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Sexual Rights: Tools to Dismantle the Master's House?

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I Introduction

No political revolution is possible without
a radical shift in one's notion
of the possible and the real.
(Butler 1999/2007, xxiii)

1. Preliminary Thoughts

1.1 Background

In the seminar *"Sex in Development"* held at the Institute of Development Studies at the University of Vienna, seminar leader Hanna Hacker opened the class with the controversial question whether sexuality is of main concern for people who live in poverty and whether development policies, practitioners or development thinkers should be concerned with the question of sexuality in their field. According to the title of the seminar one has already been given the answer that sexuality in development is an important factor, however neglected for a very long time. Development interventions and policies were, for a long time, only concerned with the negative impacts of sexuality, sexually transmitted diseases such as HIV/AIDS, sexual violence, population control and including the colonized view on genital mutilation. One never reads about the positive aspects of sexuality and its liberating and empowering aspects.
This – the positive and transformatory potential of sexuality – is exactly what I would like to explore with my paper and its topic *"Sexuality in Development"*.
I chose this title firstly because sexuality is not something stable or fixed but is changeable not only in a historical perspective but is also dependent on cultural, political, social and economic implications and realities. This is why I chose the preposition 'in', which should clarify the actual situation that sexuality is already and continuously developing and changing. As I will show later, sexuality is confined to norms of 'good' and 'bad'. Despite this, they are not always the same but develop towards other new norms that again can be disputed and challenged. Secondly, the title indicates the reference to the actual development industry.[1] It also

[1] In this paper I use development industry, cooperation, theory and practice as interchangeable because I also jump in the paper from theory to practice and back. In addition to that I do not think that this attitude towards different terminologies harms my argumentation in any way.

represents my question on how sexuality can be implemented and used within development industry and what positive effects it might bring.
The subtitle refers to the famous title of one of Audre Lorde's (1984) texts "*The Master's Tools Will Never Dismantle the Master's House"*. Here the 'master's tools' are represented by sexual rights as they are often described as one of the most promising and effective tools for introducing sexuality in development. However, this is a question that has yet to be answered and this thesis constitutes a first attempt in this direction.

1.2 The Object of My Work

The object of my thesis is firstly to show why sexuality is relevant and why and how it plays an essential role in development cooperation; and which problems (categorizing, power relations and colonial assumption) arise from there. Secondly I would like to analyze the subject-matter of sexuality in development cooperation by means of (feminist) theories from different school of thoughts. Martha Nussbaum (2000; 1999; 1995) on the one hand, representing liberal feminism, sees the necessity in creating a framework with which it is possible to give instruction, guidelines and strategies for the pragmatic implication of the (so defined by Nussbaum) 'vital indicators into development cooperation'.

However, with the underlying assumption that liberal (feminist) concepts such as the 'capability approach' or sexual rights fall short because of their essentialist and universal character, I would like to elicit with the help of feminist theorists who are part of the post-development, postcolonial, postmodern and queer theory tradition, how sexual rights can be used in a different way in order to create a concept which does not exclude or discriminate people because of certain characteristics or identities.

In order to be able to discuss this problem, I would like to elaborate on my research question and the underlying hypotheses in the next chapter that will show amongst others where some of the problems lay within liberal development and feminist theory.

1.3 Research Project

The general formulated research-leading intention of this paper follows the question of how sexuality can be introduced in development cooperation and what transformatory power or possibility it contains. More precisely, I will try to build bridges between modernist and post-

colonial, poststructuralist conceptions of development and the 'good' human life in the field of sexuality.
My research questions are:
How can one deal with sexuality in development cooperation without being essentializing or normalizing? Which possibilities do (feminist) postcolonial, poststructuralist and queer theorists offer? In what way do liberal positions such as the one of Martha Nussbaum fall short?

It is necessary to answer these questions according to underlying hypotheses which are based on the following assumptions:

1. Sexuality is socially constructed in the same way as gender. Since we live in a patriarchal society, we find inequalities between the genders, - amongst others – as well as in the sphere of sexuality or created in the sphere of sexuality, which again leads to the assumption of a heteronormative order of society.

2. Poverty and inequalities between the genders can be dismantled if sexuality is added as an important sphere of human life to the agenda of international development

3. Development creates normative concepts in relation to sexuality which are based on a heterosexual, masculine and negative sexuality.[2]

4. Sexual rights can be seen as a „capability"- to speak in Nussbaum's words - or as a human need respectively and contain the potential to free and protect people from discrimination, coercion and 'un-freedom(s)'.

1.4 Preview

The structure of the thesis in hand leans on the hypothesis specified in the previous chapter so that the reader will know what to expect.

The first part of the main work expounds the problem of sexuality and is aimed at defining the usage of sexuality in the following discussion. Not only does this chapter give an introduction

[2] 'Negative sexuality' refers here to the understanding that sexuality is only connected to danger and thus has to be repressed in order to avoid sexual transmitted infections such as HIV/AIDS among others, sexual attacks, harassment, violence and maternal mortality caused by reproduction or sex(uality).

to constructionism and how it applies to the realm of sexuality, but it also shows how sexuality is linked to power relations, norms, gender, race and identities.
The following chapter elicits the term and concept of 'development', how it is used and how it has been refined in the last sixty years; moving from a pure economic vision of development to a broader concept of the 'good' human life. Here, philosopher Martha Nussbaum and her concept of the 'capability approach' will be discussed which influenced development theory and practice respectively. Her concept of the ten capabilities also opens up the possibility to add sexuality to the analysis of the 'good' human life and as a consequence also to development.

The second part brings the two previously discussed concepts (sexuality and development) together and highlights the question of why it is important to add sexuality to development theory and practice. Following the assumption of several theorists and practitioners that sexual rights constitute the most promising tool for adding sexuality to development will be discussed. I will define sexual rights, show their emergence and introduction into the United Nations and how they are disputed positively and negatively in the international arena.

The third and final part is devoted to feminist theorists and development practitioners who try to question universalism and relativism - two concepts that always arise when discussing universal rights. And with the aid of which I will try to show which other tools and which other possibilities they offer for the improvement of human life.

1.5 Motivation

"As long as we see ourselves as not implicated in relations of power, as innocent, we cannot begin to walk the path of social justice and to thread our way through the complexities of power relations" (Razack 1998, 22).
I chose this topic because I believe feminist discussions pertaining to universality, essentialism and multiculturalism are not only relevant in the discipline of political theory but also in the discipline of international development. Postcolonial thought and post-structuralism are also relevant for development theory.
The present work can be understood as an introduction into feminist debates around universality, essentialism and multiculturalism due to the contrasting of feminist debates based on these issues from second wave feminism and third wave feminism. In order to be able to do that, I will present Nussbaum's capability approach which stands in the liberal tradition as

well as the political critique by Catharine MacKinnon and the following corresponding critique of postcolonial, poststructuralist, black and queer feminist theorists such as Judith Butler, Gayatri Chakravorty Spivak, Chandra Talpoid Mohanty, bell hooks and others.
However, this work will not only be about the debates within feminist theory. Rather, I would like to move them inside the debates of development industry. How can these scholars be able to talk and maybe influence each other in order to find a framework that is not antagonistic to essentialism or universalism? The debates around gender and sexuality as well as sexual rights in the field of development offer me the basis to discuss this matter and might show if this undertaking is possible.
Hence, this thesis aims to link development theory to feminist theory. As sexuality has become a very important topic of development theory and has always been one of the main research matters of feminism, I would like to make the link between the two; namely by comparing and connecting liberal feminist Martha Nussbaum, her concept of development that has as its main core the 'capability approach' and which influences the struggle for sexual rights, with and to poststructuralist and postcolonial feminists who have a different and more particular view on development and of sexuality in general.

Thinking and writing about development also means asking oneself what society should look like and how we imagine the world we would like to live in. While development often 'only' means relocation of scarce resources or the modernization and industrialization of nations, therein always also lies the vision of a better life in society. Recently the United Nations expanded their definition of development, adding human rights and fundamental freedoms to their agenda (Ray 2003, 110). This thesis will also look at one fundamental aspect of all human sexuality. It will look at how sexuality shapes our political, cultural, economic, social life and how power relations not only between gender but also categories such as class and ethnicity are established through discussing, thinking and normalizing sexuality.
This I will do out of the motivation to make a small contribution to the thinking within the sphere of sexuality in order to be able to imagine another society that does not discriminate people based on their sexuality.

2. Methodological Explications

2.1 Theory is Not a Luxury[3]

My thesis will be mainly and foremost theoretical. Nevertheless I hope to be able to give an example on how 'myths' (cf. Cornwall, Harrison and Whitehead 2008) and hegemonic assumptions can be critiqued and questioned through a theoretical approach. Theory might be always abstract but nevertheless I do believe that "theory is itself transformative" (Butler 2004, 204). Theory is considered to be the first step in order to be able to create, change and identify problematic circumstances (power, inequality, discrimination, sexism, exclusion, ableism etc.) in a new and different light. "Theory appropriates reality in a certain way - its way is method - to make the world accessible to understanding and change. It is a way of getting a grip on things" (MacKinnon 2006, 34).

Constituting a theoretical work, my thesis is based on relevant interdisciplinary literature from the domain of sexuality (such as feminist, queer, postcolonial studies, poststructuralist, etc.) in order to identify an appropriate definition of sexuality that can be extended to the field of development and with which one might be able to work.
Nevertheless, I am aware of the powerful tool that I have because I ask certain questions in a specific way, my answers will be based on, and influenced by, those questions. Hence, my answers will be based on a certain world-view that finds its origin in the realm of constructionism. The difficulty of knowledge production is also identified by Kirby (2005) when talking about certain methodologies in feminist research: of course we have to bear in mind that specific methodologies stand for specific interests and knowledge so that they "… will shape the way information is gathered and the kind of knowledge created" (Kirby et al. 2005, 5). The researcher always asks questions that he_she believes to be relevant and important. Hence, I ask questions concerning sexuality, because I think it is an important characteristic of human life and relations.
This relativism brings me to my next chapter that is dedicated to the production of Truth.

2.2 Truth

Moving from modernist thought to poststructuralist and postcolonial thought, I refuse to take a direct and homogenous standpoint on the issues explored. I do not demand or follow the

[3] cf. MacKinnon 2006.

premise to choose a singular position, neglecting other ways of thinking. Rather, I assume that different positions and ontologies can and actually do influence each other and are open for discussion and debate.

