appear, not surprisingly, to have become more exigent after a woman became the president.

To conclude, it is important perhaps to note that the harsh battles reported here contrast with the global image projected by Brazil in the course of the last two decades as a champion of gender equality and LGBT rights in international policy arenas. This image tends to obscure the maze of tensions and paradoxes characterizing internal Brazilian sexual politics. It also feeds expectations in many quarters that Brazil's positions in these domains will, jointly with South Africa, positively nurture these policy agendas as the BRICS forum consolidates. However, as analyzed by Corrêa (2014-2015), slippages in Brazilian diplomatic positions that seem to have been influenced by the priority given to the global South and BRICS agendas have already been registered. If the trends presently observed at the level of domestic sexual politics are added to the picture, a degree of caution is required in respect to prognostics being made about whether, in the medium and long run, Brazil will sustain these positions within BRICS.

Emerging Powers, Sexuality and Human Rights: "Fumbling around the Elephant?"   SPW Working Papers, No 11, June, 2015

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China: State control, market forces, and religious revivals

Observers of Chinese sexual and gender politics have examined the ways in which sexuality debates were reshaped in China after the market reforms of the 1970s, underlining three overlapping trends: the revival of sexology, a new wave of gender equality claims, and what Huang Yingying (2013) portrays as a "sexual revolution." At the Rio Meeting, Cai Yiping summarized this sexual revolution and situated it in relation to the wider Chinese economic, political, and policy landscape.

In order to illustrate how discourses of gender and sexuality are popping up quite unexpectedly in the most diverse domains, she recalled, for example, that, in 2013, while speaking at a press conference on the fifth round of the China-US Strategic and Economic Dialogue in Washington D.C., the Vice Primer Wang Yang portrayed the relationship between the two countries as, "an unhappy marriage that, however, must be worked out [because] China and the US cannot afford separating, because the relation also implies family responsibilities."

Then he added, "I do know that same sex marriage is allowed in US, but we (Jacob and me) did not mean that type of marriage."[30] Yiping also mentioned the panic that arose when the then-Prime Minister of Iceland, who is a lesbian, brought her wife to the country on an official visit; panicked state authorities did not know what protocol to apply to the couple.[31] The official and media responses reflect transformations underway in Chinese society that are deeply interwoven with the effects of sustained economic growth, urbanization, expansion of the middle classes, higher levels of consumerism, and changes in "lifestyles" that affect how gender and sexuality are addressed politically.

Recent trends

While the issue of women's equality was an integral part of modern state policies in China within the classical

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30   See the detailed report in *Southern Weekend*, July 20, 2013, http://www.infzm.com/content/92494.

31   See the news report in *Beijing Youth Daily*, April 30, 2013, "The China trip of Iceland Prime Minister and Her Wife." The official media was friendly and reported the wife's activities in Beijing, including images of her planting a tree, but kept the reporting on the visit low profile. On the other hand, the online LGBT media made big flares about the Prime Minister and her wife.

communist frame, women's rights claims have assumed novel expressions in the course of the last twenty years, particularly in relation to the pervasiveness of gender-based violence. A major debate underway in 2014, for example, concerned a proposed new legislation on domestic violence, which narrowed down the definition of these violations to those that occur amongst heterosexual, married partners, and which was considered problematic by feminist and LGBT researchers and CSOs. In a parallel development, sexuality has also become a matter of public debate and the object of market strategies.

The place of sexuality and eroticism in Chinese culture has a very long history. Chinese people have always been very creative in talking about sex—through the visual arts, satire, cartoon, and poetry. Today, researchers and activists are promoting film festivals and theater performances on sexual matters, such as the Vagina Monologues, as well as conversations on controversial sexual topics, such as masturbation.[32] Furthermore sexuality fairs, where people can get access to sexual toys and books have mushroomed, and workshops on exploring sexuality have also become very popular, something unthinkable in the past (SPW, 2011). This should not come as a surprise; in a context in which intense individual consumerism coexists with sharp restrictions on freedom of expression, sexuality can easily become a realm for people to creatively express themselves in.

LGBT issues have also gained higher visibility in the last 10 years, even as LGBT political organizing is sometimes subject to censorship or even more stringent control. A lesbian film festival was prohibited in 2008 and, in May 2014, nine LGBT activists were arrested because the government feared that public events programed to mark the International Day against Homophobia and Transphobia (IDAHOT) could link up with expressions of discontent related to the 25th anniversary of the Tiananmen Square rebellion.[33] The arrest did not hamper IDAHOT, however, as events took place in Beijing and elsewhere, including a queer film festival.[34]

The HIV/AIDS movement has been active for far longer than the LGBT movement and had established connections with global networks much earlier. While it mostly framed its concerns in terms of access to healthcare and

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32   A young researcher who participated in the last SPW training on sexuality research reported that she was engaged in promoting highly successful public conversations in her hometown in China.

33   http://www.buzzfeed.com/lesterfeder/nine-lgbt-activists-arrested-in-china-but-the-countrys-most.

34   http://dayagainsthomophobia.org/what-is-happening-in-your-country/china/idahot-report-2014-china/.

condom distribution, the HIV/AIDS movement has historically been critical of state policies and, therefore, is quite easily prone to censorship and persecution. Community organizations working on HIV/AIDS have received substantial funds from The Global Fund to engage in prevention work among MSM and sometimes this has created tension between the HIV/AIDS and LGBT movements related to competition for funds and audience. A lively debate has been evolving at this intersection, sometimes characterized as health- versus rights-based approach to HIV prevention work.

While dialoging and coalition building may still be missing across movements, the Chinese sexual landscape is promising in many ways. New strategies are being devised for networking and creative social interventions are being designed to bypass state authorization of public demonstrations. Groups have been using flash mobs, bike rides, and other unusual forms of political expression to give more visibility to their demands. As Chinese feminist and sexuality activisms are now globally connected, these internal debates and claims are being gradually transported to global arenas. "Feminists from China have closely followed the UN Beijing +20 processes and are engaged with the post-2015 Development Agenda. In Rio, Yiping reported that Chinese diplomats attending these negotiations have shown reasonable flexibility and openness with respect to issues of gender as well as sexual and reproductive health."

Then, in October 2014, China was reviewed by the CEDAW Committee, the last review having taken place in 2006. For the first time, CSOs from mainland China, including one LGBT and various feminist organizations, presented shadow reports for the review. The Committee asked several questions and made a number of recommendations regarding gender equality, and two members raised explicit concerns in relation to the exclusion, discrimination, and pathologization of individuals who do not conform to gender and sexuality norms. In responding to these concerns, the official delegate declared that the law in China protects the rights of all citizens, regardless of their sexual orientation. Feminists and LGBT groups present at the review welcomed the statement, as this was the first time that Chinese authorities had made a clear statement on LGBT rights at a highly visible UN arena. Furthermore, it is to be noted that social attitudes towards homosexuality are also becoming more flexible in China.

Challenges that remain

These promising trends must be placed, however, against the backdrop of what is not changing or, at least, is changing at a much slower pace in China. One clear example concerns the stringent population control policies based on compulsory family planning—the One Child Policy—established in the late 1970s, when the market reforms began. Some Chinese analysts have, in fact, hypothesized that the blossoming interest in sexual expression witnessed in recent years is to be counted as one effect of smaller families and lower fertility rates (SPW, 2013). Yet, this is a policy area in which political contestation remains anathema. As Yiping noted in Rio, reproductive rights as defined at the ICPD Conference in Cairo—specifically, the decision to freely decide the number of children to have—remains out of reach in China.

On the other hand, the potential adverse effects of the One Child Policy on aging, the labor market, social security costs, and, most principally, economic growth has led the state to begin revising its stance on population matters, and debates about the policy's negative social effects have also expanded in recent times: What happens when a family has only one child and then the child dies? How does a society ensure social support to old people, as many children simply abandon their parents? This led to an announcement by the central government in November 2013 that the One Child Policy will be eased and that couples who fulfill certain criteria will be allowed to have a second child.[35] It is, however, too early to evaluate the effect of this policy shift.[36] Some worry that it will worsen discrimination against women in the job market.[37]

Lastly, in the specific realm of sexuality related policies, one area of state politics that has not changed is sex work. In China, soliciting remains stringently criminalized and may lead to many years of detention. In cases when detention surpasses two years, women have to pay to be in prison, because the state defines this imprisonment as re-education.[38] In early 2014, 6,500 police personnel raided the sex work areas of Dongguan,

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35   http://usa.chinadaily.com.cn/china/2013-11/15/content_17109519.htm.

36   http://www.china.org.cn/china/2014-07/11/content_32919208.htm.

37   http://www.ecns.cn/cns-wire/2014/03-25/106455.shtml.

38   Asia Catalyst, "Custody and Education": Arbitrary Detention for Female Sex Workers in China, December 2013.

taking thousands of people into custody.[39] Though massive and provoking much media attention within and outside China, the raid was not exactly exceptional, as the state often resorts to cracking down on sex work to project the image that it is fulfilling its role as the tutor of a moral social order.

Even so, it seems productive to situate the Dongguan crackdown in relation to what the new government that came into power in early 2013 defined as its main priorities: the fight against corruption, the expansion of the social security network, and the reduction of inequality. As noted by Yiping at the Rio meeting, growing economic disparities in China trigger periodic waves of political discontent in both urban and rural areas. In order to appease this discontent—in addition to customary censorship and political control—the state has also begun to more consistently deploy discourses on "social harmony."

The issue of growing inequalities inevitably intersects with gender and sexuality politics. For example, gendered disparities in income have increased in urban as well as rural areas, where historically they were less pronounced. But, as is also the case in many other countries, inequalities have also increased among women themselves. The bird's eye view offered here shows that the political landscape of gender and sexuality is also marked by disparities. Despite state control, it is today more easy for middle class LGBT and even AIDS rights activists to craft political spaces and visibility or to sustain lifestyles that differ from dominant norms than for economically poor and marginalized "sexual dissidents," including sex workers and HIV positive persons. Recognizing the relevance of growing inequalities, feminist organizations have begun moving towards intersectional approaches that comprehensively address gender, sexuality, ethnicity and religion, and disability, and are expanding their connections with community-based and grassroots organizing spaces, for example, amongst migrant women.

Finally, another relevant and rather surprising trend underlined by Yiping is the revival of religious and spiritual practices in China. The compulsory secularism of the early days of communism has been left behind, even though the selective persecution of specific religious manifestations is still underway, as in the case of Tibet, some Islamic expressions, and the spiritual practice of Falun. In recent years, the state has deliberately amplified the space for religious communities and practices with a view to counter the "spiritual vacuum" generated by

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39   http://www.huffingtonpost.com/huff-wires/20140211/as-china-prostitution/?utm_hp_ref=arts&ir=arts.

the deep and wide transformation of the last 40 years. Greater freedom has been given, though under state purview, to Buddhism, Islamism, Christianity, and, in particular, Confucianism to expand in society and today even party members can once again practice religion.

The case of Confucianism is paradigmatic. It was frontally attacked and eroded by the early communist regime that saw it as the main spiritual tradition of the previous ruling classes. Today, however, with the support of intellectuals–Confucianism is being revived and restored as a strategy to promote "social harmony." Although the central government does not have formal relations with the Vatican or the leaders of Evangelical churches, these churches can function whenever they have the required state authorization and they have expanded their outreach under the new policy.

From the point of view of gender and sexuality, there are reasons to be concerned, even though the influence of dogmatic religious views on the central state is not comparable with what is seen elsewhere in the world. Confucianism, for example, is based on patriarchal notions that prescribe obedience to the ruler, the father, and the husband. Christian churches have begun collaborating with local authorities and with religious educators that promote conservative approaches to sexuality. More worrying still, dogmatic Christian voices, mainly Catholic ones, have, in recent years, begun systematically raising critiques of the family planning policy, in particular, of coerced abortion. But these groups have also gained internal social support by speaking on behalf of families who have lost their only children. And, through transnational connections, Chinese faith-based activists who contest the One Child Policy have gained the right to exile in the United States, where they have strengthened their connection with anti-abortion networks.

India: Landscaping sexualities through complementary lenses

The murky terrain of sexual politics

Nitya Vasudevan began her analysis of the Indian context by describing a conversation with a reporter who had called her to get a quote on the US Supreme Court decision on same-sex marriage. The reporter first asked what the "Indian perspective" on same-sex marriage would be, and her next question was, "How has Bangalore developed in terms of LGBT rights?" When interrogated, the reporter explained, "I want to know whether there's any hope of India reaching this point a few years from now." The logic of the reporter's questions indicates that there exists some kind of a global graph of LGBT rights progression onto which countries are mapped, with North and South American nations as well as many European states on the blue side and Middle Eastern, North African, and some of the Asian countries in the red, with many others (China, Taiwan, Japan, Nepal, South Africa, India, Sri Lanka, and so on) located at various points in between the two ends. Such an "evolutionary perspective" ruins any hope of contextualizing the ways in which sexual practices and gender identities are formed and take shape in specific locations at particular times, and it also bypasses any possibility of reflection on the imbrication of LBGTQI rights discourses and neoliberal, developmentalist ideologies and practices.