I understand that this position can be criticized for ignoring the importance of a standpoint, however I argue that to be open or to see the power and possibilities that can be brought together form different standpoints might create a transformatory power, a possible way out or even the possibility for action. I do not want to refrain from the decision of choice but to show that there is not one and only 'Truth'. Since Truth is totalizing I do no t want to find it or even try to grasp it entirely. This is best shown by Jacques Derrida (1976) and his term 'trace'. Every statement can be undone or critiqued even before it is made. So that the presence of the absence is always already included here (cf. Derrida 1976, 18). "The known is complex and changing, including in response to social action. Thus the relationship between the knower and the known is mediated by discourse but amenable to adjustment and increasing refinement, though the known will never be more than an increasingly accurate approximation of reality" (Sprague 2005, 40).
This is also how I feel about my paper. In order to write it, I must find statements and positions that best represent my train of thought and standpoints towards certain ideas and realities. However, I do not see them as unchangeable and necessarily true.
I do not take the viewpoint that the world is not real or that certain relations are not there but that they are constructed, produced and reproduced by human beings and tools such as language which one can employ in order to create reality.

2.3 Language as a Powerful Tool

Taking my standpoint of the construction of reality, I would like to discuss here the form of language that I use in this work.
Language is a powerful tool in constructing reality; in shaping ideas and opinions. To put a word at the place of another word means to change the view on the social world and through that to assist in its change (Bourdieu 2005, 84; translated from German by the author).
My work deals with gender (relations) and sexuality, basing my argument on the assumption that both are social constructs and establishing the critique that the binary sex-order or heterosexuality constitutes a reality, but always an illusionary reality. We have to be able to use our fantasy to enable us to imagine and dream beyond compulsory belief and apparent 'Truth'. As a consequence, I feel compelled to show through my style of writing that I want and have to

think and dream beyond borders. This is why, first of all I always (if I missed it at some point, it is because I am also the product of a social construction of the sexes) use both genera ('she' and 'he') but then, the underline character should open space for more imagination for other possibilities than only the two limited sexes, namely bigender. Besides opening up the space for more imagination, the reason for this is also that language represents individuals. If there is only the representation of male and female, then all other individuals that do not or do not want to fit into these categories are left out. Hence they do not exist because, only what we represent through language, exists (Bourdieu 2005, 85).

This is also the case for homo- and heterosexuality. Accepting the possibility of more than two sexes also exposes the binary of homo- and heterosexuality and the exclusion of other expanded sexual relations from these terms.

2.4 The Self

According to Michel Foucault our subjectivity as well as our way of thinking, our morals and values are socially constructed (Sprague 2005, 36f). Furthermore standpoint theory holds the view that knowledge and interests are always intertwined with each other so that there cannot be any universal Truth (Degele 2008, 122). This is why I want to show myself and not hide in the belief of a so-called objective researcher.

"…the bodies of those dominating the production of knowledge have for the most part been in specific social locations in systems of race (white), class (privileged), gender (male), and nation (Western), and yet there is no consideration of how their observations might have been shaped by their social position" (Sprague 2005, 43).

Taking this into account, to identify myself as someone who is able to produce knowledge in the institution of the academia, I have to identify myself as white, privileged, Western and female. Critical whiteness studies have identified that one has to find out her_his privileges in order to comprehend and acknowledge assumptions based on his_her whiteness that influence all other categories and create power (-structures).

This is also why I use the personal pronoun 'I', namely to identify who I am and what I am thinking. It should allow me to give my work and my argumentation a face, that is to say to be transparent, so that the reader can find out from which position I am speaking and can bear in mind that there is no neutral science. To summarize, I do not want to hide myself behind the apparent neutral science as an objective researcher but I acknowledge my privileged status of whiteness, class, sexuality amongst others. All in all I stand with the dominant, knowledge producing elite even though I am female.

2.5 The West and the Rest

"If one defined violent crime, racism, suicide, isolation, alienation, environmental destruction and the like as major indicators of a 'bad' or 'underdeveloped' society, the industrialized countries would hardly be at the top of the 'development' scale" (Ziai 2007, 8).

While my paper draws necessarily on sexuality in development theory and practice, I would like to point out that I do not believe in any way that the world I come from, which most of the time is described as tolerant and liberal, also reflects that. I do not want to give the impression that I would describe my environment as such. Every day, wherever I go or look, I am surrounded by racist, sexist, homophobic, misogynist information, jokes and worldviews that are often based on naturalistic, biological or deterministic assumptions. Thus, I do not believe that the struggle and fight against any form of violence such as physical, psychological or structural is over but that the Western world still has a long way to go.

However, I aim through this paper to find out if sexuality, in the broadest sense is important to be included in development thought and practice. Furthermore, if sexuality actually is able to make a difference and to improve people's life, through the implementation of freedom to choose one's way of life without risking or harming bodily integrity caused by sexual transmitted infections or diseases (STI/STD) or to be protected from any harassment, sexual violence or attacks resulting from gender, sex, sexual practices or sexual identity inequality. In addition to this I would like to highlight that in this paper I do not in any way try to judge or evaluate any country or (cultural) sexual practice, identity or way of living if not explicitly mentioned. There are of course actions that I condemn and which often have to do with marginalization and violence against non-conforming people, keeping in mind of course that any form of objectivity cannot be achieved in any way so that the/(my) judgment stays always in the realm of subjectivity.

I feel that it is necessary to explain my starting point because often in literature there has been a reproduction of essentialist assumption and grading of the so-called "Third World" and the so-called "Western World" whereas the latter functions always as the 'norm', based on the powerful assumption to be more developed. This is also what Chandra Talpade Mohanty (2003) points out with her example of the representation and underlying connotation with terms such as 'Third World women' and 'Western women':

> This average Third World woman leads an essentially truncated life based on her feminine gender (read: sexually constrained) and her being 'Third World' (read: ignorant, poor, uneducated, tradition-bond, domestic, family-oriented, victimized, etc.). This, I suggest, is in contrast to the (implicit) self-representation of Western women as educated, as modern, as having control over their own bodies and sexualities and the freedom to make their own decisions.
>
> (Mohanty 2003, 22)

I will come back to the issue of generalizations in the final part of my thesis under point 8.2. However, I believe it is necessary to show my standpoint and where I am coming from in order to understand that I am against any form of generalization or evaluation of different practices, cultures or identities.

II Theorizing and Concretization

…to have a gender means to have entered already
into a heterosexual relationship of subordination.
(Butler 1990/2007, xiii)

3. Sex, Gender, and Sexuality

3.1 Socially Constructed Gender Versus Biologically Determined Sex

When discussing sex and gender in a group of people who are not particularly interested in gender issues, one often hears that the societal arrangement of humans into male or females is natural and cannot be denied. I have often heard the statement that one cannot deny that males and females are different in nature. By different, one often refers to a person's genitals that can either be classified as female or male. In those discussions usually one is able to find the consensus that the separation into male and female changed over time and in different cultures but that "…there is [nevertheless] something essentially male and something essentially female" (Kessler and McKenna 1978, 1). Hence, femininity and masculinity are not necessarily social constructs but are anchored in the biological anatomy; society influences the construction of identity but more fundamentally one is influenced by the nature of his_her body.

In this and the subsequent chapters, I would like to argue against this assumption and show how not only gender but also sexuality and gender relations more generally are a social construct amongst others of power relations.
According to Klapeer (2007) for example, the anthropologist Margaret Treibel already proved in the 1950s that there are societies that know more than two sexes and that also know the institutionalized change of sexes (Klapeer 2007, 50).
The most powerful and fascinating theory that challenges the natural binary of male and female is maybe queer theory that shows its "…doubts that men and women are *real*" (Nagel 2003, 51 italics in the original). Queer theorists argue that society is not structured 'naturally' by the division into sexes. For them this division is a social construct that is based on power relations and that root in or are influenced by the sex difference.

"The social meaning of a person's sexuality, like his or her ethnicity, is a matter of structure and power: which sexual categories are available in the society to be sorted into, and who gets to do the sorting" (Klapeer 2007, 48).

In order to be able to work with terms such as 'gender' and 'sex' I would like to give a definition of these terms so that my usage of the terms is clearer and I can dedicate myself in more detail to my work on sexuality.

3.2 Theoretical Aspects of Sexuality

Sexuality is a term that is used by everyone all the time. Despite the frequency of the term's usage it is often only understood in a very restricted and limited way, namely as sexual practices or sometimes maybe also as sexual desires and fantasies.
The political, economic, social and cultural dimensions are often neglected or excluded. However, issues such as population control and the normalization of 'good' or 'bad' (= 'pervert') sex have effects on every level of society. At this point I would like to show how sexuality can be reached theoretically and which discourses exist around sexuality.

> Sexuality is a central feature of modern societies. It is the focus of major social and political issues that are global concern ranging from sexual violence, sex education, prostitution, trafficking in women, abortion and contraception, single parenthood, AIDS, divorce, the rights of lesbians and gay men, through to the organization of social life through the institutionalization of hetero(norms). …As a consequence, it is a focus of political struggle via the efforts of social movements concerned with sexual and reproductive issues. At an individual level sexuality is central to our understanding of contemporary identities and relationships.
>
> (Richardson 2000, 15)

> Sexuality is a central aspect of being human throughout life and encompasses sex, gender identities and roles, sexual orientation, eroticism, pleasure, intimacy and reproduction. Sexuality is experienced and expressed in thoughts, fantasies, desires, beliefs, attitudes, values, behaviour, practices, roles and relationships. While sexuality can include all of these dimensions, not all of them are always experienced of expressed. Sexuality is influenced by the interaction of biological, psychological, social, economic, political, cultural, ethical, legal, historical, religious and spiritual factors.
>
> (Makinwa and Tiemoko 2007, 1; cited after WHO, Technical Consultation Definitions, 2004)

Sexuality is a concept with different understandings from various epistemological standpoints. On the one hand there is the standpoint of sexual essentialism that sexuality is in fact biologically determined and evolutionary caused, so that one can talk about a 'sex drive' or 'sex instinct' which is not influenced by external factors such as culture, society etc. (Pigg and Adams 2005, 5; Caplan 1987, 1). This approach is also used to justify that

only socially approved sex is natural and thus normal, even though this also varies between different historical periods and cultures. In Western society, for example, socially approved sex is mainly seen to lie within marriage between two partners of the opposite sex. This is described by Richardson (2000) as the compulsory heterosexuality that constitutes the hegemonic belief of being the only natural form of sexuality or possible desire and is thus treated like an "unquestioned paradigm" (Richardson 2000, 19). However, she also stresses that the previous assumption that sexuality should only occur within the confines of a marriage changed over the last few centuries. Accordingly she writes "[t]he traditional nuclear family comprising a married heterosexual couple with dependent children is no longer the (hetero)norm of social living arrangements that it once was" (Richardson 2000, 2). Hence, cultural morals and norms change over time, depending on different contexts and based on certain circumstances. Nevertheless, differing sexualities such as homosexuality, promiscuous women or sodomy, amongst others, are often understood and perceived as being a "perversion of nature" (Esplen 2007, 2), depending of course always on the context.

On the other hand there is the assumption that sexuality is a social or cultural construct just like gender. Hence, sexuality varies in different social, historical, economic and political contexts. This approach is also called the constructionist approach. Constructionism "…explores the formations of sexual meanings and arrangements as mutable and contextually dependent specificities in and through which erotic encounters and reproductive consequences are invested with moral significance" (Pigg and Adams 2005, 4).

Biological assumptions around sexuality were consolidated in the beginning of the 20th century through natural sciences, which had their focus on the reproductive nature of the human body, psychoanalysis - especially that of Freud – and functionalist social science. Feminist theories and especially colonial and queer theory started to question this biological and essentialist, yet universal assumption of sexuality almost a century later. According to Stacey Leigh Pigg and Vincanne Adams (2005) this skepticism is based on "…an understanding of colonial discourses of difference, in interpretive approaches to the social production of meaning, and in feminist analyses of the gender biases that have informed scientific work on nature and the body" (Pigg and Adams 2005, 4).
However Beasley (2005) recalls that sexual essentialism is still the hegemonic thinking of sexuality in our society today. "Sexual essentialism was 'our first way of thinking about

sexuality' and it still remains the dominant way of thinking, the taken-for-granted way of understanding sexuality in our culture" (Beasley 2005, 137).

In the following section, different understandings and approaches in the constructionist realm of sexuality and therein-lying problems within feminist theory will be elicited. Subsequently I will extract my understanding and further usage of sexuality in my paper in the last section of this chapter.

3.2.1 Everyone Is Sexual, Sex is All Around. How to Escape?

> Sexual Desire. Though less urgent as a need than the needs for food, drink, and shelter (in the sense that one can live without its satisfaction) sexual need and desire are features of more or less every human life, at least beyond a certain age. It is, and has all along been, a most important basis for the recognition of others different from ourselves as human beings.
>
> (Nussbaum and Glover 1995, 77)

With this quote I would like to illustrate that sexuality, in this case seen as sexual desire, is often understood as a basic human need. One assumes that there is some sort of sexual essence in the human body which is historically and culturally independent. However, this notion of sexuality excludes certain people who are not sexual in the normative sense or who are asexual. This form of sexual essentialism, therefore, means exclusion, marginalization, exploitation, etc. of certain people. If the ‚sexual essence' of a woman is conceptualized or constructed as her submission or the denial of her self-determined sexuality then her sexual exploitation will and can be justified.

Gayle Rubin (1984) critiques in her article *"Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality",* the dominant understanding and normative assumptions of sexuality, as well as sexual essentialism which conceptualizes sexuality as being biologically determined and as lying within every human being as the natural driving power. "...[S]exual essentialism- the idea that sex is a natural force that exists prior to social life and shapes institutions. Sexual essentialism is embedded in the folk wisdoms of Western societies, which consider sex to be eternally unchanging, asocial, and transhistorical" (Rubin 1984, 275).

Disciplines such as medicine, psychiatry, psychology and biology have largely influenced the hegemonic and dominant thinking associated with sexuality, implying that it is predominantly biologically determined, resulting in heterosexuality is the only socially accepted norm.

One of the most influential representatives, who questioned the natural existence of the human libido, is Michel Foucault. As Foucault points out in his work *"The history of sex-*

uality" (1978), sexuality is historically, culturally, politically and economically constructed. There is no such thing as an essential habitus of sexuality as he shows with the example of the bourgeois family. Additionally he stresses that we think of sexuality as repression and central to our identity construction.

> Sexuality must not be thought of as a kind of natural given which power tries to hold in check, or as an obscure domain which knowledge tries gradually to uncover. It is the name that can be given to a historical construct: not a furtive reality that is difficult to grasp, but a great surface network in which the stimulation of bodies, the intensification of pleasures, the incitement to discourse, the formation of special knowledges, the strengthening of controls and resistances, are linked to one another, in accordance with a few major strategies of knowledge and power.
>
> (Foucault 1978, 105f)

Anne Laura Stoller shows how this concept can also be applied to colonial discourses and how racism is constructed within the realm of sexuality.

> Armed with Foucault's impulse to write a history of Western desire that rejects desire as biological instinct or as a response to repressive prohibitions, we should be pushed to ask what other desires are excluded from his account, to question how shifts in the imperial distribution of desiring male subjects and desired female objects might reshape that story as well.
>
> (Stoller 1995, 15)

Thus sexuality is nothing stable but new sexualities are (re)constructed and negotiated regularly. Desiring, talking and thinking about sex have developed throughout the centuries and new hegemonic forms of thinking of sexuality have been established. The conception of the naturally given heterosexuality as the only possible and imaginable form of sex is still dominant today. Nevertheless it is also challenged and questioned by feminist theory and queer theory as I have mentioned in the short introduction by quoting Richardson.[4]

New schools of thought have helped to establish the notion of sexuality as being socially constructed as an alternative to sexual essentialism. However, as Rubin points out, this does not mean that one rejects the biological nature of the body in general.

> This does not mean the biological capacities are not prerequisites for human sexuality. It does mean that human sexuality is not comprehensible in purely biological terms. Human organisms with human brains are necessary for human cultures, but no examination of the body or its parts can explain the nature and variety of human social systems. …The body, the brain, the genitalia, and the capacity for language are all necessary for human sexuality. But they do not determine its content, its experiences, or its institutional forms.
>
> (Rubin 1984:276)

[4] See Chapter 3.2.

This quote shows that the concept of sexual construction does not necessarily try to neglect, deny or deconstruct bodily features, the biological condition of the body or influences of bodily nature but rather tries to identify the importance of looking equally at social conditions. Sexuality, sexual desire and sexual practices may be influenced by bodily features, social, historical, cultural power relations and understandings of the body or of nature.

Beasley (2005) stresses the distinction one has to make between social constructionism and postmodernism. Both theories use the 'nurture'[5] argument and accept that the body plays a different role. Whereas social constructionism does not take meaning away from the body or see the body as only socially constructed, queer theorists also question the 'sex' in general and thus sexuality in particular. Hence there is no unanimity in the social constructionism; it always depends on where social construction starts. As I will show later, Judith Butler (1999/1990) uses the example of performativity to ask whether not only our gender-role, but also our sex, are social constructions.

Challenging sexual essentialism is necessary because in my opinion and throughout this thesis I will aim to show the emancipatory and liberating effect of sexuality. Because sexuality is not fixed or stable, it is possible to be renegotiated and to overthrow power structures, un-freedom, and oppression related to sexuality. The following quote by Richardson concerning sexuality out of a radical feminist perspective implies exactly that: "On the contrary, central to radical feminist perspectives is the belief that if sexuality is socially constructed, then it can be reconstructed in new and different ways; sexuality need not be coercive or oppressive, it can be challenged and changed" (Richardson 2000, 54).

The social constructionist approach has the possibility or more basically allows us to reconsider our often negative understanding and perception of sexuality, sexual practices or sexual identities amongst others.

In order to understand which potentials lies in the constructionist approach, I would like to give an introduction to this theoretical concept.

[5] The nurture argument can be understood as the opposite of nature. One often hears nurture vs. nature. The advocates who support the nurture argument for societal explications are based in the field of social construction whereas the advocates pro nature see the organization of society more in the field of biology and thus nature.

> By *sexuality* I refer to 'men' and 'women' as socially, mainly genitally defined individuals with culturally defined appropriate sexual tastes, partners, and activities. There is no single universally shared conception of natural or proper sexual desires, sexual partners, or sexual activities, rather, there is as much variety in sexual practice as there are human cultures. Despite that diversity, in any historical period and society, there will be a dominant of *hegemonic* sexuality that will define socially approved men's and women's sexualized bodies (fat or thin, strong or weak, black or white), approved kinds of sexual desires for approved numbers and types of sexual partners (e.g., a monogamous relationship with an opposite sexed, same raced partner), and approved sorts of sexual activities at appointed times and places (e.g., vaginal-penile intercourse in the bedroom, out of public view). There are many ways of having sex and being sexual, and sexual rules are frequently broken. Nevertheless, the assumption of heterosexuality as normative ideal is common in many if not most contemporary societies.
>
> (Nagel 2003, 8; italics in the original)

3.2.2 Dismantling Biological Approaches, Towards Construction

> The analytical perspective of social constructionism has enabled us to examine, in any given time and place, the intersecting factors that account for the apparent solidity of foundational ideas. Constructionism illustrates how sexuality exists within the articulation of economic, social, and political structures and within the systems of meaning and representation they sustain. With its emphasis on historical change and context, constructionism is wary of universalizing explanations of sexual meaning, motives, and practices. From a constructionist perspective, all sexualities are local.
>
> (Pigg and Adams 2005:5)

Social constructionism in the sphere of sexuality has only found its access into the academia in the last few decades since it has challenged the naturalness and universality of the social world order, also when it comes to gender and sexuality. It also looks at different vehicles and motives that shape the world we live in, our social relationships and societies. This is in some way revolutionary because the hegemonic thinking of sexuality was and still is foremost about a natural instinct of sexuality. Theorists in the social constructionist tradition, however, use the argument of nurture versus nature. Arguing that cultural, social, economic and political conditions shape the understanding and variation of sexuality and there is nothing natural about sexuality and its understandings. "We are increasingly aware, theoretically, historically, even politically, that 'sexuality' is about flux and change, that what we so readily deem as 'sexual' is as much a product of language and culture as of 'nature'" (Weeks 1987, 31).