Then, through a brief critical reading of old issues of the journals *Third World Resurgence* and *Combat Law*, Nitya turned her attention to the histories, shifts, and patterns that should be looked at when debating the current geopolitical re-configuration of new powers of the Global South. There appears to be, in these journals, a neat separation between trade and economic practices, on the one hand, and issues of gender and sexuality, on the other.[40] This is reflected, for example, in the disjunction between the lists of international bodies and norms that are invoked in each of these fields. Bodies such as the World Trade Organization, the International Monetary Fund, UNCTAD, G20, and BRICS are brought up in relation to the former, and the latter is the concern of the UN Human Rights Council, the ICCPR, CEDAW, UNDP, and UNAIDS. This neat and artificial division prompts the question: How is it possible that entire dossiers on the social, economic, and ecological impact of liberalization policies do not mention gender or sexual practice? How do we understand and explain this sharp separation?

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40   The only exception in the issues examined was an article on Australian men sponsoring the migration of Filipino women into Australia as their fiancées and then treating them badly, which can be said to be a conventional gender analysis of migration.

While an engagement with developmentalist discourse in late capitalism is almost entirely absent in representations of the queer movement and sexuality politics in these journals, the special dossiers on new reproductive technologies (NRTs), exclusively focusing on ciswomen, do cover aspects relating to the linkages between science and technology, bodies and sexual practices, and market forces and capitalist trends. A difference, therefore, emerges within sex and sexuality discourse, in which debates about non-normative sexuality and gender identity are dominantly framed in terms of legal status and political rights, while (cis)gender reproductive matters are more easily located within discussions of capitalism and its effects, and of social and economic domains of experience.

These disjunctions must also be situated in relation to the tensions and complexities present at the intersection of local and global LGBT politics and rights claims. One way of doing this is to analyze how international funding flows and top-down models of intervention impact local struggles. Often, the complexities of the locations from which both funding and political formulations and analyses emerge are obscured, while the funded "ground" is held up for scrutiny. This further reinforces the well-known knowledge-practice divide that mirrors the divide between funding and funded worlds, where one becomes the obscure origin of money and knowledge, while the other becomes a purely empirical ground.

This articulation is valid for other domains of sexual politics as well. We need to step beyond Global North-framed ideas of human rights and sexuality to trace critical genealogies that will build localized and standpoint-based understandings of the processes that have been taking shape over the last few decades. This can, for example, be illustrated by the very struggle around HIV/AIDS that in the US was linked to interventions targeting the pharmaceutical industry and a fight to convert AIDS from an "immoral" disease to a manageable illness,[41] a model that cannot be so easily transported to the Indian context, where both the illness and the social mobilizing around it have had very different trajectories.

With these conceptual questions in the backdrop, Nitya briefly listed the many areas that in her view must be systematically examined when charting how Indian sexual politics is embedded in the dynamics of the country's

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41   See the 2012 documentary *How to Survive a Plague* (Dir. David France) for a passionate account of how this battle took place

emergence as a new global power. The list demonstrates that there are many areas of concern in Indian sexual politics in addition to criminalization of same-sex relations and rape.

- Censorship: Issues related to the obscenity law and cultural battles around representation
- Reproductive and sexual health: Histories of forced contraception and family planning for population control, the debate on surrogacy, concerns around women's health, sexually transmitted diseases, and the growing panic about sexual practices among young people
- Sex selection: The long history of trying to balance the sex ratio and prevent pre-natal sex selective abortions
- Sex work: Divisions within the women's movement on the status of sex work and whether or not it should be considered a labor / livelihood issue (this, in spite of the existence of sex workers' unions), and also the legal position of sex work the state, its regulation in public spaces, and police brutality towards sex workers
- Marriage and premarital relationships: A growing discussion on pre-marital sex, the phenomenon of living together among unmarried heterosexual couples, and continuing discussions on "love marriage"
- Inter-community marriages: The violence faced by people who enter into inter-caste and inter-religious marriages, including "honor killings"
- Regulation of public performances by women: The history of regulating, abolishing, and banning women's performance practices if they are sexually charged or erotic
- Rape and sexual violence: Intensified discussions on rape after the Delhi rape case; the debate on capital punishment; legal solutions and increased surveillance to deal with sexual violence
- LGBT communities: The legacy of the Hyderabad Eunuchs Act, the Criminal Tribes Act, and the Police Act; the 2014 Supreme Court judgment recognizing transgender identity; issues around medical and mental health, education and employment options, and police brutality against transgender people

This plethora of issues, critical in the Indian context today, must be factored into the highly complex history of sexual politics in India. It is very important, for example, to recall that the very first articulations of "alternative sexualities" emerged from within the women's movement. As early as the 1980s, queer women within feminist struggles began to tentatively mark out their difference and call for alternative gender and sexual practices to be recognized and politicized. But even before that, feminists had been contesting patriarchal structures and their manifestation in the controlling of women's labor, bodies, and sexuality within family institutions and the workplace.

Shah (2008) argues that for many years the women's movement was the only space in which the notion of the body was politically explored, from biological variation to socially constructed ideas of "difference" and "inequality." She underlines that "queer politics begins with the analytical framework of feminism, which challenges the patriarchal order." But a sharp divide also existed between queer politics and the women's movement for a long time, with activists within the women's movement claiming that lesbian standpoints could not be included within mainstream feminism. Any understanding of sexual politics in India, and of the queer movement as it exists today, has to take into account this history of its relationship with the women's movement. The divide between a feminist politics and LGBT politics started to build with the emergence of groups that were supported by international funding agencies that *shifted the focus to sexuality as identity rather than as a field of practices*.

The question that emerges from this complex trajectory is: What does it imply to move from a politics that challenges patriarchal control over sexual practice towards a politics that concerns itself with identities? In addition to distancing ourselves from a perspective that emphasized *social* change and moving instead towards *legal* change as the site of politics, this shift implies a desire for universality or, rather, the desire to strengthen the ties between one's sexual-political claims and the global discourse of sexuality-based rights. The desire for global belonging is reflected in the notion that sexuality politics was marginalized in the Indian context until the entry of AIDS-prevention groups and funding. The strange erasure of feminist histories within the LGBT movement, with the centering of HIV discourse and the subsequent case against Section 377 of the Indian Penal Code, is telling of these shifts.

The question of sexual orientation took center stage in international fora in the early 21st century, including at special meetings of the UN General Assembly on HIV/AIDS in New York in June 2001, the 2003 meeting of the UN Human Rights Commission (HRC) at which Brazil presented a resolution on sexual orientation, in various declarations presented at the Human Rights Council and the General Assembly, and, last but not least, the adoption of two HRC resolutions, in 2011 and 2014. Sexual orientation and gender identity have also been the subject to investigations by UN Special Rapporteurs (see Girard, 2007; ARC International, 2012, 2014).

This transnationalization inspires us to revisit the meaning and relevance of local histories and to perform genuinely rigorous comparative work that stands opposed to global graphs and the universalist framing of questions related to sexual practice. Ashley Tellis (2003) elaborates on the issue:

It is amply clear by now that a structural critique that factors in class and the history of socio-economic patterns in India since globalization is needed and we have to be wary of the politics of funding at many levels. What we need to do is integrate intellectual and activist LGBT works in India with what Petras calls "the social struggles of the country" rather than funded projects designed in the US…. [But] I cannot endorse Petras' magical use of class as the "real" issue that co-opted intellectuals want to ignore and that will, once-recognized, solve all differences and problems. Miranda Joseph has shown how romantic notions of community in fact do not recognize the complicity of community—whether funded or voluntary—with capital. Instead, via a nuanced and unsentimental critique of pieties like "community," "local" and "difference" (which means an equally strong critique of the new lingo as the old), she calls for an integrated and grounded sense of situation in the matrix of global capital to contest and re-create politically productive notions of community. (Tellis, 2003, p. 22)

We then can identify slippages and elisions between the everyday, grounded political work carried out by individuals and groups that work on education, employment, medical and mental health, police oppression, housing and dispossession, and livelihood-based struggles and largely symbolic legal struggles that call upon the state to recognize identities. The following question makes the point clearer: Why is the fight against the Karnataka Police Act (which leads to brutal physical attacks against hijras), a lesser battle than the one against Section 377, a law that has rarely been invoked until now (when it has gained a lot of publicity)? How do we blindly support a legal struggle that has done damage in the way that it has, in alignment with global trends, re-named an anti-sodomy law (dealing with sexual practice) an anti-homosexuality law (dealing with sexual identity)? Lastly and most importantly, when does the social become less important than the legal? Is it when the idea of belonging to a global struggle takes precedence over contextualized experience?

Economic liberalization has brought about many changes and has had material effects on livelihoods and practices in India. Due to the large-scale restructuring of cities, the public space for sex workers is shrinking and they have to cope with police violence daily. Factories and industrial units are being pushed to the periphery of cities to make way for a more globalized interior, making it harder for the large female workforce to travel back and forth. We also find increased police surveillance and control of urban spaces, such as CCTV cameras in parks, increased patrolling, and a wide range of measures adapted to "ensure safety and prevent public disturbances." While police surveillance and violence is becoming less prominent at LGBT pride marches, it remains intense with regard to cruising, sex work, begging, and public displays of "indecency".

Simultaneously, international corporations working in India are setting up gay and lesbian anti-discrimination units that are attempting to fund pride marches and other events promoting sexuality rights.[42] While the discourse of diversity in the workplace might not in itself be a problem, the fact that there is no scrutiny of the economic practices of these organizations–one needs to simply read the history of Goldman Sachs to know that their practices are problematic–indicates that there is a disavowal of the ways in which the queer movement is complicit in reproducing a neoliberal world order. The question here is: What role does corporate social responsibility play in bypassing the need to critique late-capitalist practice? If a company funds social causes, does this mean they no longer need to examine their own economic practices?

Furthermore, any examination of the Indian sexual-political landscape must look not just at the effects of liberalization in terms of exploitation and exclusion but also at what it generates in terms of subjectivities or modes of being. For example, a few years ago when the police in Bangalore cracked down hard on *hijras* for begging, lesbian and gay members in a support group discussion argued that it was right to ban *hijras* from begging on the streets because begging and the performance of erotic acts–teasing, flirting, and sometimes touching men–were a violation of "personal space," or "privacy." The questions to be raised here are: Whose notions of privacy and "personal space" are being supported here and where do these notions come from?

Our sexual politics must involve acting from the standpoint of those who are materially affected by state mechanisms, policing measures, and structural inequality. We also need to return to the history of sexual politics in the Indian context, to understand why it is that the LGBT movement and the sex workers' movement are separate in the domain of political action; why the queer movement is seen as a space that represents the elite and the upper caste; why we do not bring the same wariness regarding legal change to LGBT issues as feminist lawyers have brought to women's issues; and why there is no critique of capitalism that is being recognized as intrinsic to the queer movement.

To more fully understand and address these multiple challenges, a threefold conceptual frame is required that comprises gendered / sexual practices, the state, and capital, as sites of domination, contestation, and

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42   It is important to note that offers by these corporations to fund Pride marches in cities such as Delhi and Bangalore have been a subject of debate every year among organizers, and such funding has usually been refused. In Delhi, up until the Queer Pride March of December 2014, corporate banners themselves were disallowed at the march. In 2014, the organizers of Bangalore Pride decided that no NGOs or corporate outfits would be allowed to carry their banners or names in the march. This relates to the arguments within movements about the relationship between neoliberalism and the conditions for political action.

transformation. In her essay "The Phantom of Globality and the Delirium of Excess," Lata Mani (2008) analyzes the discourse of globality, the coherence of which is,

> premised on disarticulating the real relations between neoliberal globalization as process and policy trajectory, and the material realities it enters, transforms, destroys, or remakes. (Mani, 2008, p. 47)

It is precisely this kind of un-anchoring that a universalist discourse of "sexuality" takes its form from and this is what we have to consciously oppose through a focus on context and practice.

Indian sexuality: The political economy, biopolitics, and necropolitics

akshay khanna began his intervention by presenting a video that was shown on Indian television channels in 2007 to commemorate 60 years of Indian independence. This television spot sponsored by the Times Group, which owns television channels and newspapers, resonated strongly with the right wing Bharatiya Janata Party's "India Shining" campaign, speaking to the emergence of a new sense of Indian, or rather, specifically Hindu masculinity and the rise of Indian multinational capitalism. It is to be noted that this spot was aired around the time when the institutionalization of the emerging powers of the Global South began with the creation of IBSA. The clip features Amitabh Bachchan, perhaps the best known Hindi language actor and a television anchor, who often features as the grand patriarch of, and in, Hindi cinema, and, who might be understood as a dominant model of Indian (read Hindu) masculinity and a "voice of the nation." Yet, it should also be noted that this is not an official state video but rather a production sponsored by private actors who strongly identify with the emergence of India as a global player. In his famously deep baritone, with much gravitas, Amitabh deploys the following words:

> There are two Indias in this country. One India is straining at the leash, eager to spring forth and live up to all the adjectives that the world has been recently showering upon us. The other India is the leash. One India says, "Give me a chance, and I'll prove myself." The other India says, "Prove yourself first, and maybe then, you'll have a chance." One India lives in the optimism of our hearts. The other India lurks in the skepticism of our minds. One India wants. The other India hopes. One India leads. The other India follows.

These conversions are on the rise. With each passing day, more and more people from the other India are coming over to this side. And quietly, while the world is not looking, a pulsating, dynamic India is emerging. An India whose faith in success is far greater than its fear of failure. An India that no longer boycotts foreign-made goods, but buys out the companies that makes them instead.

History, they say, is a bad motorist. It rarely ever signals its intentions when it's taking a turn. This is that rarely ever moment. History is turning a page. For over half a century, our nation has sprung, stumbled, run, fallen, rolled over, got up and dusted ourselves off, and cantered, sometimes lurched on. But now, in our sixtieth year as a free nation, the ride has brought us to the edge of time's great precipice. And one India, a tiny little voice at the back of the head, is looking down at the bottom of the ravine, and hesitating. The other India is looking up at the sky and saying, "It's time to fly."[43]

In akshay's view the main kernel of this discourse is to be found in the phrases "*And quietly, while the world is not looking, a pulsating, dynamic India is emerging. An India whose faith in success is far greater than its fear of failure. An India that no longer boycotts foreign-made goods, but buys out the companies that makes them instead*"—because they point to the centrality of the neoliberal economic model. The video speaks of the emergence of a self-conscious middle class that is creating a new narrative of the nation, establishing new ethical parameters to guide the political life of the nation. The landscape of sexual politics previously examined must definitely be situated in relation to this emergence. A question to be asked is: What message around gender and sexuality is embedded in the discourse deployed by this video? The image of the "pulsating" new India, for instance, metaphorically and libidinally figures the nation in masculine vigor.

On the other hand, Indian sexual politics must also be placed against the backdrop of the 2011 protests around corruption and those around the Delhi collective rape[44] case of 2012. The anti-corruption narrative is deeply connected with the emergence of the middle class that views corruption as the core problem that prevents India from becoming a super power. On the other hand, this stream of politics also takes recourse to longstanding vocabularies of Indian politics. At the moment of its explosion, the most visible leader of the

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43   See http://www.s-anand.net/blog/india-poised/.

44   An alternative formulation to the common one of "gang" rape.

anti-corruption protests, Anna Hazare, for instance, deployed the image, name, and modalities of Mohandas Gandhi—performing an indefinite hunger strike to mount pressure for an anti-corruption bill to be approved. This modality of politics revives Gandhian strategies and places the hungry body at its center.

Moving to the protests against the collective rape and murder of a young woman in Delhi in late 2012, akshay noted that while rape is a universal phenomenon of sexual violence against women, after this episode, it has become the marker of sexual life in India. What is less known, but more remarkable, is that central Delhi had been completely shut down by the protests relating to the rape and murder for close to two weeks while the victim of the violence struggled for her life in hospital. What happened there was a tremendous example of novel forms of unruly politics in action. Differently from the corruption protests for which it is possible to trace a genealogy, now it was impossible to track where the protest came from, and who was organizing it. A crucial question to be raised is: What would have happened if the woman had died on the very first day rather than being in coma struggling for life for two whole weeks? It is important to explore that aspect because it is what makes the Delhi rape / murder incident so powerful. There are lots of violent rapes every day, which are even reported by the papers and on television. What sparked this Delhi phenomenon? In akshay's view, the cornerstone of the spiraling protests was the fact that the victim remained suspended between life and death.

Her name was kept secret in order to respect her privacy. She had watched a movie and boarded a bus at a reasonable time of the evening; she was not "slutting around." The media named her "Nirbhaya," or "fearless," and she rapidly became "the daughter of the nation." The rape protests tell us much about how in India politics, sexual politics included, is often a combination of biopolitics and necropolitics, or politics that edge towards death. Here, both the Foucauldian notion of biopolitics as politics and Agamben's conceptual frames are critical in order to understand how people are resorting to "bare life," to manifest politically. The next chapter in the episode was a complex intertwined discussion around the death penalty and the state monopoly over violence.

The Delhi episode triggered numerous calls for the law to be reformed to include the death penalty for gang rapes. The episode to take over Indian media immediately after the "fearless" daughter of the nation died was as telling in this regard; a story of Indian soldiers beheaded at the Pakistani border triggered a discourse on the barbaric nature of the act and novel calls for the death penalty. As though to reinforce the centrality of death to Indian politics, the next story to dominate screens and newspapers was the execution of one of the accused

in the Mumbai terrorist attack. akshay noted that while his family was not even informed that he was going to be hanged, people on the streets were widely celebrating his death.

The threads of resonance appearing between these apparently isolated events must be pulled together to understand the emergence of a middle class political subjectivity in India, and its connections with the parallel proliferation of biopolitics and necropolitics. One landmark in these trajectories was the 1991 liberalization effect on communication, in particular cable television, which has implied the expansion of and greater heterogeneity of the public sphere, trends that even today require further research and analysis.

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South Africa: Post-apartheid sexual politics

Introduction

Dominant ideas about gender and sexuality in South Africa bear the imprint of colonialist, western-scientific ideologies and practices dating from the mid-17th century on. As in other colonized parts of the world, postcolonial South Africa, too, has had to sift the chaff of racist and moralistic hierarchies of gender and sexual propriety (both indigenous and imported) from the wheat of diverse cultural traditions and localized understandings of sex, sexuality, and gender. Of course, this does not necessitate a reactionary return to local patriarchies but rather implies the need to excavate, and invent, alternative conceptions and practices that capture both historical values and emergent pluralistic cultures.

The near-total destruction of local traditions and cultures–themselves often androcentric though perhaps not as patriarchal as made out to be in colonial records–has meant that many of the ideologies and practices that existed before the Dutch East India Company set up a trading post in the Cape of Good Hope (now in the Western Cape) in 1652 have, for the most part, gone uncaptured in the historical record. At least from the beginning of the establishment of European trading and settler colonies, though, the classification and control of permissible sex and sexuality have been central to the ways in which the land that is now South Africa has been imagined and managed. Sexual relations between male European settlers (as well as passing soldiers and sailors) and women from the indigenous Khoisan communities, and from the other racialized groups brought over from Dutch colonies further to the east and from West Africa to serve as enslaved labor, took a range of forms, from marriage and concubinage to explicit coercion and institutionalized rape, most obviously in the case of "master-slave" relations. Two decades into the setting up of the trading post, three-quarters of all children born to female "slaves" had white fathers; the children themselves were also considered slaves and served, as their mothers, to provide free labor to the colonial settlers (van den Berghe, 1960).

Historical traces

From the second half of the 18th century, laws and social attitudes towards interracial relationships became restrictive and race-based prejudice more pronounced; following the abolition of slavery by Great Britain in 1833,

the attitude of the Voortrekkers (Afrikaans for "pioneers") became virulently racist and they established white-only "republics" that denied citizenship to and actively discriminated against non-white people. The formation of the Union of South Africa in 1910 saw the start of a period of legislation that institutionalized and cemented inequality and racial hierarchies in the form of land grabs and territorial segregation, and a spate of other laws marginalized people on the basis of skin color. In the realm of sexuality, the Immorality Act of 1927 prohibited all sexual relations between Europeans and Africans and the Prohibition of Mixed Marriages Act of 1949 (passed immediately after apartheid was declared official state policy) made marriage between Europeans and all non-Europeans illegal; a few years later the Immorality Act was amended to criminalize all sexual conduct as well as "immoral or indecent acts" between whites and all non-whites. Both sex work and homosexual sexual relations were criminalized during apartheid, and a homosexual relationship between an adult and a person less than 19 years of age was condemned as a separate statutory offence. The 1957 Sexual Offences Act and amendments to it laid the ground for the total criminalization of sex work. The simultaneous prohibition of homosexual, transactional, and interracial sexual relations reflects the panicked response of a brutal regime to all relations that were "non-(re)productive" in maintaining race identity and distinction.

Current political debates about gender and sexuality in South Africa must be contextualized within both the country's colonial history and the legal and social climate that has prevailed since the emergence of the new South Africa in 1994. These imprints combine longstanding elements of patriarchal African kinship structures that are predominantly organized around the heteronormative pact (Epprecht, 2007) with the legacies of the policies of extreme racial segregation perfected during apartheid. Although settler colonialism was not unique to South Africa, the relatively small amount of time that has passed since the formal end of apartheid makes South Africa's case particular among postcolonial states. South African democracy is young and still contains remnants of colonial and apartheid conceptions and practices concerning gender, sex, and sexuality.

In their analysis of the country's sexual politics, Beresford, Schneider, and Sember (2007) provide a short overview of these legacies. Speaking of the use of sexualized forms of violence, including torture, in prisons and detention centers during apartheid, they say,

> The manipulation of sexuality for the purposes of social control did not only occur in these facilities. As in the colonial period, sexual control pervaded the apartheid system. (Beresford, Schneider, & Sember, 2007, p. 202)

They also remind us of the overlapping of the rigid Calvinist morality of Afrikaner and Huguenot settlers with the deeply entrenched ideology of white supremacy, often justified with reference to Biblical texts. The combination of imperialist tenets and dogmatic religious views continuously fed tropes of the rapacity of black sexuality, which in turn served as one justification for the apartheid regime's laws that determined that people were to live, work, travel, go to school, have sex, receive medical care, and be imprisoned, all according to their race.

The racialized structure of the economy and policies of forced segregation drove black people towards white urban centers, breaking up kinship structures. From the 20th century onwards, millions of black men spent the majority of their adult lives housed in hostels adjacent to mines and factories, while women remained in the rural areas or lived in townships on the outskirts of cities, often providing cheap labor in white homes and other urban institutions. The destructive impact on black families of the migrant labor system and the sexual economies it promoted are immeasurable, and this system continues practically undisturbed into the democratic phase of the country today. Men routinely have second families (and or multiple sexual partners) in the towns where they work for the greater part of the year, going home on vacation and for special occasions to a wife or wives at home; in addition to disrupted kinship structures, this system of migrant labor has also had devastating health consequences, particularly in relation to the transmission of sexually transmitted diseases. The problem does not lie with polygyny or multiple sexual partners but rather with the unequal and patriarchal context in which these occur, resulting in little legal protection or social recognition for cohabiting partners of married men. Further, while the law does make provision for multiple partners under customary law, it is only men who may take multiple spouses.

With the exception of interracial and homosexual relationships, sex and intimate relationships on the whole were deemed to be a private matter, and the state paid little attention to what happened in the private sphere, even when it was violent and non-consensual. Barring acts of violence that crossed racial borders, domestic violence and rape were considered family matters. The manufactured terror of the imminent rape of white women by black men, which demonized black male sexuality and imprisoned white female sexuality (even as white women themselves bought into myths of dangerous black sexuality), was of a piece with the policy of non-interference into the private domain of the home, as both upheld the power of white patriarchal social control. Much of this changed with the new constitution of 1996. However, the legal reforms have not only been politically contested but, and most importantly, they have not led to changed social conceptions and practices.

The law: Ambivalences, contestations, and the rift between law and reality

As if to match and counter the long history of sexually and socially repressive laws imposed on the residents of the land, the first decade and a half following the establishment of black majority political rule in South Africa saw the overturning of almost all the "bad" laws from the days of apartheid as well as the institution of protective laws and policies, and the constitutional prohibition of discrimination on a range of grounds, including, most famously, sexual orientation; sex work, however, continued, and continues, to be criminalized in the new South Africa.

Some of the most famous acts of legal reform concerned the granting of a host of civil and political rights to lesbians, gay men and bisexual and transgender people, as individuals and in partnerships–from the decriminalization of same-sex sexual conduct in 1998 to the signing into law in 2006 of the Civil Union Act and other complementary laws. The international publicity surrounding the legal reforms and the so-called "peaceful transition" from colonialism and apartheid to "freedom" and democracy led many to perceive the new South Africa as a model for other countries. It is important to note, however, that not everyone viewed either these legal reforms or the truth and reconciliation process as just or equitable, even at the time. Some proponents of this critique hold that the ANC's control over the negotiation process resulted in the silencing of radical approaches and demands in favour of the vast concessions that were made in order to "avoid a bloody civil war." Kasrils, (1993) details the secret meetings that took place outside the formal negotiation spaces between mining bosses, many of whom represented American and British companies, and young ANC economists (many of whom were schooled in Western-style economics). Some analysts and activists would say that to even call the adoption of the neoliberal economic framework a "concession" is to obscure the outright commitment of the ANC to these policies; to "concede" implies a reluctance about implementing these policies and an ignorance of their implications for the poor majority of the country.

A second decision taken during this time, and one that still reverberates today is the decision by the Truth and Reconciliation Commission (TRC) to not have a category for gender-based violence or violence against women in the process of coming to terms with the past. The TRC Act did not define gender-based violence as a political act. Practically, this meant that no questions were asked by TRC statement takers about experiences of any forms of gender-based violence. If women nevertheless spoke about their experiences of gender-based

violence, TRC statement takers required a police case to be opened before such experiences could be recorded. This conditionality, only required for cases of gender-based violence, effectively silenced women who were unable or unwilling to open police cases.