Different sex acts do not have for example the same social meaning in different contexts. Beasley explains this with the example of sodomy and saying that "[s]odomy, for example, may not always mean homosexuality or social marginalization or any particular community belonging" (Beasley 2005, 137).

Social constructionism also challenges "…the norms governing what are defined as acceptable and conventional sexual practices, examining the purposes served by the widespread institutionalization of heterosexuality into the law and into everyday life, and criticizing definitions of proper sexuality and approved sex acts as patriarchal and masculinist" (Nagel 2003, 49).

This has mainly been done through the concept of heteronormativity and queer theory as well as the phallocentric approach. All of them try to analyze society according to the hegemonic thinking of sexuality as a heterosexual construct where the penis (phallus) and penile penetration are the main agents of sexual behavior and practice (Nagel 2003, 49).

I will talk about heteronormativity and queer theory in greater detail in the following chapters of this section on sexuality.

Important to the constructionist approach are subjects such as gender, sex, body and power relations because they influence and shape not only the understanding and norms around sexuality but also influence how sexuality is articulated and which sexuality is socially accepted and which is not. "Constructionists argue that gender and other power relations influence the way that sexuality is expressed and can lead to the exclusion of, or discrimination towards, those with less socially approved forms of sexuality" (Esplen 2007, 2).

According to Pigg and Adams (2005) these interrogations have also put into question notions and roles of male and female; how they are perceived, organized and incorporated into the economic, political, social, cultural and private system; and how these spheres are gendered. In addition to that, feminist analysts critique assumptions resulting from biological arguments that designate certain behaviors to male or females and the associated masculinity and femininity (Pigg and Adams 2005, 4f).

> In contrast to theories that assume that a natural history of human sexual capacities is the bedrock on which comparative accounts of social regulation is anchored, contemporary works- following insights from feminist research- ask how the proliferation of modes of speaking and writing about sexuality were and are imbricated in managing complex differentials of power and in effecting dispersed means of social control, particularly through forms of self revelation and monitoring.
>
> (Pigg and Adam 2005, 5)

In addition, social constructionism emphasizes on the material, political and economic nature of sex and finds the link to capitalism (Beasley 2005, 141).[6]

[6] See for the relation between sex and capitalism Mies (1998) and Visvanathan (1997).

3.2.3 Nussbaum on Social Constructionism

Even though Nussbaum has been criticized for being essentialist she dedicates one chapter in her book *"Cultivating Humanity. A Classical Defense of Reform in Liberal Education"* (1997) to the explanation on how sexuality is understood to be socially constructed. Her understanding of social constructionism is as follows:

"The social constructionist's claim is that such emotions are not simply given in our biological makeup (although they may have a biological basis); they embody a good deal of learning. A further claim is that this learning takes place in society and is crucially shaped by society" (Nussbaum 1997, 227).

Nussbaum develops this idea by showing that there are five central areas of social construction: behavior, norms about the whole emotion category, norms about evaluations within the category, categories, and lastly, placement of individuals within these categories (Nussbaum 1997, 227ff). According to Nussbaum, this is also true when it comes to sexuality. One can understand and analyze sexuality according to these areas of social construction.

> 1. *Behavior.* Societies shape norms of proper sexual behaviour in varying ways, fostering norms of what sexual behaviour is appropriate for parties at different ages and in different social relationships and settings, what sexual acts are appropriate or inappropriate for parties engaged in a sexual relationship.
>
> 2a. *Norms about sexuality itself, as a whole,* vary greatly as well, in ways that affect experience. Some societies teach that sex is a basically good thing in need of control, rather like the appetite for food and drink; others, that it is basically evil thing to be tolerated for the sake of procreation. …
>
> 3b. *Norms about other evaluations within the category.* We are familiar with many other norms in the area of sexuality: norms, for example, of what is desirable in a sexual partner. Age, breast size, weight, musculature, coloring, dress, gender-all these characteristics are marked in varying ways as desirable and undesirable. There is much evidence that these norms, too, are socially shaped and vary greatly from culture to culture, and from time to time in the same culture.
>
> 3. *Categories.* More controversially, the social constuctionist claims that the basic sexual categories themselves undergo social shaping. Sexual actor may be categorized in a number of ways, for example by whether they are active or passive and by whether they chose partners of the same or opposite gender. How these categories are interwoven and which of them is primary involve much variation. The social constuctionist claims that this variation can most plausibly be explained as deriving from social norms, rather than purely from biology or from individual familial variation. A prominent social constructionist claim is that our society's division of people into the heterosexual and the homosexual lacks precise parallels in many times and places, and is to that extent a social artifact. …

> 4. *Placement of individuals within the categories.* The social constructionist can plausibly argue that fulfilling society's norms of proper male or female behaviour is something to which individuals are strongly pushed by social pressures and sanctions. Identified as male or female by the appearance of genitalia at birth, children are socially shaped from a very early age in accordance with those roles and the social espectations associated with them. It is more difficult to make this case for heterosexual or homosexual orientation. No external mark separates infants into two groups, to receive differential social conditioning. …Social construction may explain how the norms and categories got there, but it seems difficult for them to explain such cases. It seems that some more individualized explanation, whether biological or psychoanalytic, must also be invoked.
>
> (Nussbaum 1997, 230ff, italics in the original)

Nussbaum even highlights the importance that it is not only necessary to question the social construction of certain sexual behavior and practices that are thought to be normal and natural, but that other feminist theorists have even stated that sexual desire is socially shaped.

"What is new and remarkable in the work of MacKinnon and Dworking is the insight that even sexual desire-which has often been thought to be natural and presocial, even by thinkers who would not hold this of envy and fear and anger-is socially shaped, and that this shaping is often far from benign" (Nussbaum 1999, 78).

However, Nussbaum (1997) makes an important point and poses the question how homosexuality, which is assumed to be socially shaped, can occur if someone grew up in a heterosexual environment where there was no shaping of homosexual desire and practices. This is also one major point made by other theorists who deal with homosexuality. They often argue that homosexuality is genetic so that one cannot be healed of homosexuality but rather homosexuality should be seen as natural. This implies that something that is not constructed, but rather genetically influenced, is always natural whereas socially constructed realities are more unnatural and can be changed.

3.3 Sexual Power Inequalities

"The gender and sexual identities, meanings, cultures, and social divisions between men and women and heterosexual and nonheterosexual are social constructions, arising out of historical conditions, power relations, and ongoing social processes" (Nagel 2003, 55).

One major point feminist theorists make concerning power and patriarchy is that sexual relations between the genders are the model of patriarchal power relations (Bührmann 1995, 133). This is the major point feminists made in the 1970's when they believed that the sexual liberation would eventually lead to the liberation of women in general.

> For some, especially radical feminists, the main concern is not so much how women's sex lives are affected by gender inequalities but, more generally, how heterosexuality as it is currently institutionalised constrains women in various aspects of their lives. Here, then, the emphasis is primarily upon how gendered power inequalities in the social realm are constructed and maintained through sexuality as a key mechanism of patriarchal relations, itself a construct, of course. For others, there is much greater emphasis on how gender inequalities in sexual relations are determined through inequalities in the social sphere, delimiting personal pleasure and desires.
>
> (Richardson 2000, 31f)

However, I would not like to argue that sexual liberation leads automatically to freedom and thus to development, as Amartya Sen[7] and Martha Nussbaum (1993; 1999) at some other points have argued, but - and I agree here with Bührmann - that this approach enables us to focus within the analysis of society on the understanding of the sexual and its role to oppress women. In effect, the slogan 'the private is political' can be interpreted as "the political is sexual" (Bührmann 1995, 133). This is true for Diane Richardson when she writes "[f]eminists emphasized how sexuality, commonly regarded as something that was private and personal, was a public and political issue" (Richardson 2000, 1). Caplan (1987) also connects the political of this slogan to the underlying notion of power: "Gender relations and sexuality were perceived to be about power, and therefore about politics…" (Caplan 1987, 9).

Feminist theory is concerned with analyzing and outlining different forms of gender relations and the critique of all forms of power and domination that oppress, discriminate and marginalize women.
This is why the category 'woman' as the subject of oppression has often been re-imagined, re-questioned and tried to be determined. The question has often been what constitutes a women or how social relations shape women's constitution. Thus, it was of central importance for feminist theorists to delegitimize social inequality between the sexes because of the false assumption about the natural subordination of women (Klapeer 2007, 47).

Oriel (2005) argues in her paper that thinking about sexuality always has something to do with power, the masculine over the feminine. Drawing on different studies, Oriel develops the argument that sexuality has something to do with conquest, male conquest over female in the form of penile penetration. "…[M]asculinity is proven by sexual penetration of women. The act of penetration enables men to be the opposite of feminine … as

[7] cf. Amartya's title and argument of *"development as freedom"* (1999).

the ‘something’ that is ‘fucked’, the object of conquest, and the object of penile penetration” (Oriel 2005, 397).

Thus, masculinity is achieved through the sexual dominance over women because sexuality is not only linked to gender but also to the biological masculinity.

Even though Oriel has a homogenizing point of view about female and male pleasure, she makes a few important and necessary critical points concerning pleasure that women and men experience and where one can find the link between power, gender and sexuality. Men’s sexual pleasure as pointed out above is related to a dominance, conquest and penetration which sometimes can be violent while the women’s sexual pleasure is considered to be more about the pleasing of the man, out of the subordinated role (Oriel 2005, 397).

However, Oriel’s reasoning lies in a heteronormative realm because the object of analyses is heterosexual sex and she neglects all other form of sex that might also be influenced and constructed through other power relations.

Sexuality, according to Oriel, is constructed around pleasing the male. ‘Sex’ by itself always means penetration by the male body and the establishment of male dominance over females by constructing what ‘sex’ really is out of a male perspective. Female pleasure is more often trivialized as being only the foreplay to the real and masculine sex of penetration (Oriel 2005, 399).

In addition, a survey in Nigeria carried out by the International Centre for Reproductive Health and Sexual Rights (INCRESE) also showed that the perception of sexuality is one of male and heterosexual sexuality where the right to pleasure is only available to men.

> Most respondents admitted that sexual activity can be accompanied by pleasure, and that it is the predominant culture of a group that determines who is entitled to pleasure. In this context, it is the heterosexual male who has the power to experience and express sexual desire and pleasure. He has the power to initiate sexual negotiations including sexual advance. The female is not entitled to any sexual pleasure.
>
> (Aken’Ova 2008, 4)

These examples can lead to the conclusion that sexuality is one of the first spheres where power relations are established between the genders (cf. Makinwa and Tiemoko 2007, 3) and, as I mentioned before, it is the female sexuality, which sometimes is not only subordinated under the male sexuality but also often denied, a fact which leads to the impression that females do not have any sort of inherent biological sex drive, sexual desires or fantasies.

As Judith Butler (1999/1990) points out drawing on Michel Foucault's argumentation, it is not so much about a specific power that is strong enough to consolidate sex and/or gender but rather we have to look at what is underlying to this power; which interests (political/economic/social) allow us to talk about a natural sex and a natural division of the sexes? The following quote is not only interesting when dealing with power but also for the question of sexual identity and inner/natural truths.

> To expose the foundational categories of sex, gender, and desire as effects of a specific formation of power requires a form of critical inquiry that Foucault, reformulating Nietzsche, designates as 'genealogy'. A genealogical critique refuses to search for the origins of gender, the inner truth of female desire, a genuine or authentic sexual identity that repression has kept from view; rather, genealogy investigates the political stakes in designating as an *origin* and *cause* those identity categories that are in fact the *effects* of institutions, practices, discourses, with multiple and diffuse points of origin.
>
> (Butler 1999/1990, xxxi; italics in the original)

This can also mean that the thinking of sexuality has a political, social and economic function in order to stabilize and justify patriarchal power over females. Examples of the power and the regulation of patriarchy through sexuality include the forced virginity of females in different cultures and societies or the often - mentioned "housewifization"[8] (Mies 1998) where the capitalist modes of production depend on the (domestic and cheap) work of females.

Adding power to the categories gender and sexuality is therefore closely connected to male power either through the larger picture of patriarchy or through the micro level such as sexual practice.

As mentioned before, the female sex drive is often either ignored, considered to be less important or denied in general because of the belief that male's sexuality is more important due to their sex drive being more distinct and natural.

Adrienne Rich (1980/1896) adds to this, in an inclusive way, by drawing on two points of Kathleen Gough's list of eight characteristics of male power[9], different forms how the control or oppression of female sexuality work.

Women's own sexuality is denied and controlled

[8] Mies has used the term 'housewifization' in order to describe the circumstances in mostly Third-World countries where women alongside to their domestic labor work in large-scale factories where they are paid so little that they can hardly survive (especially if they are not married), with the justification that women are first of all and for the most housewives.

[9] "1. to deny women sexuality, 2. or to force it upon them, 3. to command or exploit their labor to control their produce, 4. to control or rob them of their children, 5. to confine them physically and prevent their movement, 6. to use them as objects in male transactions, 7. to cramp their creativeness, 8. to withhold from them large areas of the society's knowledge and cultural attainments" (Rich 1980/1986: 36ff).

> by means of clitoridectomy and infibualtion; chastity belts; punishment, including death, for female adultery; punishment, including death, for lesbian sexuality; psychoanalytic denial of the clitoris; strictures against masturbation; denial of maternal and postmenopausal sensuality; unnecessary hysterectomy; pseudolesbian images in the media and literature; closing of archives and destruction of documents relating to lesbian existence.
>
> (Rich 1980/1986, 37f)

or is forced upon them

> by means of rape (including marital rape) and wife beating; father-daughter, brother-sister incest; the socialization of women to feel that male sexual 'drive' amounts to a right; idealization of heterosexual romance in art, literature, the media, advertising, etc.; child marriage; arranged marriage; prostituion; the harem; psychoanalytic doctrines of frigidity and vaginal orgasm; pornographic depictions of women responding pleasurably to sexual violence and humiliation (a subliminal message being that sadistic heterosexuality is more 'normal' than sensuality between women).
>
> (Rich 1980/1986, 37)

With this list it becomes evident that women's sexuality is regulated and controlled, and that women can be victims of various sexual exploitation.

At this point with the following demonstration I would like to introduce the next part of my chapter on sexuality, namely heteronormativity. It draws on the notion of heterosexuality as the norm, which distinguishes itself through power structures, not only between men and women but also between different sexual practices and 'genders' outside of the heterosexual sphere. Nevertheless, heteronormativity is not only there to criticize the heterosexual hegemony, but also sex which is thought to be about the vaginal intercourse. This means that also sexual activities such as oral sex or other forms of satisfaction are not considered sex in the traditional sense.

> Ideas about what is normal and acceptable sexual behaviour, indeed what is regarded as sexual practice, also reflect dominant constructions of sexuality as heterosexuality, but more especially (vaginal) intercourse. If we do not engage in such activity we are not recognised as fully sexual, we are still virgins even after a lifetime of 'foreplay'.
>
> (Richardson 2000, 26)

3.3.1 It's a Small, Two-Sexed World

Heternormativity identifies the marginalization of different sexual practices, lifestyles etc., which do not match the heterosexual model, that is: two people of the opposite sex entering a sexual relationship. Underlying heteronormativity is the assumption that all people fall naturally into the categories of either male or female with the according attributes of masculinity and femininity. Marital sex between two people of the opposite sex is considered to be the normal and natural form of sexual intercourse that is used first

of all to procreate. All other forms of sexual behavior are deviant and thus unnatural.
"*Heteronormativity* refers to the assumption that everyone is heterosexual and the recognition that all social institutions (the family, religion, economy, political system) are built around a heterosexual model of male/female social relations" (Nagel 2003, 49f; italics in the original). Here, the notion of power relations and the natural female submission within the heterosexual context becomes apparent.

Many feminist theorists try to deconstruct our heteronormative reality through basing their arguments on social constructionism. That makes it possible to show that heterosexuality is not per se natural but also functions as a regulative power.

> Within most feminist accounts, heterosexuality is seen not as an individual preference, something we are born like or gradually develop into, but as a socially constructed institution which structures and maintains male domination, in particular through the way it channels women into marriage and motherhood.
>
> (Richardson 2000, 20)

This is also why many feminists argued that feminism is the theory and lesbianism is the practice, meaning heterosexual feminists are sleeping with the enemy. In other words, if patriarchy is constituted through sexuality and sexual practice then women should not sleep with the enemy but should focus out of solidarity on other women. (Richardson 2000, 159) This would mean then that they should give up relationships with men and put all they have (love, desire, emotions) into women. The line can be drawn here between nineteenth century feminists who said that through celibacy and/or spinsterhood women can resist their sexual subjection (Richardson 2000, 21).
This argument derives from an understanding that sees the domination of males over females within the heterosexual couple in the form of sexual, material and emotional servicing. "'Compulsory heterosexuality' is the key mechanism of control of women, ensuring in its tyranny of definition the perpetuation of male domination. Lesbianism is the point of resistance to this heterosexual dominance, its central antagonistic force" (Weeks 1987, 45).
The critique and answer to this 'weird' argumentation can be found in Judith Butlers book *"Gender Trouble"* (1990/2007) where she says that "[l]esbianism is not the erotic consummation of a set of political beliefs…" (Butler 19990/2007, xi).
I understand this quote to mean that sexual behavior is not a political statement and that sexuality should not be seen as a tool to dismantle the hegemonic heterosexual system of our times. However, and I agree here with Adrienne Rich (1980), who has introduced the

term "compulsory heterosexuality", that we have to question heterosexuality as heteronormativity as well as life forms such as motherhood, marriage etc. because they have political implications that is to say they regulate our lives. "I am suggesting that heterosexuality, like motherhood, needs to be recognized and studied as a *political institution* - even, or especially, by those individuals who feel they are, in their personal experience, the precursors of a new social relation between the sexes" (Rich 1980/1986, 35; italics in the original). The theoretical backup to challenge heteronormativity and to be able to deal with it on an academic level is known as 'queer theory'.

3.3.2 Being Strange in the Small-Sexed World

Challenging and subverting heternormativity is one of the main concerns of queer theory. Queer theory foremost leans against societal regulations of sexuality and gender, a normative heterosexuality and a societal and judicial ensured binary gender order, through which hierarchies and inequalities are established (Klapeer 2007, 115).

The term "queer" in this first sense is pejorative and means strange, peculiar, weird, and has often been used to insult people who do not comply with the societal and sexual norms of society. It found its origin in the Gay Liberation Movement in the late 1960ies and early 1970ies and found its political foundations in the 1980ies. However, different movements incorporated the term for their usage and altered the meaning, so that 'queer' now covers not only homosexuals but all sexual practices and identities that are not considered to follow the heterosexual norm. In the political context 'queer' is understood as the policy that is critical towards identities and follows an anti-essentialist strand. Hence it questions assumptions about the natural sex order. Furthermore, queer theorists do not understand homosexuality to be either unnatural or the opposite of heterosexuality.

> The aim of queer theory is to reframe sexuality within a postmodern framework; in particular to disrupt the hetero/homo binary and denaturalise heterosexuality. Queer theory insists on the centrality of homosexuality to heterosexual culture; in claiming that the hetero/homosexual binary serves to define heterosexuality at the centre, with homosexuality positioned as the marginalised 'other'. Homosexuality is constructed as 'different' (or 'deviant') in contrast to a normalised, naturalised sexuality, which is institutionalised as a specific form of married, reproductive heterosexuality. Heterosexuality is nothing without homosexuality: it depends on homosexuality as its 'opposite' for its meaning and its coherence. It *appears* to be 'natural' and 'normal' because it constructs homosexuality as unnatural, as not the norm, as a poor imitation or copy of the 'real thing'.
>
> (Richardson 2005, 39f)

Judith Butler is one of the most influential theorists who writes in the tradition of queer theory. She makes important contributions in order to challenge heteronormativity through different theoretical assumptions. One important feature of her theory is the con-

cept of "performativity". This concept is difficult to grasp because, as she writes in her updated preface from 1999 to her revolutionary book *"Gender Trouble"* (1990), the understanding of this concept has not only changed for her but has also been transformed by other thinkers. The starting point for this concept was that she wondered

> …whether we do not labor under a similar expectation concerning gender, that it operates as an interior essence that might be disclosed, an expectation that ends up producing the very phenomenon that it anticipates. …Secondly, performativity is not a singular act, but a repetition and a ritual, which achieves its effects through its naturalization in the context of a body, understood, in part, as a culturally sustained temporal duration.
>
> (Butler 1999/1990, xv)

Hence, 'gender' - formally believed to be an internal essence of the human – is constantly reproduced through different sets of acts. "In this way, it showed that what we take to be an 'internal' feature of ourselves is one that we anticipate and produce through certain bodily acts, at an extreme, an hallucinatory effect of naturalized gestures" (Butler 1999/1990, xvf).