Not only did the TRC fail to engage with women's experiences of violence, it also failed to acknowledge women as actors and activists, instead only treating them as spouses or widows, intimate partners, mothers, and supporters of male activists. In this way, the TRC reinforced the idea of politics and "the struggle" as being men's domain. The gendered spectacle, of weeping mothers and grieving widows—characterized as the supporters and caregivers of the *real* (that is, male) activists and heroes, would be played out countless times over the next twenty years in South Africa, most notably during the Marikana Commission. In the aftermath of the 2012 state-directed and planned killing of striking miners in Marikana, an area in the platinum mining belt in the North West Province, as media and activist attention focused on redress, the women of Marikana were, once again, turned into weeping mothers, spouses, and widows, with their identities as workers—including as miners—activists, agitators, single women obliterated, which also had the effect of obscuring the sexual and other forms of violence perpetrated against women miners. In the end, and over and over again, black women's stories are reduced to those of a supporting cast, and domestic violence, rape, and the myriad crippling effects of poverty and unemployment visited upon them are silenced in favor of a dominant narrative of male-masculine resistance.

In addition to the affirmative claims of the constitution, the South African Bill of Rights of 1996 also contains a clause on the right to bodily and psychological integrity (under the provision of guaranteeing the safety and security of persons) and the right to healthcare, including reproductive health, for instance, women's right to safe abortion on demand in the first trimester of their pregnancy. An administrative decision allowing transgender people to alter their gender identity in the census and on other official documents has also been adopted and the right of individuals to sex re-assignment surgery has been upheld in court decisions. In addition, new and more progressive legislation was also adopted in 1998 on matters relating to sexual offenses and domestic violence, equality and non-discrimination. There is even, finally, the possibility of the decriminalization of sex work. The Law Reform Commission produced a discussion paper on sex work in 2009, followed by several submissions and comments. The final report of the commission is slated to be presented to the Minister of Justice and Correctional Services (itself a noteworthy combination of portfolios) shortly. Full decriminalization is

one of the four possible outcomes of the consultation and deliberation that will follow. In 2013, the Commission for Gender Equality produced a policy brief outlining its official position in support of decriminalization of sex work.

If the course of legal reform affecting women and people with non-normative sexual orientation and gender identity and expression may be taken as an indication of a more general progression away from narrowly conceived heteronormative ideals and towards greater individual freedom, it might appear that the previous chapter in the history of the sexual economy of the country can finally be closed. That this is not the case is an outcome of the real distance between law and political accountability, institutional readiness, and social life.

Speaking of ambivalences and contradictions, Beresford et al. (2007) note a tension between the rights to freedom and security of the person and provisions protecting cultural and religious communities, particularly the protection of customary and traditional law.

> The former include the right to "bodily integrity," such as the right to make decisions concerning reproduction, while the latter guarantee the right "to enjoy one's culture and religion" and "to form, join, and maintain cultural, religious, and linguistic associations and other organs of civil society." (Beresford et al., 2007, p. 199)

Despite these tensions, it is important to note that the presence and political influence of dogmatic religious forces is not as blatant and virulent in South Africa as elsewhere in the region or in other regions, such as in Brazil recently. Liberation theology and the ecumenical frame of the World Council of Churches were extremely influential in the anti-apartheid struggle and their imprint on religious life remains palpable until today.

Yet, religious and traditional leaders have appealed to "cultural and religious rights" since the late 1990s, to contest reforms in relation to abortion and same-sex marriages; they have also brought traditional patriarchal notions of gender and sexual hierarchy to debates and judicial proceedings regarding circumcision rites, virginity testing, and even medical treatment of persons living with HIV/AIDS. While Christian groups have contested the abortion law and the right to same-sex marriage at the higher court levels, other matters have been subject to contestation on the grounds of "African culture." It is also worth noting that President Zuma

recruited Evangelical support in his election campaign in 2012, arguing that no conversation was closed or off limits, and implying that religious and traditional leaders may be increasingly brought on board in deciding the country's policies. Not surprisingly, quite recently, the National House of Traditional Leaders made a submission to the Constitutional Review Committee calling for changes to the Equality Clause, which guarantees protection against discrimination on the basis of sexual orientation (Lewin, Williams, & Thomas, 2013).

Another tension marked by Beresford et al. (2007) concerns the remedies defined by the constitution to redress past injustices. This can be illustrated by examining the constitutional definition of property rights, which excludes land tenure claims prior to June 1913, and thereby eliminates the possibility of contesting colonial takeovers of African people's land prior to the passage of the Native Land Act (1913), even though territorial segregation, outright looting of land at gunpoint, and the institution of policies that permitted rampant land grabs had been practiced for decades and even centuries before. Such constitutional caveats have historically been justified in the name of promoting "political cohesion," which was set up as the overarching framework for the transition from apartheid to democratic rule. In the words of Dawn Cavanagh of the Coalition of African Lesbians at the Rio meeting,

> The political process led by [Nelson] Mandela was fundamentally oriented towards reconciliation, and ideological discourses, particularly those relating to economic justice, that were somehow silenced during the transition have not died away and keep resurfacing in the most diverse domains.

More recently, this unfinished business has been central to the challenges to the *status quo* put forth by groups as diverse as the new political party the Economic Freedom Fighters; the trade union and civil society initiative, the United Front; and the student, worker, and academic movement in the Eastern and Western Cape provinces Rhodes Must Fall.

However, despite these ambivalences, tensions, and contestations, 20 years after the end of apartheid, the constitution remains intact. In Isaack's view (2005), the moralistic conservative attacks on constitutional promises in relation to sexual orientation had not meant regression, but had enhanced and expanded a sophisticated jurisprudence on these matters. This jurisprudence includes, among other research, evidence on same-sex sexual and relational practices in African societies of the past as a challenge to the claimed "un-African-ness"

of homosexuality and transgenderism. On the other hand, most observers who critically assess the current South African political landscape identify the deep rift that persists between the "perfect laws" enacted since 1994 and the everyday experiences of people, particularly from historically disenfranchised groups, as the main challenge facing the country.

Dawn Cavanagh underlined the fact that this gap between the promises of the law and the lives of people should not be explained simply as being due to the lack of sophisticated infrastructure and means of service delivery, as often claimed by state officials, but rather as being the consequence of unmet basic social needs, such as access to water, sanitation, and decent housing for a large proportion of the population. Beresford et al. echo the relationship between basic needs and sexual politics with reference to HIV/AIDS:

> The AIDS epidemic in South Africa illustrates both the authority as well as the limitations of the constitutional process. The discourse on rights and citizenship legitimized by the constitution has proved effective in mobilizing individuals and groups around sexuality issues, brought many of the most disenfranchised of the citizens into the political process, and proved successful in some claims for political and normative rights. But rights in themselves are not a panacea for the complex historical and contemporary inequalities that shape South African society. The AIDS epidemic is sustained by entrenched material and ideological inequalities, and has been the lightning rod for debates that exceed the realm of rights. (Beresford et al., 2007, p. 240)

However, just as legal transformation on a narrowly defined conception of sexual orientation should not be mistaken for comprehensive reform on sexuality, it is also incorrect to assume that there has been mobilization on a range of sexuality issues. Instead, sexual orientation and gender identity, HIV and disease, and sexual and gender-based violence (primarily against women) have dominated the agenda. The vast landscape of sexuality related issues and questions—not only rights *against* but also rights *for*—remain mostly invisible. A number of recent studies on gender-based violence directed against persons whose sexual orientation and gender identity do not conform to dominant norms also point towards the abyss that exists between good laws and the levels of violence and impunity that prevail in South Africa today.

Going deeper

Clearly, the implementation and exercise of sexual and reproductive rights are far from having been realized in South Africa. In relation to abortion, for example, Beresford et al. (2007), note that a survey conducted in KwaZulu Natal in 2000 found that only 11 per cent of the community members and primary nurses surveyed supported the Choice on Termination of Pregnancy Act. More striking yet, only six per cent of the nurses supported abortion on demand, although 56 percent supported abortion in cases of incest or rape. Although these figures may have changed in the last decade and a half, this initial resistance provided a fertile ground for the proliferation of conscientious objection ideologies within the healthcare sector.

Lewin et al. (2013) have looked specifically at the violence and impunity that characterize sexuality related crimes. Examining closely the cases of Deric Duma Mazibuko, a black gay man who was assaulted at a bar, and of Zoliswa Nkonyana, a lesbian woman murdered in Khayelitsha, they identify failures in police investigation and juridical proceedings, lack of state structures to provide legal support to lesbian, gay, bisexual, and transgender survivors of violent crimes, and political interference on the part of ANC officials in Nkonyana's case as some of the key obstacles underlying the lack of redress in these cases. Though they recommend the adoption of a specific hate crime law, they also recognize that such a measure will remain ineffective if wider and deeper processes in the form of systematic public education programs and civil society interventions and campaigns are not enhanced to eradicate the root causes of homophobia, misogyny, and transphobia in South Africa.

Many activists engaged in critical advocacy on issues of sexuality and gender at national and international levels do not consider hate crimes legislation to be the answer to the problem of violence. Rather, they demand political accountability to ensure the systematic implementation of existing laws and to address inequalities in society, including those based on race, geography, disability, and access to economic resources. Further, in their opinion, the solutions to normative social attitudes to and practices of sexual orientation and gender identity and expression lie not in a narrow focus on these issues in isolation but in effective and sustained public education on human sexuality, broadly conceptualized, and its intersections with race, class, and other factors of social life.

It is critical to note that the characteristics of the violence experienced by members of LGBTI communities described by Lewin et al. (2013) are not unique to these communities but are, in fact, commonly found

in instances of gang rape and other forms of sexual violence routinely perpetrated against women. While acknowledging the particularities of the challenges faced by individuals with non-normative sexual orientation and / or gender expression, we must be wary of the increasingly popular trend to exceptionalize and reify violence directed against certain individuals, and to reduce gender non-conformity to a narrow definition of gender dysphoria, because such exceptionalism not only creates hierarchies of violence and violation but also serves to police people's self-identities with an aim to restricting them to narrow, dichotomous, and ultimately conservative expressions of gender and sexuality.

In Rio, Dawn also directly named the political battles that must continue to be fought in complex intersectional terms that both address the central problem of the gap between law and reality but which also require that demands emerging from experiences of gender-based discrimination and violence on the grounds of sexual orientation and / or gender identity and expression are articulated along with critiques of structural inequality as institutionalized in the South African political economy: sharp patterns of socioeconomic inequalities that persist even when a black middle class has taken shape in the last twenty years; high levels of corruption; the methods used by the ANC to sustain its political hegemony; the country's dominant role in the region, which is directly connected to its inclusion into BRICS and IBSA; and the not-so-discussed increase in levels of militarization and securitization that can been identified in the current operation of the state apparatus, both domestically and internationally.

The neoliberal economic policies embraced by South Africa must be made fully visible if we are to understand current sociopolitical and economic conditions in the country, as they are thoroughly intertwined with the political transition; principally, the adoption of neoliberal policies as the basis on which the economy is organized has continued to delay the fulfillment of the promise of racial equality and economic justice. It is perhaps productive to note as well that, as also happens elsewhere in the world, groundbreaking legal changes that occur in the course of regime transition are fundamentally aspirational and often at odds with the views, values, and practices that prevail in society. Normative gains are necessary but always insufficient. They neither mean the end of harsh political contestations, nor automatically align the content of the law with people's attitudes and behavior; indeed, they can be counterproductive, for example, when they serve as a smokescreen or a distraction from the actual conditions in which people live. This is one reason to be skeptical of the liberal agenda of "gay rights," as promoted by some international organizations, celebrity activists, and donors, one that refuses to cognize

that all sexual rights activism does not aspire to an Anglo-American model of individual human rights (that are perforce and have always been available only to the respectable middle classes).

The gradual privatization of state infrastructure – transport, education, healthcare, telecommunications – and free-market trade policies have left the poor worse off than before; more than 60 per cent of the black African population (which makes up about 80 per cent of the country's total population) live below the poverty line and unemployment consistently rests at about 25 per cent. The neoliberal turn is not an accident but the planned and official course that the ANC adopted at the time of the transition (Bond, 2000).

Against the weight of historical and ongoing systems that benefit a slim minority and abandon the vast majority, which has yet to see the tangible fruits of democracy, sexual rights work must take a defiant and uncompromising stand against both race-based discrimination and capitalist economic logics that would much sooner embrace a small gay elite population than allow everyone equal opportunities.

This initial analysis requires to be taken further in order to unearth the myriad concrete connections between various socioeconomic spaces and issues and needs and rights related to sexuality and gender in South Africa. Firstly, the social, legal, and policy focus on sexuality as disease and violence and the conceptual focus on victimhood will have to shift in significant ways to move towards a broader framing of sexuality and an exploration of people's agency, autonomy, and power to make decisions about their own bodies and lives, and to exercise choice. This shift in focus, in turn, must be firmly located within a framework of social justice and transformation that seeks to dismantle structural barriers in order to enable everyone to exercise this agency.

Secondly, the reconfiguration of domestic politics with the formation of new political parties and the possible formation of spaces that allow the language of economic freedom and justice are phenomena that require further observation and analysis in order to determine their impact on the discourse on sexuality as well as their potential and capacity for pushing the South African government to advance progressive policy and practice on sexuality and gender in South Africa. Thirdly, the connections, and disconnections and contradictions, between domestic and international policy and practice of the South African state, as well as between various international spaces, and their implications for the global and regional geopolitical landscape in which this emerging power operates and locates itself must be examined and interrogated for faults and possibilities. New action research must lead us in these directions.

How do these translate into reality? Three vignettes

The threads of analysis woven above can be illustrated by looking at a few concrete episodes in which the actors and forces depicted above cannot be missed. The first vignette is about sexual violence, the second charts the fault line sharply palpable today within popular manifestations of sexual politics, and the third tracks the trajectory of HIV/AIDS policy responses.