So one could say that heterosexuality is not per se natural but is naturalized through repetitive bodily acts. Because we think of heterosexuality as an interior essence we constantly reproduce it consciously or unconsciously without questioning the very act. Thus,

> [p]erformativity is a powerful mechanism of social construction and social control, all the more so because it tends to go unnoticed, be invisible, operate at the level of intuition. Performatives just seem to *feel* right or wrong. They are difficult to identify or think about because they are so ingrained, presumed, and seemingly 'normal'.
>
> (Nagel 2003, 52; italics in the original)

Nagel further points out that performance and performativity are not the same. Performance is connected to bodily acts that constitute our gender roles meaning that we perform our gender in every aspect of life how we talk, eat, sit, drink, walk, sing, present ourselves, etc. depending and based on the feedback we receive when acting in a certain way. Performativity on the other hand is more subconscious, hidden and abstract (Nagel 2003, 52f).

Due to the aim of this thesis to link sexuality to the context of international development, it is essential to give a short introduction into the thinking of sexuality in connection to class and race. Our understanding of sexuality did not only evolve out of the belief of the natural heterosexuality but had also influence on assumption of the 'sexualized other'.

3.3.3 How Sexuality Learned to Travel

"Sex is the sometimes silent message contained in racial slurs, ethnic stereotypes, national imaginings, and international relations" (Nagel 2003, 2).

Dedicating one chapter to race, class and sexuality is crucial in order to show how sexuality is constructed when it comes to class and race. The social construction of sexuality in accordance with ethnicity[10] and class occurred especially through colonial discourses where it has been connected to a Eurocentric understanding of sexuality.

> …[T]he European colonial project succeeded in enforcing new cultural hegemonies on prudish and heteronormative discourses of morality… Discourses of domesticity, predicated on a reproductive, monogamous sexuality were central to this gendering of colonial African geographies … reinforced by the ordering of the colonial state along the public/private divide.
>
> (Horn 2006, 9)

Sexuality is closely connected to ethnicity and manifests the view of ourselves within a certain group or context. It tells us who is 'pure' or 'impure', who belongs to one group or another, and who is excluded or included. Sexuality thus creates barriers and boundaries.

> Ethnicity and sexuality join together to form a barrier to hold some people in and keep others out, to define who is pure and who is impure, to shape our view of ourselves and others, to fashion feelings of sexual desire and notions of sexual desirability, to provide us with seemingly 'natural' sexual preferences for some partners and 'intuitive' aversions to others, to leave us with a taste for some ethnic sexual encounters and a distaste for others.
>
> (Nagel 2003, 1)

Richardson points out that hegemonic discourses on sexuality are closely connected to whiteness, maleness and heteronormativity (Richardson 2000, 23). Other forms of sexual behavior are considered to be 'deviant' and 'unnatural'. The hegemonic practice of sex is also always the one to be considered the most natural. But it is not only about race and ethnicity but also about the position in society.

As a consequence, these categories can be expanded through the category 'class'. Michel Foucault (1987) stresses the relevance of class in his work *"History of Sexuality. Part 1"* when he states that our understanding of sexuality comes into being with the raise of capitalism and the establishment of the bourgeois family. Back then the belief of 'good' sexuality and the healthy body was confined to the bourgeois class.

[10] It should be pointed out that 'ethnicity' is always socially constructed as it is also situational and negotiated (Nagel 2003, 44).

> There is little question that one of the primordial forms of class consciousness is the affirmation of the body; at least, this was the case for the bourgeoisie during the eighteenth century. It converted the blue blood of the nobles into a sound organism and a healthy sexuality. One understands why it took such a long time and was so unwilling to acknowledge that other classes had a body and a sex- precisely those classes it was exploiting.
>
> (Foucault 1978, 126)

However, according to Anne Stoler (1995) Michel Foucault writes in a Eurocentric tradition and neglects other forms of exclusion when it comes to desire and thus sexuality. Questions should for example include who are for the desiring subjects and desiring objects.

> Armed with Foucault's impulse to write a history of Western desire that rejects desire as biological instinct or as a response to repressive prohibitions, we should be pushed to ask what other desires are excluded from his account, to question how shifts in the imperial *distribution* of desiring male subjects and desired female objects might reshape that story as well.
>
> (Stoler 1995, 15)

According to Stoler (1995), Foucault connects sexuality and racism to 'biopower'[11] but he neglects and forgets the relation between sexuality and racism. When discussing 'biopower', which tried to control nations and their subjects, among others, through sexuality, then sexuality and reproduction were also ways to avoid the racial mixture of the colonizer and the colonized. The mixture of the races was a 'threat' to the nation. "They were the 'enemy within,' those who might transgress the 'interior frontiers' of the nation-state, who were the same but not quite, potentially more brazen in making their claims to an equality of rights with 'true' Europeans, but always suspect patriots of colonial rule" (Stoler 1995, 52).

This means that 'biopolitics' fuelled the emergence of racism because it tried to regulate sexuality. "Within this new biopolitical regime, modern racism emerges out of the technologies of sex. For Foucault, race is a theme through which sexuality is discussed, modern racism follows from it" (Stoler 1995, 53).

The 'othering' often also happens through sexuality. According to Nagel (2003), other classes or ethnicities than of one's own, are often considered to be different on the pre-

[11] According to Foucault 'biopower' is a new technique of modern states to control and regulate their subjects. 'Biopower' means techniques, mechanisms and strategies through which the human as a biological being and its biological features become objectisized through the implementation of political strategies on exactly them. "'Biopower' is thus tied to the emergence of the discipline of statistical demography, and there begins the quantification of the phenomena of birth-rate, longevity, the reproductive rates and fertility of a given population, its state of health, patterns of diet and habitation. 'Biopower' is ontogenetic: it brings into being the phenomenon of population, rendering it visible and knowable, see-able and say-able" (Crome 2009, 53).

mises of their sexual being and behaviors which are predominantly described as unnatural or perverted.

> The sexual ideologies of many groups define members of other classes or ethnicities as sexually different from, usually inferior to their own *normal* and proper ways of being sexual. These classes or ethnic 'Others' might be seen to be oversexed, undersexed, perverted, or dangerous.
>
> (Nagel 2003, 9)

Hence, sexuality creates sex lines that divide people according to their sexuality, be it based on "…sexual practices, identities, orientations, desires" (Nagel 2004, 46). Additionally, sexuality does not only deal with itself through dividing people accordingly, but divides also according to other division lines within society. "…[S]ex hierarchies intersect with other forms of stratification – such as race, class, ethnicity and age – and translate into power differentials, socio-economic inequalities, stigma, discrimination and abuse" (Corrêa and Jolly 2008, 23).

The connection of sexuality to class emerges when we look closer to stereotypes of sexual identities. Lesbianism, for example, as Richardson highlights is closely connected to the middle class. The working class, as well as black people most often are masculinized and heterosexualized. Black people were especially oversexed in the colonial context. So that black sexuality was represented as a form of hypersexuality. The black sexual subject was perceived as a danger and threat to the pure and white womanhood (Richardson 2000, 23).

3.3.4 You Are What You Do In Bed?!

"…[I]ndividuals have a sexual *identity* … that can be determined by observing their sexual *behavior*-you *are* what you *do* in bed" (Nagel 2003, 9 italics in the original).
It is important to answer the question whether sexual identity is connected to sexual practice at this point. Because it will help to understand my later reasoning on the level of sexuality in development or sexual rights and the critique that sexual practices do not necessarily have to be linked to identities or a certain label.

The statement above often applies when looking at sexual behavior and the accordingly assigned sexual identity which are often considered to be one and the same. However, we have to ask if we really are what we do and if identities should not be seen as more fluid, transformable and changeable.

According to Nagel "…sexual practice is expected to be tied to sexual identity" (Nagel 2003, 50).

In order to attempt to define gender, sex and sexuality, one is obliged to differentiate between various schools of thoughts in feminist theory or sexuality studies. Although gender is mostly associated with, or linked directly to, sexuality, it does not necessarily have to be. This has been highly contested by various theorists who claim that there is no direct and innate link between gender, sex and sexuality. Especially the recently in the academia established queer theory constitutes a landmark in separating gender from sexuality. "These two different meanings tend to coalesce in many people's minds, with the implication that gender is expressed through sexuality, and that each sex has a specific sexuality. However, probably the most important first step in studying sexuality is to differentiate it from gender, and to explore the articulation between them" (Caplan 1987, 2).
According to Caplan (1987, 2) it is important to ask if by sexuality we mean "a set of ideas" or a certain behavior. Nevertheless, it is widely acknowledged that sexuality has a fundamental impact on the person's identity and we think of certain identities when we link them to sexual behavior or sets of ideas. She writes: "People are encouraged to see themselves in terms of their sexuality, which is interpreted as the core of the self. But what is sexual in one context may not be so in another: an experience becomes sexual by application of socially learned meanings" (Caplan 1987, 2). This is also what I showed with the quote at the beginning of this chapter. However, and this is how Nagel develops her argument, sexual behavior and identity are not universal or timeless. Sexual behavior is, first of all, not necessarily used to define a person's identity or it does not play any role at all for a person's identity. Nevertheless, "[i]n any society … there will be a prevailing standard for proper sexual behavior, and that sexual hegemony will be enforced against those defined as sexually deviant-often these are members of other classes, races, ethnic groups, or nationalities" (Nagel 2003, 9).
This can be illustrated by looking closer at the term 'homosexuality' that is relatively new. It appeared for the first time 1869 and was not really used until some decades later. This does not mean that there was no sexual behavior between people of the same sex before the term was introduced but "…what changed was how it was labelled" (Caplan 1987, 5).
However, Weeks (1987) points out that to create and think of identities, especially in order to ensure certain rights to people who are marginalized, discriminated, killed etc. it is

of central importance. To choose an identity can also be understood as a political choice. So that he argues that identities are at least necessary for the first step of creating a political rights framework to protect, emancipate, and empower people who identify themselves as 'other' than heterosexual and do not take part in the heteronormative world order.