Sexual violence: What comes after the bursts of outrage?

Discussion about sexual violence in South Africa usually takes the form of bursts of outrage attendant upon particular cases that make media headlines either because of the extent of the cruelty displayed or because of the involvement of famous personalities. The outrage is accompanied by commentary by gender experts and activists, police chiefs, family members and, sometimes, political leaders. In a few weeks or, at most, at the end of the court case (which almost always follows high-profile cases but hardly ever "commonplace" ones), the event is overtaken by other news items, and this pattern continues as the country lurches from one horrendous instance of violence and brutality to the next.

One of the earliest of such instances in post-apartheid South Africa to capture the country's attention involved the rape of a nine-month-old child, Baby Tshepang, in the Northern Cape in 2001. Just a few years into the new democracy, the shock of the rape was compounded, for many, by a sense of failure and hopelessness. The story made national and international news and the rapist was sentenced to life imprisonment; over the course of the next decade and a half, other "extreme" cases of sexual violence would periodically burst into the public domain. One that would become an accepted reference point for speaking about the normalization of sexual violence in South Arica, and which would also clearly demonstrate the complicity of the South African criminal justice system as a whole in the problem of sexual violence was the 2006 rape trial of the then-deputy president of the ANC, Jacob Zuma; the man who would become the president of South Africa was facing corruption charges at the time, which, incidentally, were never resolved. The woman whom he raped (named Khwezi in the media) was a lesbian-identified feminist activist who was the daughter of a close struggle comrade of Zuma's and who also happened to be living with HIV.

Throughout the trial, Zuma was portrayed in a dramatically masculinized and militarized form; his supporters wore t-shirts proclaiming Zuma (and themselves, by extension) to be "100% Zulu", and images of Zuma in traditional Zulu men's dress, displaying traditional weapons, proliferated among his supporters. Following a national spectacle that saw a small but fierce group of feminist activists pitted against thousands of Zuma supporters, the judge acquitted Zuma of the rape charge. Khwezi was forced into exile immediately afterwards due to the ongoing and escalating threat of attack and retaliation by Zuma's supporters, who had made their antipathy towards her clearly evident, both publicly and in private conversations with her and her family.

Zuma's acquittal, and the manner in which the court proceedings were handled, including measures that effectively isolated Khwezi from her small support base, speak volumes in a country with levels of sexual violence as high as those in South Africa. The presiding judge in the case was a 71-year-old white man whose career extended far back into the apartheid era. The lead defense advocate and the two state prosecutors were also white. (in South Africa, the overwhelming whiteness of those tasked with interpreting the law and delivering justice must be read not as a soon-to-be-remedied legacy of apartheid but as a deliberate continuation of structural and social inequality.) The court heard and interpreted arguments that reinforced racist, colonial, and patriarchal ideas about culture, kinship, and tradition, essentializing and reducing them to a narrow, patriarchal conception of gender and sexual roles and identities.

The court officials who provided interpretation and maintained order also acted in unprofessional ways, clearly "siding with" Zuma in their official capacity; for example, the interpreter led the singing of a song to wish Zuma a happy birthday on one of the court dates. Even the judge wished Zuma happy birthday and said: "May the next 64 years be better than the last 64… it is a pity you need to be here today" (as recalled by one of the activists who attended the trial). Dangerous myths and misconceptions about rape, including age-old stereotypes about the "profile" of perpetrators and survivors of rape, were reinforced during the trial—both within the courtroom and outside, and in the media. Although Khwezi identified as a lesbian, the judge declared that she was not one because "she also slept with men." Zuma, in his defense argument, claimed that he had sex with Khwezi because she had gone into his house "wearing a mini

skirt"; this and other statements made by Zuma, by the defense attorneys, as well as the judges played into dangerous stereotypes about black male sexuality and cultural expectations. They also reinforced reductive ideas about sexual orientation and women's sexuality.

The judgment was a watershed in South African feminist sexual rights activism, as it signified a rupture in the long trajectory of collaboration between feminist groups and the ANC that could be traced back to the anti-apartheid struggle. From February 2006 onwards, following Zuma's acquittal, it became increasingly difficult, when not impossible, for women's rights and feminist activists to continue working closely and in collaboration with the ANC and with many sectors of the government.

Anecdotal evidence suggests that Zuma's acquittal boosted South African men's sense of impunity for rape and other forms of sexual violence, already high due to the abysmal record of arrest, trial, and conviction (Sigsworth et al., 2008).

The acquittal also had the effect of demonizing black women as being vindictive, lying, and calculating actors who will deliberately set out to victimize and blackmail men for financial or political gain after luring them to have sex with them. The discussions following the media coverage of a 2013 rape accusation against Zwelinzima Vavi , then general secretary of the Congress of South African Trade Unions, also displayed this tendency to summarily dismiss women's claims of sexual coercion or rape—a tendency that preceded the Zuma rape trial but which was bolstered by it.

Also significant to note, according to Dawn, is the prevailing culture of instrumentalizing women, especially those who speak out against sexual violence, which is clearly demonstrated by the ways in which both the media publicity—which also reinforces masculinist and patriarchal conceptions of sexual violence—and the women themselves become pawns in men's political stratagems for power.

Finally, the foregrounding of sexual violence, including rape, in the public imagination must be questioned as it obscures the breadth of violence faced by all women, including women human rights defenders and activists who operate in the public domain as well as those who are gender non-conforming. Intervention

by state apparatus in the criminal justice system is significant but almost non-existent outside of the legal framework. Very little sustained and deep work is done to shift the gender power relations that support and enable rape and the related impunity.

Class, race, and, gender: LGBT pride fault lines

Another key feature of South African sexual politics is the deep fracture between communities along the lines of social and economic class. The example of the LGBT pride parades illustrates this division. The first pride parades, in the early 1990s, were political events that called for rights and justice in relation to gender equality, sexual orientation, and gender identity, but also made connections between sexual rights and race, class, inequality, and poverty. But, over the course of the 2000s, LGBT pride parades gradually mutated into corporatized parties for the middle and upper classes. The parades would go through wealthy and securitized suburbs of the city, to which some working-class black members of LGBT and queer communities would be bussed in but which effectively excluded most black participants. Any pretense that these were events for the entire community was belied by the structure of the events; not only would black people who lived in townships have to make their way at great financial cost to the wealthy suburbs; once they were there, they would have to pay inflated prices for food and drinks sold mostly by large corporations, as people were not permitted to bring their own, more affordable, beverages and food items into the fenced-off party area. Pride parade organizers claimed that the revenue generated by the sale of food and beverages was necessary to cover the cost of putting up the party; the result was that the cordoned-off party area consisted largely of white and middle- and upper-class individuals while the surrounding grounds, literally outside the fence, contained hundreds of black people who could not or would not pay to be inside the fence.

At the October 2012 Johannesburg Pride Parade, about 20 feminist activists – most of them black, working class, lesbian, and gender non-conforming women and all of them members of the One in Nine Campaign—disrupted the march by blockading the path of the march. They lay down on the road with life-size mannequins and banners to call attention to the long sequence of brutal and unresolved murders

of lesbians and gender non-conforming women. The activists were verbally and physically assaulted by Johannesburg Pride board members and their security staff; the media coverage of the event led to a heated national debate and Johannesburg Pride Committee eventually dissolved. Since then a completely separate, black, feminist, and queer Pride—Johannesburg People's Pride (JPP) —has taken shape, whose design and dilemmas are radically distinct from the Mardi Gras–style event that nevertheless continues in other spaces.

It is also important to note that the One in Nine Campaign had used a similar disruptive protest to stop the ANC Women's League's National Women's Day celebration in August 2012. The Campaign's actions served not only to disrupt the actual marches but also disrupted normative ideas about ANCWL and JPP as defenders of rights and lives, and exposed their narrow focus on identity-based politics. The disruption of the ANCWL 9th August march was the culmination of a growing feminist critique of the papering over of the problems confronting all women in South Africa, and particularly women on socioeconomic margins, by the government and the ruling party. The critique responds to the use, some might say, hijacking, of, dates that mark women's historical acts of resistance by political parties and the government as opportunities to organize extravagant events and spend vast sums of money, as a way to bolster their power and secure votes, and ignore the painful realities of the majority of women's lives in South Africa; at best, the government devises costly initiatives that make for good public relations but fail to address the root causes of the systemic and interpersonal violence confronting women.

HIV/AIDS policy responses: The long and winding road

South African sexual politics, including different forms of violence, structural and interpersonal -- and in a deeper and more drastic sense than in the cases of Brazil, China, and India -- cannot be fully comprehended without mentioning a number of intersections with the HIV/AIDS epidemics. Today, roughly six million people are infected with HIV in the country, corresponding to 12 percent of the total population (http://www.tac.org.za/about_us). A first key intersection is that the rapid expansion of HIV overlaps and is imbricated with the escalation of urban violence, in particular, sexual violence against women. South

Africa has one of the highest rates of prevalence of sexual violence in the world, with an estimate from 2007 that a rape occurs every 26 seconds in South Africa. This yields a total of more than 1.2 million instances of rape every year, a figure that attempts to account for unreported rapes, the numbers for which may be anything from nine times as many as the number of reported rape cases to 25 times.

Furthermore, the scale of the epidemic and the many obstacles impeding a coherent public policy response have, over the years, drained the political energy as well as financial and human resources of NGOs and social movements working under the "right to health" umbrella, including feminists engaged in sexual and reproductive health and rights activism.

In the late 1990s, civil society organizations working on HIV/AIDS issues and those working on right to health, more broadly, gathered around the campaign initiated by the Treatment Action Campaign (TAC) against patent barriers and the government's procrastination in ensuring widespread access to ARVs. Although the battle against patents was judicially won (Beresford et al, 2007; Petchesky, 2003), Thabo Mbeki, the president elected in 1999 and the then Minister of Health would align themselves with AIDS denialists. During the Mbeki administration (2000-2008), state policies did not invest in testing, prevention, and treatment, but rather on programs aimed at persuading people to eat more garlic and beetroot. Despite the judicial victories that were attained in relation to access to treatment, these political processes were harsh and exhausting and they left behind many scars, within and across movements.

Against this backdrop, and against his dangerous comments about showering to prevent HIV transmission during his trial for rape, it is ironic that Jacob Zuma, after assuming the presidency in 2008, would steer South Africa out from such a disastrous route, appearing now as the "savior" of the country's HIV/AIDS policy responses. Since 2008, the Zuma administration has invested in testing and prevention programs, and the current Minister of Health has rapidly expanded access to ARVs and widely improved the health service network and the human resource base of the policy response. South Africa now has 2.4 million people on ARV drugs (far more than any other country); while five years ago, there were only 490 centers providing the drugs there are now 3,540 of such centers, and the number of primary healthcare nurses engaged in the program has risen from 250 to 23,000 (McNeil, 2014). (However, it is also important to note that the recent policy response has not been flawless; for example, the problem of "stock outs,"

when health facilities run out of medicines, is a recurring problem in the system; patients sometimes go as much as 30 days without treatment.)Yet more recently, in early 2015, the government adopted a new policy on comprehensive sexual education whose guidelines are groundbreaking not just in the African context, but also in other regions, including the US and Europe.

The South African government's failure to recognize the role and impact of gender-based violence on women's vulnerability to contracting HIV as well as the many other gendered impacts of HIV on women, has translated into a feminized epidemic that places all the responsibility for testing, treatment, and prevention on women without transforming any of the power relations (One in Nine Campaign, 2012). Furthermore, according to Dawn, the foregrounding of prevention of "mother to child transmission" in the civil society struggle and demand for access to treatment was challenged by many feminists, including the Gender AIDS Forum and activists in South Africa who were part of the International Community of Women Living with HIV. Privileging this one aspect of HIV transmission was viewed by the feminists as feeding into and reinforcing the idea that babies were innocent victims while women were the (guilty) vectors of HIV. Today, women living with HIV face the same challenges in terms of how they are perceived and stigmatized, in part because of weak or absent gender analysis in much of the mostly men-led HIV/AIDS organizing and messaging.

Thus, although positive, the recent policy shifts are not exempt from blind spots. One of them is that civil society organizations have become increasingly engaged in policy implementation and, as a result, their ability to sustain political action and policy advocacy work has become limited. Furthermore, the South African HIV response has for many years been highly dependent on external funding, particularly from the US PEPFAR program and these funds are now being shifted to poorer countries. This trend is not just affecting the functioning of existing services but also reviving ideological debates on donor influences and dependence (New York Times, 2014).

More relevant still, the functioning of the public health system has not improved as expected in the post-apartheid period. Access to and quality of services remain highly uneven across the country and the system, as a whole, is prone to corruption and politicization. As recently remarked by TAC, "the healthcare system suffers from the same mismanagement, corruption, cadre-deployment and politicization that

plagues much of the public service…"(http://www.tac.org.za/about_us). The critiques raised by AIDS activists in relation to these health policy obstacles are not always well received and in some cases have evolved as a new frontline of tension between civil society and the ANC. In February of 2015, information was circulated globally that sectors from the Free State Province ANC branches were openly calling for the de-registration of TAC.

Articulating the mosaic: A provisional cartography

As announced in the preface of this working paper, the exercise we have been engaged with in understanding the crossroads between the dynamics created by the emerging powers, on the one hand, and gender, sexualities, and rights, on the other, is somehow like the popular fable of blind people fumbling around the elephant and guessing what it might be. The results of these explorations may sometimes be distorted and in any case always partial and provisional. But even recognizing these limitations, insights have emerged from these initial wanderings which are worth sharing as a roadmap for further research and critical reflections on these complex and shifting intersections.

Before moving towards this roadmap, it is important to note that, since we began this exercise, a year and a half ago, shifts have already occurred that have not been captured by the analyses developed in this working paper. On the geopolitical front, one key event of the realpolitik realm has been the escalation of the Russia-Ukraine conflict leading to the Russian occupation of Crimea and Western sanctions against Russia, an event whose effects on the BRICS diplomatic dynamic is certainly an aspect to be looked at in the future. Furthermore, while the rhythm of economic growth has relented in all the emerging powers, Though the scenario is particularly gloomy in Brazil and Russia, India and South Africa are also affected and, by August 2015 the crisis has reached China.

Not less importantly, Brazil, India, and South Africa had general elections in 2014, in which Dilma Roussef and Jacob Zuma re-captured the presidency in their respective countries, while a major shift took place in India, with the Bharatiya Janata Party (BJP), a Hindu nationalist political party, securing a landslide victory, elevating a new prime minister, Narendra Modi, to the podium of global political celebrities. The Brazilian elections have been the more intensely disputed in the last 25 years and have left behind an extremely conservative Congress, a fractured society, an ongoing corruption crisis, and not a few governability challenges. Although no political crisis in underway in India, the BJP's 2014 victory was challenged by the local victory of the brand new Aam Aadmi Party (AAP, the "common man" party) that won 67 of the 70 seats of the Delhi Assembly.[45] Finally, and

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45   While we could not identify major signs of political instability or challenge to the ruling ANC in South Africa, from the point of view of our project, it is not trivial that one hot domestic political debate these days concerns the lack of transparency of an agreement for nuclear cooperation that will be signed with Russia.

decidedly very relevant from the point of view of the intersections between emerging powers and issues of gender, sexuality, and human rights, five young feminist activists were arrested on International Women's Day (8 March, 2015) in China for attempting to distribute posters and stickers condemning domestic violence; they were released conditionally more than a month later and may still be charged at a later date. Credible reports from within China interpreted these arrests as part of wider state repression of independent civil society organizations. It is critical that these political shifts and trends be assessed in the near future in terms of their impact on the sexual landscapes briefly sketched in the previous chapters.

However, it is also necessary to take a long view on the geopolitical and geo-economic shifts we have been exploring. From whatever angle we may look at it, the emergence of southern global powers has still to be placed against the backdrop of ongoing neoliberal expansion, its effects and cyclical crisis, provoked by the centrality of finance in the current climate of hyper-accumulation. Within that frame, it is also necessary to not lose sight of the new modalities of co-penetration between state, politics, and forces at the service of capital in the form of public-private partnerships or, more recently, the "multi stakeholder platforms," which also include non-profits and local civil society organizations. The emergence of southern powers must also be examined in relation to shifts underway at the level of development cooperation, as Western donors are increasingly pushing for responsibility for funding to be re-located to the most powerful states in the Global South. While none of these trends are exactly new, the novelty is that in the second decade of 21st century they have become increasingly interwoven with the instrumental appropriation and deployment of human rights languages on gender and LGBT rights.

As difficult as it may be to foresee what the future may bring, the geopolitical turn we have been trying to grasp is here to stay. A few key questions must be explored in further research and analysis of the dynamics at play within and across the emerging powers of the Global South. For example: Does BRICS have the potential to influence transnational processes that could re-articulate the political economy towards justice, rather than becoming an impediment or a South-based road towards new levels of capital accumulation? At this stage, civil society organizations and social movements from the South perceive both of the two possible paths as parallel potentialities. One main political challenge we face is to search for and feed the conditions under which the former might be nurtured and the latter dis-assembled. This can never be an easy and smooth path for many reasons, among others, because the question must also be raised whether, when dealing with BRICS we are engaging with states, which may deliver justice and "infrastructure" -- to use Spivak's term -- or with structures that have become imbricated in complex ways with a variety of national capitalist interests.

On the other hand, the emergence of the South (and of BRICS within it) continues to mobilize de-colonial imaginations (Mignolo, 2014). If steered towards structural alteration of the global political and economic order, it may open the ground to consistently transform human rights premises and frames so as to go beyond the primacy of individual subject prerogatives, the dichotomies between culture and universality, and the perverse effects of the politics of identity that collapses individual and collective experiences. As we do know, these are issues that keep re-surfacing across human rights activism in the Global South, often as a critique in whispers or else as something to be discussed after bowing to the altar of human rights as they are.

However, it is sufficient to navigate the many websites that offer information on BRICS or else to review discussions that have taken place in the sequence of BRICS' Academic Forums to verify that the domain of inquiry on human rights is entirely absent. Research and debates on BRICS, their meanings and effects, were and continue to be narrowly focused on economics or else, human rights issues are addressed through conventional frames of political science and international relations. This is so even when in all BRICS countries, albeit to different degrees of intensity, a wide variety of struggles for social justice and rights (in their broader and not strictly legal sense) are underway. Although these struggles are usually repressed and criminalized, states' repression against their own citizens is not a topic to be found in the mainstream academic research portfolio on BRICS and their security policies.

In our view, critically engaging with the "emergence of the South," as it coalesces around the BRICS formation, means activating postcolonial perspectives as well as expanding the horizons of social justice and revised human rights premises and, consequently, ensuring that issues of gender and sexuality cannot be circumvented. The deconstruction of postcolonial legacies of supremacist, aggressive, classist, and racist gender and sexuality formations is essential for the reconstruction of geopolitics along the lines delineated above. The bird's eye view of domestic sexual politics in Brazil, China, India, and South Africa offered in this paper reveals that, despite great historical, cultural, and political heterogeneities, gender and sexuality inquiries and disquieting struggles are pulsating in all four countries.

While facile comparisons are to be avoided, this initial mapping suggests that a number of threads can be pulled together for a wider and deeper examination of how sexuality and gender are imbricated in the political economy of BRICS. For example, in all cases, the accumulation resulting from longer historical processes is of

great significance when contemporary gender and sexuality politics and trends are examined. Secondly, south of the Equator, sexual politics is also biopolitics and, as such, its scrutiny always requires us to keep our eyes open to secular disciplinary devices, in particular, though not exclusively, the law. As important as the law is, there is a plethora of biomedical discourses and practices at play in matters of gender and sexuality, among which HIV/AIDS and abortion feature high. In all four countries, gender and sexual politics are definitely traversed by transnational trends, discourses, and actors. Furthermore, a better understanding of internal dynamics must also map out how changes and regressions that are underway are intertwined, on the one hand, with the phenomenon of emerging middle classes, consumerism, alteration of fertility patterns, and family structures, and, on the other, with the proliferation of religious dogmatism in its various forms—or, to put it differently, of an intense politicization of gender and sexual morality that invokes religious premises, symbols, and practices. Going deeper into these various realms constitutes one potential research agenda for the future.

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Annex

Human Rights language in BRICS Declarations: Comparative Table
Prepared by CONECTAS Human Rights

Topic	1st BRIC Summit - 2009 , Ekaterimburg	2nd BRIC Summit - 2010, Brasília	3rd BRICS Summit - 2011, Sanya	4th BRICS Summit - 2012, Dheli	5th BRICS Summit - 2013, Durban	6th BRICS Summit - 2014, Fortaleza
Summit theme	No main theme and Declaration had no division according to topics/issues	No main theme and Declaration had topics/issues divisions	*Broad Vision and Shared Prosperity*	*BRICS Partnership for Global Stability, Security and Prosperity*	*BRICS and Africa: Partnership for Development, Integration and Industrialisation*	*Inclusive growth: sustainable solutions*
Common vision	We have agreed upon steps to promote dialogue and cooperation among our countries in an incremental, proactive, pragmatic, open and transparent way. The dialogue and cooperation of the BRIC countries is conducive not only to serving common interests of emerging market economies and developing countries, but also to building a harmonious world of lasting peace and common prosperity (15)	We share the perception that the world is undergoing major and swift changes that highlight the need for corresponding transformations in global governance in all relevant areas (1). We underline our support for a multipolar, equitable and democratic world order, based on international law, equality, mutual respect, cooperation, coordinated action and collective decision-making of all States (2)	Inclusão da África do Sul no Grupo (2). It is the overarching objective and strong shared desire for peace, security, development and cooperation that brought together BRICS countries(...) BRICS aims at contributing significantly to the development of humanity and establishing a more equitable and fair world (3). We share the view that the world is undergoing far-reaching, complex and profound changes, marked by the strengthening of multipolarity, economic globalization and increasing interdependence. While facing the evolving global environment and a multitude of global threats and challenges, the international community should join hands to strengthen cooperation for common development. Based on universally recognized norms of international law and in a spirit of mutual respect and collective decision making, global economic governance should be strengthened, democracy in international relations should be promoted, and the voice of emerging and developing countries in international affairs should be enhanced (7)	Our deliberations today reflected our consensus to remain engaged with the world community as we address these challenges to global well-being and stability in a responsible and constructive manner (2). BRICS is a platform for dialogue and cooperation amongst countries that represent 43% of the world's population, for the promotion of peace, security and development in a multi-polar, inter-dependent and increasingly complex, globalizing world. Coming, as we do, from Asia, Africa, Europe and Latin America, the transcontinental dimension of our interaction adds to its value and significance (3). We envision a future marked by global peace, economic and social progress and enlightened scientific temper. We stand ready to work with others, developed and developing countries together, on the basis of universally recognized norms of international law and multilateral decision making, to deal with the challenges and the opportunities before the world today. Strengthened representation of emerging and developing countries in the institutions of global governance will enhance their effectiveness in achieving this objective (4).	We met at a time which requires that we consider issues of mutual interest and systemic importance in order to share concerns and to develop lasting solutions. We aim at progressively developing BRICS into a full-fledged mechanism of current and long-term coordination on a wide range of key issues of the world economy and politics. (…) As the global economy is being reshaped, we are committed to exploring new models and approaches towards more equitable development and inclusive global growth by emphasising complementarities and building on our respective economic strength (2)	Our shared views and commitment to international law and to multilateralism, with the United Nations at its center and foundation, are widely recognized and constitute a major contribution to global peace, economic stability, social inclusion, equality, sustainable development and mutually beneficial cooperation with all countries.(2) Since its inception the BRICS have been guided by the overarching objectives of peace, security, development and cooperation. In this new cycle, while remaining committed to those objectives, we pledge to deepen our partnership with a renewed vision, based on openness, inclusiveness and mutually beneficial cooperation. In this sense, we are ready to explore new areas towards a comprehensive cooperation and a closer economic partnership to facilitate market inter-linkages, financial integration, infrastructure connectivity as well as people-to-people contacts.(4) We believe the BRICS are an important force for incremental change and reform of current institutions towards more representative and equitable governance, capable of generating more inclusive global growth and fostering a stable, peaceful and prosperous world. (5) Emerging markets and developing economies contribute to global growth (8) Commitment to safeguarding a just and fair international order based on the UN Charter (24)

Emerging Powers, Sexuality and Human Rights: "Fumbling around the Elephant?"