> Identity is not a destiny but a choice. But in a culture where homosexual desires, female or male, are still execrated and denied, the adoption of lesbian or gay identities inevitably constitutes a *political* choice. These identities are not expressions of secret essences. They are self-creations, but they are creations on ground not freely chosen but laid out by history. So homosexual identities illustrate the play of constraint and opportunity, necessity and freedom, power and pleasure. Sexual identities seem necessary in the contemporary world as starting-points for a politics around sexuality. But the form they take is not predetermined. In the end, therefore, they are not so much about who we really are, what our sex dictates. They are about what we want to be and could be.
>
> (Weeks 1987, 47)

This argument might seem obvious in the first place but, as Weeks elucidates, 'identity' is a critical term because it homogenizes groups of people who might share same sexual practices with the appropriate assigned gender or sex role. Hence, the creation of identities might be a very important tool in order to establish rights which should serve as protection. Nevertheless, identities also assign certain characteristics to groups of people that fix and constrain them. "If, as many advocates of gay politics have suggested, identity is a constraint, a limitation on the flux of possibilities and the exploration of desires, if it is only a historical acquisition, then surely its assertion should be historically junked or at least modified" (Weeks, 47f).

This paragraph should be seen only as a short introduction into the complex problem of sexual identities and groups because this will be further analyzed in chapter 6 on sexual rights and furthermore in chapter 7.2.

I would like to introduce Judith Butler's (1999/1990) thinking about identities which is, according to me, a very beautiful concept of identity as it gives on the one hand power to sexual minorities that are often described as identities and on the other hand it is acknowledging the negative power of sexual identities. That implies that the concept of identity can have either counterproductive or reluctant effects.

> I continue to hope for a coalition of sexual minorities that will transcend the simple categories of identity, that will refuse the erasure of bisexuality, that will counter and dissipate the violence imposed by restrictive bodily norms, I would hope that such a coalition would be based on the irreducible complexity of sexuality and its implication in various dynamics of discursive and institutional power, and that no one will be too quick to reduce power to hierarchy and to refuse its productive political dimensions. Even as I think that gaining recognition for one's status as a sexual minority is a difficult task within reigning discourses of law, politics, and language, I continue to consider it a necessity for survival. The mobilization of identity categories for the purposes of politicization always remains threatened by the prospect of identity becoming an instrument of the power one opposes.
>
> (Butler 1999/1990, xxvii)

3.4 It Is How I Define It

Now that I have given an introduction to sexual constructionism, the related problem and some important theorists, I would like to present my understanding of sexuality that I will use throughout this work. The following quotations should elicit more clearly my thinking and understanding of sexuality and the subversive power I ascribe to it, so that my argument in this work may be less ambiguous.

> …[T]he term sexuality covers feelings and actions connected with erotic desire. Sexuality certainly is related to gender, but to conflate the two confuses rather than clarifies their relationship.
>
> (Jackson 1993, 225)

> …Male and female sexuality … [are not] natural and unchangeable, but rather … socially constructed. Thus heterosexuality cannot be treated as natural, as in some absolute way normal.
>
> (Jackson 1993, 226)

> For sexuality is about a lot more than having sex. It is about the social rules, economic structures, political battles and religious ideologies that surround physical expressions of intimacy and the relationship within which such intimacy takes place. It is as much to do with being able to move freely outside the home and walk the streets without fear of sexual harassment or abuse as it has to do with whom people have sex with. It is as much concerned with how the body is clothed, from women feeling forced to cover their bodies to avoid unwanted sexual attention to the use of particular colours to mark the gender of infants and begin the process of socialization of boys and girls as different, as what people do when their clothes are off. And, where society and the state collude in policing gender and sex orders, it can be about the very right to exist, let alone to enjoy sexual relations.
>
> (Cornwall, Corrêa and Jolly 2008, 5f)

According to these citations I would like to show that sexuality does not only involve sexual desires and fantasies but also has social, political and economic implications. It is socially, culturally and historically constructed, depending on how it is defined and what constitutes good or bad sex. In addition it is closely related to people's freedom and liber-

ty. Furthermore, power relations of gender dominate sexuality. Sexuality was normalized throughout history, it is racialized, normative and therefore, especially in the West, commonly conceptionalized as white, male, heterosexual, married sexuality. By mentioning the androcentric character of common conceptualizations of sexuality, I would like to point out that sex is often considered to be masculine and when looking at sexual practices one can notice that masculine penetration is still regarded as the only form of 'real' sex. Therefore, sexuality conceals power relations between men and women within patriarchy and implicates constructions of female and male attributes and of the 'naturally' subordinated female sexuality.

Again, I would like to question and challenge gender dichotomies, sexual essentialism, assumptions around heteronormativity and will aim to find solutions which look at sexuality from a more affirmative (moving away from the repressive form of sex as Foucault calls it), inclusive and positive angle, which means a sexuality which does not exclude anyone or any sexual practice as long as it is consensual.[12] This approach then also moves away from a sexuality that is based on sexual identities.

[12] Although I am well aware that the concept of 'consensual sex' is highly controversial, I will indeed argue that consensual sex is possible.

4. The Concept of Development and its Linkage to Sexuality

4.1 From Modernization to Sexuality in Development

The concept and discourse of what we know and understand under the term 'development' was introduced in the international arena in 1949 by US-president Harry S. Truman in his inaugural speech on January 20th. This is also the day when two billion people suddenly became a monolithic, underdeveloped entity. The concept of development at this time was closely connected to economic growth and industrial modernization. The dichotomy lay between so-called developed countries (the Global North) and underdeveloped countries (the Global South).

> Fourth, we must embark on a bold new program for making the benefits of our scientific advances and industrial progress available for the improvement and growth of underdeveloped areas. More than half the people of the world are living in conditions approaching misery. … Their poverty is a handicap and a threat both to them and to more prosperous areas. For the first time in history, humanity possesses the knowledge and skill to relieve the suffering of these people.
>
> (Truman Inaugural Address)

This view of development as modernization is rightly considered to be a Northern-based, Eurocentric and monolithic one. Gustavo Esteva describes this in the following quote:

> Underdevelopment began, then, on January 20, 1949. On that day, two billion people became underdeveloped. In a real sense, from that time on, they ceased being what they were, in all their diversity, and were transmogrified into an inverted mirror of others' reality: a mirror that belittles them and sends them off the end of the queue, a mirror that defines their identity, which is really that of a heterogeneous and diverse majority, simply in the terms of a homogenizing and narrow minority.
>
> (Esteva 1992/2007, 7)

In addition to the imperialistic, thus Eurocentric understanding of development, Sandra Harding (2000) adds the exclusion or the gendered bias critique of development understanding that is based on the liberal Enlightenment philosophies. "…Enlightment standards of the human, the good, progress, social welfare, and economic growth, as well as of objectivity, rationality, good method, and what counted as important scientific problems, were all defined in terms of masculine and bourgeois interests and meanings" (Harding 2000, 243). Adding to this critique of the included gender bias are also the categories of race and class. Women were left out and became marginalized through the concept of progress or development through economic growth that is the desire of increased produc-

tion and consumption (Harding 2000, 245). Women were pushed aside into the informal sector or unpaid household labor. The only sphere were women's bodies were actually taken into account, (however only as an obstacle to development) was the belief that "[p]opulation growth causes poverty…" (Harding 2000, 245). As I will highlight later, this is why during the 1960s and 1970s the female body was politicized in order to control their fertility.

Nevertheless, the development has concept changed during recent decades and "…a more human-centred one as a rights-based allied to a capabilities approach to development has gained a hold in international discourses" (Dunne 2008, 9) where the focus expanded to include cultural diversity and where terms such as 'underdeveloped' were transformed and development gained another more comprehensive meaning.

This is also the reasoning of Andrea Cornwall, Susie Jolly and Sonia Corrêa (2008) who are activists, practitioners and scholars of the Global North and South and advocate sexuality, gender and participation in development. They state that there has been a shift in the 1990s from "…narrow income - and consumption - based measures of poverty towards a more multidimensional approach to the analysis and measurement of poverty" (Cornwall; Corrêa and Jolly 2008:6).

The multidimensional definition of poverty that includes more than just the Gross Domestic Product (GDP) can be seen with the following quote:

> Poverty has various manifestations, including lack of income and productive resources sufficient to ensure sustainable livelihoods, hunger and malnutrition; ill health; limited or lack of access to education and other basic services; increased morbidity and mortality from illness; homelessness and inadequate housing; unsafe environments; and social discrimination and exclusion. It also characterized by a lack of participation in decision-making and in civil, social and cultural life.
>
> (Platform of Action 1995, Paragraph 47)[13]

When reading articles on sexuality and development and their link to sexual rights, there is one name that often appears, namely Amartya Sen. His concept of development as freedom is of important concern for development theorists who do not perceive development as an increase of the national Gross Domestic Product but rather as an increase of empowerment and freedom. His work was also of great importance in establishing the United Nations Development Program's Report (HDR) which included new measurements of

[13] In chapter 5.1, I will show how all of these spheres of poverty are influenced by or have influences on sexuality. This will be highlighted by Chamber's (2007) framework on the disadvantages of poverty on sexuality.

poverty and human wellbeing such as the Human Development Index (HDI), the Human Poverty Index (HPI) and the Gender-Related Development Index (GDI) (Des Gaspers and Van Stavernen 2003, 140).[14]

Due to the extension of the definition of poverty one is now able to also include sexuality in development policies as a sphere that is of crucial importance to (human) development. Therefore Amartya Sen is often quoted in the literature reading sexuality in development and sexual rights. Being free to choose his_her sexuality or being free to live certain sexual practices without the fear of oppression, marginalization or death contributes according to those theorists, activists and practitioners to the wellbeing of people and consequently to the 'prosperity' of nations.