SPW Working Papers, No 11, June, 2015

Reforming Global Governance	Eco-Financeiro (3-4): We are committed to advance the reform of international finàncial institutions, so as to reflect changes in the world economy. The emerging and developing economies must have greater voice and representation in international financial institutions, and their heads and senior leadership should be appointed through an open, transparent, and merit-based selection process. Reforma ONU: We reaffirm the need for a comprehensive reform of the UN with a view to making it more efficient so that it can deal with today's global challenges more effectively. We reiterate the importance we attach to the status of India and Brazil in international affairs, and understand and support their aspirations to play a greater role in the United Nations (14)	Reforma ONU: Mesma linguagem da Declaração anterior (4). Eco-Financeiro: G-20 members, with a significant contribution from BRIC countries, have greatly increased resources available to the IMF. We support the increase of capital, under the principle of fair burden-sharing, of the International Bank for Reconstruction and Development and of the International Finance Corporation, in addition to more robust, flexible and agile client-driven support for developing economies from multilateral development banks (9).	We express our strong commitment to multilateral diplomacy with the United Nations playing the central role in dealing with global challenges and threats. In this respect, we reaffirm the need for a comprehensive reform of the UN, including its Security Council, with a view to making it more effective, efficient and representative, so that it can deal with today's global challenges more successfully. China and Russia reiterate the importance they attach to the status of India, Brazil and South Africa in international affairs, and understand and support their aspiration to play a greater role in the UN (8)	(…) Strengthened representation of emerging and developing countries in the institutions of global governance will enhance their effectiveness in achieving this objective (4). We are however concerned at the slow pace of quota and governance reforms in the IMF. We see an urgent need to implement, as agreed, the 2010 Governance and Quota Reform before the 2012 IMF/World Bank Annual Meeting, as well as the comprehensive review of the quota formula to better reflect economic weights and enhance the voice and representation of emerging market and developing countries by January 2013, followed by the completion of the next general quota review by January 2014 (9). UN Reform/ SC Reform: Same language as previous editions (26)	"Eco-financeiro: We call for the reform of International Financial Institutions to make them more representative and to reflect the growing weight of BRICS and other developing countries. We remain concerned with the slow pace of the reform of the IMF (13). We note that the process is underway for the selection of a new WTO Director-General in 2013. We concur that the WTO requires a new leader who demonstrates a commitment to multilateralism and to enhancing the effectiveness of the WTO including through a commitment to support efforts that will lead to an expeditious conclusion of the DDA. We consider that the next Director-General of the WTO should be a representative of a developing country (16). UN Reform/ SC Reform: Same language as previous editions (20). "	Eco-Financeiro: We remain disappointed and seriously concerned with the current non-implementation of the 2010 International Monetary Fund (IMF) reforms, which negatively impacts on the IMF's legitimacy, credibility and effectiveness. The Fund must remain a quota-based institution (18). We welcome the goals set by the World Bank Group to help countries end extreme poverty and to promote shared prosperity. This potential will only be realized, however, if the institution and its membership effectively move towards more democratic governance structures, strengthen the Bank's financial capacity and explore innovative ways to enhance development financing and knowledge sharing while pursuing a strong client orientation that recognizes each country's development needs. We have been very active in improving the international financial architecture through our multilateral coordination and through our financial cooperation initiatives, which will, in a complementary manner, increase the diversity and availability of resources for promoting development and ensuring stability in the global economy. (19) UN reform and SC reform: We reiterate our strong commitment to the UN as the fundamental multilateral organization entrusted with helping the international community maintain international peace and security, protect and foster human rights and promote sustainable development. The UN enjoys universal membership and is at the very center of global governance and multilateralism. We recall the 2005 World Summit Outcome Document. We reaffirm the need for a comprehensive reform of the UN, including its Security Council, with a view to making it more representative, effective and efficient, so that it can adequately respond to global challenges. China and Russia reiterate the importance they attach to Brazil, India and South Africa's status and role in international affairs and support their aspiration to play a greater role in the UN. (25) [Same language as previous editions]
Financial global crisis	We stress the central role played by the G20 Summits in dealing with the financial crisis. They have fostered cooperation, policy coordination and political dialogue regarding international economic and financial matters (1). We recognize the important role played by international trade and foreign direct investments in the world economic recovery (5). The poorest countries have been hit hardest by the financial crisis (6).	We stress the central role played by the G-20 in combating the crisis through unprecedented levels of coordinated action. We welcome the fact that the G-20 was confirmed as the premier forum for international economic coordination and cooperation of all its member states. Compared to previous arrangements, the G-20 is broader, more inclusive, diverse, representative and effective (3).	We note that the world economy is gradually recovering from the financial crisis, but still faces uncertainties. Major economies should continue to enhance coordination of macro-economic policies and work together to achieve strong, sustainable and balanced growth (12)	YES (5-7)	YES (6-7)	YES (6,8-10)

MDGs and International Development	The international community should ensure the achievement of the Millennium Development Goals. Developed countries should fulfill their commitment of 0.7% of Gross National Income for the Official Development Assistance and make further efforts in increasing assistance, debt relief, market access and technology transfer for developing countries (6)	We stress that sustainable development models and paths of developing countries should be fully respected and necessary policy space of developing countries should be guaranteed (15). The poorest countries have been the hardest hit by the economic and financial crisis. The commitments regarding the aid to the developing states, especially those related to the MDGs, should be fulfilled, and there should be no reduction in development assistance. An inclusive process of growth for the world economy is not only a matter of solidarity but also an issue of strategic importance for global political and economic stability (16)	YES (21)	YES (35)	We reiterate our commitment to work together for accelerated progress in attaining the Millennium Development Goals (MDGs) by the target date of 2015, and we call upon other members of the international community to work towards the same objective. In this regard, we stress that the development agenda beyond 2015 should build on the MDG framework, keeping the focus on poverty eradication and human development, while addressing emerging challenges of development taking into consideration individual national circumstances of developing countries. In this regard the critical issue of the mobilization of means of implementation in assisting developing countries needs to be an overarching goal. It is important to ensure that any discussion on the UN development agenda, including the "Post 2015 Development Agenda" is an inclusive and transparent inter-Governmental process under a UN-wide process which is universal and broad based (39)	Post 2015: (2 and 54): We are committed to working towards an inclusive, transparent and participative intergovernmental process for building a universal and integrated development agenda with poverty eradication as the central and overarching objective. The agenda should integrate the economic, social and environmental dimensions of sustainable development in a balanced and comprehensive manner with concise, implementable and measurable goals, taking into account differing national realities and levels of development and respecting national policies and priorities. The Post-2015 Development Agenda must also be based on and fully respect all Rio principles on sustainable development, including the principle of common but differentiated responsibilities. We welcome the outcome document of the UN General Assembly Special Event on the Millennium Development Goals, which decided to launch an intergovernmental process at the beginning of the 69th Session of the UN General Assembly that will lead to the adoption of the Post-2015 Development Agenda.
Sustainable Development/ Energy/ Climate Change	The implementation of the concept of sustainable development, comprising, inter alia, the Rio Declaration, Agenda for the 21st Century and multilateral environmental agreements, should be a major vector in the change of paradigm of economic development (7). We stand for strengthening coordination and cooperation among states in the energy field. We support diversification of energy resources and supply (8). We stand ready for a constructive dialogue on how to deal with climate change based on the principle of common but differentiated responsibility, given the need to combine measures to protect the climate with steps to fulfill our socio-economic development tasks (9)	YES (19-22)	YES (18-20, 22-23)	We envision a future marked by global peace, economic and social progress and enlightened scientific temper. We stand ready to work with others, developed and developing countries together, on the basis of universally recognized norms of international law and multilateral decision making, to deal with the challenges and the opportunities before the world today. Strengthened representation of emerging and developing countries in the institutions of global governance will enhance their effectiveness in achieving this objective (4)		YES: paragraph 51 on Biodiversity, 52 on UNFCCC - emphasizing the common, but differenciated responsibilities, 53 on sustainable development and energy, 59 on the links between culture and sustainable development.
Sectorial cooperation	We reaffirm to enhance cooperation among our countries in socially vital areas and to strengthen the efforts for the provision of international humanitarian assistance and for the reduction of natural disaster risks (10). We reaffirm to advance cooperation among our countries in science and education with the aim, inter alia, to engage in fundamental research and development of advanced technologies (11)	"Iniciativas: Meeting of Ministers of Agriculture and Agrarian Development; Finance and Governors of Central Banks; High Representatives for Security Issues; Exchange Program for Magistrates and Judges, Meeting of Development Banks; Meeting of the Heads of the National Statistical Institutions; Conference of Competition Authorities; Meeting of Cooperatives; Business Forum; Conference of think tanks (27) "	We underscore our firm commitment to strengthen dialogue and cooperation in the fields of social protection, decent work, gender equality, youth, and public health, including the fight against HIV/AIDS (24). We are focused on the consolidation of BRICS cooperation and the further development of its own agenda. We are determined to translate our political vision into concrete actions and endorse the attached Action Plan, which will serve as the foundation for future cooperation (27).	"We have taken note of the substantive efforts made in taking intra-BRICS cooperation forward in a number of sectors so far. We are convinced that there is a storehouse of knowledge, know-how, capacities and best practices available in our countries that we can share and on which we can build meaningful cooperation for the benefit of our peoples. We have endorsed an Action Plan for the coming year with this objective (40). It gives us pleasure to release the first ever BRICS Report, coordinated by India, with its special focus on the synergies and complementarities in our economies. We welcome the outcomes of the cooperation among the National Statistical Institutions of BRICS (46). "	We welcome the establishment of the BRICS Think Tanks Council and the BRICS Business Council (42)	Intra BRICS cooperation is expanding to encompass new areas (2). Joint work of Statistics institutions, Ministries of Health and of Education to develop joint methodologies for social indicators (7) , MoU among Export Credit and Guarantees Agencies (14), Cooperation Agreement on Innovation within the BRICS Interbank Cooperation Mechanism (15). BRICS will establish a roadmap for economic cooperation (20), Second Meeting of BRICS Heads of Drug Control Agencies (47), Ministries of Education meeting in 2013 and encourage the creation of a BRICS Network University (56). Notes meetings held by representatives of several different sectors (63-69)

BRICS Bank				We have considered the possibility of setting up a new Development Bank for mobilizing resources for infrastructure and sustainable development projects in BRICS and other emerging economies and developing countries, to supplement the existing efforts of multilateral and regional financial institutions for global growth and development. We direct our Finance Ministers to examine the feasibility and viability of such an initiative, set up a joint working group for further study, and report back to us by the next Summit (13)	Developing countries face challenges of infrastructure development due to insufficient long-term financing and foreign direct investment, especially investment in capital stock. This constrains global aggregate demand. BRICS cooperation towards more productive use of global financial resources can make a positive contribution to addressing this problem. In March 2012 we directed our Finance Ministers to examine the feasibility and viability of setting up a New Development Bank for mobilising resources for infrastructure and sustainable development projects in BRICS and other emerging economies and developing countries, to supplement the existing efforts of multilateral and regional financial institutions for global growth and development. Following the report from our Finance Ministers, we are satisfied that the establishment of a New Development Bank is feasible and viable. We have agreed to establish the New Development Bank. The initial contribution to the Bank should be substantial and sufficient for the Bank to be effective in financing infrastructure (9).	BRICS, as well as other EMDCs, continue to face significant financing constraints to address infrastructure gaps and sustainable development needs. With this in mind, we are pleased to announce the signing of the Agreement establishing the New Development Bank (NDB), with the purpose of mobilizing resources for infrastructure and sustainable development projects in BRICS and other emerging and developing economies. We appreciate the work undertaken by our Finance Ministers. Based on sound banking principles, the NDB will strengthen the cooperation among our countries and will supplement the efforts of multilateral and regional financial institutions for global development, thus contributing to our collective commitments for achieving the goal of strong, sustainable and balanced growth. (11) 12. The Bank shall have an initial authorized capital of US$ 100 billion. The initial subscribed capital shall be of US$ 50 billion, equally shared among founding members. The first chair of the Board of Governors shall be from Russia. The first chair of the Board of Directors shall be from Brazil. The first President of the Bank shall be from India. The headquarters of the Bank shall be located in Shanghai. The New Development Bank Africa Regional Center shall be established in South Africa concurrently with the headquarters. We direct our Finance Ministers to work out the modalities for its operationalization. (12)
World Order and Conflicts	We underline our support for a more democratic and just multi-polar world order based on the rule of international law, equality, mutual respect, cooperation, coordinated action and collective decision-making of all states. We reiterate our support for political and diplomatic efforts to peacefully resolve disputes in international relations (12)		We underscore that the concurrent presence of all five BRICS countries in the Security Council during the year of 2011 is a valuable opportunity to work closely together on issues of peace and security, to strengthen multilateral approaches and to facilitate future coordination on issues under UN Security Council consideration. We are deeply concerned with the turbulence in the Middle East , the North African and West African regions and sincerely wish that the countries affected achieve peace, stability, prosperity and progress and enjoy their due standing and dignity in the world according to legitimate aspirations of their peoples. We share the principle that the use of force should be avoided. We maintain that the independence, sovereignty, unity and territorial integrity of each nation should be respected (9)	We recall our close coordination in the Security Council during the year 2011, and underscore our commitment to work together in the UN to continue our cooperation and strengthen multilateral approaches on issues pertaining to global peace and security in the years to come (27)	We underscore our commitment to work together in the UN to continue our cooperation and strengthen multilateral approaches in international relations based on the rule of law and anchored in the Charter of the United Nations (21). We are committed to building a harmonious world of lasting peace and common prosperity and reaffirm that the 21st century should be marked by peace, security, development, and cooperation. It is the overarching objective and strong shared desire for peace, security, development and cooperation that brought together BRICS countries (22)	
Terrorism	We strongly condemn terrorism in all its forms and manifestations and reiterate that there can be no justification for any act of terrorism anywhere or for whatever reasons. We note that the draft Comprehensive Convention against International Terrorism is currently under the consideration of the UN General Assembly and call for its urgent adoption (13)	YES (23-24)	We are determined to strengthen our cooperation in countering this global threat. We express our commitment to cooperate for strengthening international information security. We will pay special attention to combat cybercrime (11)	We also reiterate our call for concluding negotiations as soon as possible in the UN General Assembly on the Comprehensive Convention on International Terrorism and its adoption by all Member States and agreed to work together towards this objective (25)	YES (33)	YES (48 + paragraph on Syria): Smilar langauge, but mention to tackling terrorism while respecting HR and fundamental freedoms (first time it mentions the "HR while countering terrorism framework"). Also mentions: need for cooperation on fighting terrorism in mega events
Alliance of Civilizations		We affirm the importance of encouraging the dialogue among civilizations, cultures, religions and peoples. In this respect, we support the "Alliance of Civilizations", a United Nations' initiative aimed at building bridges, mutual knowledge and understanding around the world (25).				

Topic					
Human Rights				We welcome the twentieth Anniversary of the World Conference on Human Rights and of the Vienna Declaration and Programme of Action and agree to explore cooperation in the field of human rights (23)	"1 - Reaffirms the indivisibility of all HR, but with emphasis on the right to development (28). Encourages dialogue and cooperation on HR within BRICS and other multilateral fora: "in a non-selective, non-politicized and constructive manner, and without double standards" 2 - Country-situations: Mention in the case of Mali (in regards to UN mission role to protect HR), Syria (condemning violations happening on the ground), and Ukraine (finding a solution in compliance of UN Charter and HR norms). 3 - Thematic allusions: In the paragraph of counter terrorism(48), first time it mentions that the fight against terrorism must be conducted respecting HR and fundamental freedoms (it might be an adoption of already recognized UN language since 2009, or an indirect criticism to USA actions of drones, for instance). Also mentions HR when it comes to condemn NSA mass surveillance scandals. Finally, it mentions BRICS countries commitments with addressing "social issues in general and in particular gender inequality, women's rights and issues facing young people and we reaffirm our determination to ensure sexual and reproductive health and reproductive rights for all""
Fight Against Poverty		We call upon the international community to make all the necessary efforts to fight poverty, social exclusion and inequality bearing in mind the special needs of developing countries, especially LDCs, small islands and African Countries. We support technical and financial cooperation as means to contribute to the achievement of sustainable social development, with social protection, full employment, and decent work policies and programmes, giving special attention to the most vulnerable groups, such as the poor, women, youth, migrants and persons with disabilities (18)			YES (54): We are committed to working towards an inclusive, transparent and participative intergovernmental process for building a universal and integrated development agenda with poverty eradication as the central and overarching objective.
Haiti		We reaffirm our solidarity towards the Haitian people, who have been struggling under dire circumstances since the earthquake of January 12th, and reiterate our commitment to gather efforts with the international community in order to help rebuilding the country, under the guidance of the Haitian government, and according to the priorities established by the Action Plan for National Recovery and Development of Haiti (26)			
Libya			We wish to continue our cooperation in the UN Security Council on Libya. We are of the view that all the parties should resolve their differences through peaceful means and dialogue in which the UN and regional organizations should as appropriate play their role. We also express support for the African Union High-Level Panel Initiative on Libya (10)		

Arab-Israeli Conflict				We agree that the period of transformation taking place in the Middle East and North Africa should not be used as a pretext to delay resolution of lasting conflicts but rather it should serve as an incentive to settle them, in particular the Arab-Israeli conflict. Resolution of this and other long-standing regional issues would generally improve the situation in the Middle East and North Africa. Thus we confirm our commitment to achieving comprehensive, just and lasting settlement of the Arab-Israeli conflict on the basis of the universally recognized international legal framework including the relevant UN resolutions, the Madrid principles and the Arab Peace Initiative. We encourage the Quartet to intensify its efforts and call for greater involvement of the UN Security Council in search for a resolution of the Israeli-Palestinian conflict. We also underscore the importance of direct negotiations between the parties to reach final settlement. We call upon Palestinians and Israelis to take constructive measures, rebuild mutual trust and create the right conditions for restarting negotiations, while avoiding unilateral steps, in particular settlement activity in the Occupied Palestinian Territories (20)	We welcome the admission of Palestine as an Observer State to the United Nations. We are concerned at the lack of progress in the Middle East Peace Process and call on the international community to assist both Israel and Palestine to work towards a two-state solution with a contiguous and economically viable Palestinian state, existing side by side in peace with Israel, within internationally recognized borders, based on those existing on 4 June 1967, with East Jerusalem as its capital. We are deeply concerned about the construction of Israeli settlements in the Occupied Palestinian Territories, which is a violation of international law and harmful to the peace process. In recalling the primary responsibility of the UNSC in maintaining international peace and security, we note the importance that the Quartet reports regularly to the Council about its efforts, which should contribute to concrete progress (27)	We reaffirm our commitment to contribute to a comprehensive, just and lasting settlement of the Arab-Israeli conflict on the basis of the universally recognized international legal framework, including the relevant UN resolutions, the Madrid Principles and the Arab Peace Initiative. We believe that the resolution of the Israeli-Palestinian conflict is a fundamental component for building a sustainable peace in the Middle East. We call upon Israel and Palestine to resume negotiations leading to a two-State solution with a contiguous and economically viable Palestinian State existing side by side in peace with Israel, within mutually agreed and internationally recognized borders based on the 4 June 1967 lines, with East Jerusalem as its capital. We oppose the continuous construction and expansion of settlements in the Occupied Palestinian Territories by the Israeli Government, which violates international law, gravely undermines peace efforts and threatens the viability of the two-State solution. We welcome recent efforts to achieve intra-Palestinian unity, including the formation of a national unity government and steps towards conducting general elections, which is key element to consolidate a democratic and sustainable Palestinian State, and call on the parties to fully commit to the obligations assumed by Palestine. We call on the UN Security Council to fully exercise its functions under the UN Charter with regard to the Israeli-Palestinian conflict. We recall with satisfaction the decision of the UN General Assembly to proclaim 2014 the International Year of Solidarity with the Palestinian People, welcome the efforts of UN Relief and Works Agency (UNRWA) in providing assistance and protection for Palestine refugees and encourage the international community to continue to support the activities of the agency. (38)

| Syria | | | | We express our deep concern at the current situation in Syria and call for an immediate end to all violence and violations of human rights in that country. Global interests would best be served by dealing with the crisis through peaceful means that encourage broad national dialogues that reflect the legitimate aspirations of all sections of Syrian society and respect Syrian independence, territorial integrity and sovereignty. Our objective is to facilitate a Syrian-led inclusive political process, and we welcome the joint efforts of the United Nations and the Arab League to this end. We encourage the Syrian government and all sections of Syrian society to demonstrate the political will to initiate such a process, which alone can create a new environment for peace. We welcome the appointment of Mr. Kofi Annan as the Joint Special Envoy on the Syrian crisis and the progress made so far, and support him in continuing to play a constructive role in bringing about the political resolution of the crisis (21) | We express our deep concern with the deterioration of the security and humanitarian situation in Syria and condemn the increasing violations of human rights and of international humanitarian law as a result of continued violence. We believe that the Joint Communiqué of the Geneva Action Group provides a basis for resolution of the Syrian crisis and reaffirm our opposition to any further militarization of the conflict. A Syrian-led political process leading to a transition can be achieved only through broad national dialogue that meets the legitimate aspirations of all sections of Syrian society and respect for Syrian independence, territorial integrity and sovereignty as expressed by the Geneva Joint Communiqué and appropriate UNSC resolutions. We support the efforts of the UN-League of Arab States Joint Special Representative. In view of the deterioration of the humanitarian situation in Syria, we call upon all parties to allow and facilitate immediate, safe, full and unimpeded access to humanitarian organisations to all in need of assistance. We urge all parties to ensure the safety of humanitarian workers (26) | "37. We express deep concern about the ongoing violence and the deterioration of the humanitarian situation in Syria and condemn the increasing violations of human rights by all parties. We reiterate our view that there is no military solution to the conflict, and highlight the need to avoid its further militarization. We call upon all parties to commit immediately to a complete cease-fire, to halt violence and to allow and facilitate immediate, safe, full and unimpeded access for humanitarian organizations and agencies, in compliance with the UN Security Council resolution 2139. We recognize practical steps undertaken by the Syrian parties in implementing its requirements, including the practice of local cease-fire agreements reached between the Syrian authorities and the opposition forces. We reiterate our condemnation of terrorism in all its forms and manifestations, wherever it occurs. We are gravely concerned at the continued threat of terrorism and extremism in Syria. We call on all Syrian parties to commit to putting an end to terrorist acts perpetrated by Al-Qaeda, its affiliates and other terrorist organizations. We strongly condemn the use of chemical weapons in any circumstances. We welcome the decision of the Syrian Arab Republic to accede to the Chemical Weapons Convention. In accordance with related Organization for the Proscription of Chemical Weapons (OPCW) Executive Council decisions and UN Security Council resolution 2118, we reiterate the importance of the complete removal and elimination of the Syrian chemical weapons. We commend the progress in that regard and welcome the announcement that the removal of declared chemicals from the Syrian Arab Republic was completed. We call on all Syrian parties and interested external actors with relevant capabilities to work closely together and with the OPCW and the UN to arrange for the security of the monitoring and destruction mission in its final stage. We support the mediation role played by the UN. We appreciate the contribution made by former Joint UN – Arab League Special Representative for Syria, Mr. Lakhdar Brahimi, and welcome the appointment of Mr. Staffan De Mistura as UN Special Envoy to Syria, and express our hope for his active efforts to promote an early resumption of comprehensive negotiations. We recall that national dialogue and reconciliation are key to the political solution for the Syrian crisis. We take note of the recent Syrian presidential elections. We stress that only an inclusive political process, led by the Syrians, as recommended in the Action Group on Syria Final Communiqué of 2012, will lead to peace, effective protection of civilians, the realization of the legitimate aspirations of the Syrian society for freedom and prosperity and respect for Syrian independence, territorial integrity and sovereignty. We emphasize that a national reconciliation process needs to be launched as early as possible, in the interest of the national unity of Syria. To that end, we urge all parties in Syria to demonstrate political will, enhance mutual understanding, exercise restraint and commit to seeking common ground in accommodating their differences." |

Iran				The situation concerning Iran cannot be allowed to escalate into conflict, the disastrous consequences of which will be in no one's interest. Iran has a crucial role to play for the peaceful development and prosperity of a region of high political and economic relevance, and we look to it to play its part as a responsible member of the global community. We are concerned about the situation that is emerging around Iran's nuclear issue. We recognize Iran's right to peaceful uses of nuclear energy consistent with its international obligations, and support resolution of the issues involved through political and diplomatic means and dialogue between the parties concerned, including between the IAEA and Iran and in accordance with the provisions of the relevant UN Security Council Resolutions (22)	We believe there is no alternative to a negotiated solution to the Iranian nuclear issue. We recognise Iran's right to peaceful uses of nuclear energy consistent with its international obligations, and support resolution of the issues involved through political and diplomatic means and dialogue, including between the International Atomic Energy Agency (IAEA) and Iran and in accordance with the provisions of the relevant UN Security Council Resolutions and consistent with Iran's obligations under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). We are concerned about threats of military action as well as unilateral sanctions. We note the recent talks held in Almaty and hope that all outstanding issues relating to Iran's nuclear programme will be resolved through discussions and diplomatic means (28)	While reiterating our view that there is no alternative to a negotiated solution to the Iranian nuclear issue, we reaffirm our support to its resolution through political and diplomatic means and dialogue. In this context, we welcome the positive momentum generated by talks between Iran and the E3+3 and encourage the thorough implementation of the Geneva Joint Plan of Action of 24 November 2013, with a view to achieving a comprehensive and long-lasting solution to this issue. We also encourage Iran and the International Atomic Energy Agency (IAEA) to continue strengthening their cooperation and dialogue on the basis of the Joint Statement signed on 11 November 2013. We recognize Iran's inalienable right to the peaceful use of nuclear energy in a manner consistent with its international obligations. (41) [Very similar language to previous editions]
Afghanistan				YES (23)	YES (29)	YES (42)
Africa					"We are open to increasing our engagement and cooperation with non-BRICS countries, in particular Emerging Market and Developing Countries (EMDCs), and relevant international and regional organisations, as envisioned in the Sanya Declaration. We will hold a Retreat together with African leaders after this Summit, under the theme, "Unlocking Africa's potential: BRICS and Africa Cooperation on Infrastructure". The Retreat is an opportunity for BRICS and African leaders to discuss how to strengthen cooperation between the BRICS countries and the African Continent (3). We will seek to stimulate infrastructure investment on the basis of mutual benefit to support industrial development, job-creation, skills development, food and nutrition security and poverty eradication and sustainable development in Africa. We therefore, reaffirm our support for sustainable infrastructure development in Africa (5)."	We welcome the AU Malabo Summit decision to establish an interim African Capacity for Immediate Response to Crises (ACIRC) by October 2014 to respond quickly to crisis situations as they arise. We stress the importance of adequate support to ensure the timely operationalization of the ACIRC, pending the final establishment of the African Stand-by Force. (36)
Mali					YES (30)	YES (32). Support Efforts of the UN Stabilization Mission
CAR					YES (31)	YES (34). Reiterate grave concern. Reaffirm readiness to work with the IC to assist CAR in the implementation of the political process of the country.
DRC-Congo					YES (32)	YES (35). Support MONUSCO efforts

Criticizing the US					We will continue our joint efforts in coordinating positions and acting on shared interests on global peace and security issues for the common well-being of humanity. We stress our commitment to the sustainable and peaceful settlement of disputes, according to the principles and purposes of the UN Charter. We condemn unilateral military interventions and economic sanctions in violation of international law and universally recognized norms of international relations. Bearing this in mind, we emphasize the unique importance of the indivisible nature of security, and that no State should strengthen its security at the expense of the security of others. (27)
Guinea Bissau					YES (29) : support elections and long-term stability through the United Nations peacebuilding commision
West Africa and Chibok					YES: (30-31). Condemns Boko haram, without mentioning the name of the country: Nigeria
South Sudan					YES (33). Express concern about ongoing crisis
Iraq					YES (43)
Ukraine					YES (44): 44. We express our deep concern with the situation in Ukraine. We call for a comprehensive dialogue, the de-escalation of the conflict and restraint from all the actors involved, with a view to finding a peaceful political solution, in full compliance with the UN Charter and universally recognized human rights and fundamental freedoms.