> For many donors, the rights-based approach is the strategy and the goal is poverty reduction. … If we understand poverty as exclusion, we can find a link with sexual rights and limits of freedom and wellbeing. As Amartya Sen (1999) points out, poverty depends on capabilities and capabilities depend on freedom. Sexual rights violations imply a loss of freedom, and therefore, poverty.
>
> (Armas 2007, 13)

Sonia Corrêa (2002) states in her lecture held in 2002 at the Sexuality, Health and Gender Seminar at the Department of Social Sciences at Columbia University that Amartya Sen's concept on development as freedom can also include the freedom of one's own sexuality.

> Another theory that may guide us in our efforts to better articulate sexuality, equality and freedom is that of Amartya Sen, who moved beyond the conventional understanding of freedom as political liberty to view it as empowerment, as greater individual and collective autonomy that contributes to development in its broadest sense, and enlarges freedom in the private and public spheres.
>
> (Corrêa 2002:11)

In chapter 4.4 I will condense one of the most influential approaches for development theory and practice over the last decades, the capability approach and drawing particularly on the theory raised by Martha Nussbaum. I will concentrate on this approach because some theorists state that Nussbaum's "…broader definition of capabilities, distinguishing between opportunities and skills, makes her approach less abstract than Sen's and closer to the texture of daily life" (Des Gasper and Van Staveren 2003:150).

[14] HDI includes life expectancy, literacy and the standard of living measured according to the Gross Domestic Product (GDP). The HDI can be extended through the HPI which can better capture the three dimensions by looking at the deprivation. The GDI looks to the following areas: long and healthy life, knowledge, a decent standard of living and the resulting inequalities between men and women.

4.2 Evolution of Sexuality Within the Area of Development

Development practice and theory was involved indirectly with issues of sexuality and sexual practices for a long time in order to 'develop' countries and their prosperity. "In the past, concerns with population vitality, racial purity, fertility, order and discipline, and economic productivity were merged in a focus on sexual reform for the sake of national progress" (Adams and Pigg 2005, 12). This did not only involve Malthusian[15] concern on population control but also other theories that saw uncontrolled population growth as dangerous for the economic and cultural development of nations. Due to contraceptive sciences, eugenic thinking and postcolonial state-building development practice started to be concerned with reproductive interventions (Adams and Pigg 2005, 12).
Reproductive and sexual health were also involved indirectly in the welfare programs of the 1950s and 1960s against malnutrition and physical survival where women - especially as mothers, pregnant or nursing children - were identified to be the most vulnerable group. Here also family planning for population control was part of the welfare programs. Those welfare approaches have been highly criticized by the Women in Development approach (WID)[16]. "Welfarism was seen as the expression of a sexist, sex-role socialization and of stereotyping that defined women's nature as biologically wired to nurture rather than rational, aggressive and competitive" (Saunders 2002, 5).

The wish to control the way in which way nations and their populations develop is still persistent today but a change in thinking can be observed. Nevertheless, the point of departure is still the belief in the connection between nation, progress and sexuality (Adams and Pigg 2005, 13). "In much of the world, today's efforts at sexual reform and intervention are linked to larger national projects of development" (Adams and Pigg 2005, 13). Adam and Pigg refer here to population control schemas such as reproductive health, sexual health, and sexual rights. They all have achieved a normative status so that "…sexuality is medicalized- and some practices and views pathologized- in ways that

[15] Thomas Robert Malthus' theory from which the term Malthusian comes from means that population grows in a geometrical order (1,2,4,8,16,..) whereas agricultural production has an arithmetic progression (1,2,3,4,5...). This means that population growth has to be controlled in order to achieve again a balance between population growth and agricultural production through birth control either utilising constraint or abstinence if famines, epidemics and wars are to be avoided (Nohlen 2002, 541).
[16] "The Women in Development (WID) paradigm, developed by liberal feminists and adopted by The U.S. Agency for International Development and the World Bank, responds to the invisibility of women's work in the classic modernist by an additive approach; that is, instead of critiquing the sexual division of labor or the public/private split of work, they simply create compensatory programs for women. According to this model, gender fairness requires population control projects to reduce the costs of excee childcare to women and to recruit women into entrpreneurial projects of wage labor" (Ferguson 2000, 193).

speak perfunctorily to local values while advancing donor state concerns about population growth and disease control" (Adams and Pigg 2005, 13f).

The development of the talking, thinking and intervening on matters of sexuality and national security went from population planning to reproductive health to identity politics (Adams and Pigg 2005, 16).

> An earlier era of development did not discuss sex itself as a target for intervention; rather, sex was subordinated to concerns about fertility. A gendered objectification of sexuality was one effect of the development-related interest in reproduction. As women became the target of family planning programs- the node through which real 'development' would occur for the family, the village, the nation-so too were they identified as having a sexuality that could be rendered both nonreproductive and an object for self-improvement.
>
> (Adam and Pigg 2005, 19)

The emergence of HIV/AIDS has created the urgency to change the thinking of sexuality. The shift is clear, away from population control, health, planning etc. towards the individuals and sexual relations. "The AIDS era has thus ushered in a critical shift in how sex is framed. What was once indirectly targeted as a matter of civility, population controls, family planning, and public health is now targeted directly as a set of sexual practices, sexual identities, and sexual rights" (Adams and Pigg 2005, 19).

Sex is now more closely connected to health issues that made it possible to add it to policy discussion through sexual and reproductive rights. However, there is the problem that seeing sexuality only as a health issue and a matter of the body can reduce sexuality to biology and can thus create new morals - distinguishing between good and bad sex – in the thinking of sexuality. Of course this also makes it possible to talk about sexuality in a more objective and scientific way without always referring to one's own sexuality. However, all other forms that do not fit into this model of biological thinking might be re-excluded from interventions and practices (Adams and Pigg 2005, 21).

Nevertheless, including sexuality in development and the new understanding, may open up the sphere for new acceptable forms, possibilities and dimensions of sexuality.

4.3 Development, Liberalism, and the Capability Approach. An Introduction

At different points one can read about the expanding definition of development. One gets in touch with Sen's concept of development as freedom where he unifies a positive and negative concept of freedom: freedom from coercion and freedom to do things. As with Martha Nussbaum's capability approach where she aims to create a universal framework

which includes everyone and covers all important or basic spheres of a human life that should be acknowledged by policymakers in order to ensure a 'good' human life. Most of the former thinkers neglect the issue of sexuality in their development theory. Nevertheless, many other thinkers who are concerned with sexuality, development and the rights discourse, point out the connection between poverty and sexuality. Taking into account that sexuality is of main concern to feminists, I will use Martha Nussbaum's development concept, the so-called capability approach and aim to analyze and criticize it with the help of postcolonial and postmodern thinkers. Not ignoring that Martha Nussbaum has an extended view on development, I would like to show the link between sexual rights and to try to expose what the shortcomings of her view in relation to the 'Human' are. As Corrêa (2002) points out, we have to do more research in order to solve the question based on the connection between poverty, equality and sexuality. For this reason I would like to introduce Nussbaum's liberal concept in order to show the links that can be made between a 'good' human life and sexual rights. I argue that this expanded version of understanding development has an impact on the liberal tradition of human rights and sexual rights in particular because it does not neglect, like Amartya Sen's capability approach, the special needs of women and the role they play in and for development but intends to include women and men on an equal level. Gender relations are based on sex and sexuality which is why I would like to explore whether Nussbaum can contribute with her approach to sexual rights and answer the question if sexual rights or the capability approach are enough for improving people's lives. Henry Armas (2006) points out that rights-based approaches have become crucial and important in the development discourse, policies and also practice because it provides not only the necessary methodological tool but incorporates in its analysis also the political dimension (Armas 2006, 21).

As my thesis tries to show the importance and which new insights different feminist theories can provide to development discourse, I would like to introduce firstly the capability approach, show its theoretical background of the liberal tradition on which also rights in general are based and move on with the connection between capability approach, political framing and argumentation for sexual rights.

4.3.1 Second Wave Feminism's Liberalism

"Liberalism traditionally holds that human beings are above all reasoning beings, and that the dignity of reason is the primary source of human equality" (Nussbaum 1999, 71).

In order to understand why I introduce Martha Nussbaums' capability approach and the resultant critique in my paper, it is necessary to give a short introduction in the ontological and epistemological understanding of second wave feminism[17].

Second wave feminism is in close relation to Liberal feminism. Its roots can be found in the 18th century where Mary Wollstonecraft spoke out against the essentialist assumption that women by nature would be worth less than men because they were not able to use their reason in the same way as men and for civil rights for men and women alike. She argued against the prejudice assumptions of women as too emotional and thus irrational. Nevertheless, she still argued in favor of men because they were by nature more powerful than women. However through educating women, they might also be able to develop strength. Furthermore, in her critique on the denial of civil rights for women, she also included the religious argument. According to her, every human was the same in the light of God and as a consequence, women should have also been entitled to rights (cf. Wollstonecraft 1985).

Liberal feminists take the standpoint that all humans, men and women have the same capacity of reason and moral conscience. It is then the state's duty to ensure people their 'humanness' through civil rights. Thus, equality between men and women must be achieved through same rights for men and women.

This is one reason why we can understand Martha Nussbaum in this tradition. Chris Beasley classifies Martha Nussbaum in his book *"Gender and Sexuality. Critical Theories, Critical Thinkers"* (2005) to take part in second-wave Liberal feminism.

According to him, Liberal feminism has three key features: "(1) the notion of Reason; (2) women as the 'test case' enabling assessment of a just society in Liberal terms – that is,

[17] I would like to point out that the different theoretical implications and standpoints of the three feminists waves are very complex and one paragraph dedicated to them is not enough and therefore limited. Nevertheless, in order to understand my further argumentation I think it is necessary to give a short introduction into its theoretical understanding.
Feminism in general can be divided into first, second and third wave. The first wave describes political movements in the 19th and early 20th century where women claimed their right to political participation, property and to vote. That is why this movement or first wave feminism is often referred to the movement of the suffragettes in the United Kingdom.
Second wave feminism is continuation of first wave feminism and stays as mentioned above in the liberal tradition of civil rights. However, it also expanded to a more broadly and common claim of the abolishment of all forms of discrimination. Here, also other lines of discrimination besides sex and gender, such as race, class, social background, sexuality etc. came to the fore. This was also the hour of birth of for example black feminism that showed, (very simplified said) that black women were exploited and discriminated in different ways than white women. Third wave feminism concentrates on identities and differences and refuses the essentialization of women.

assessment of its claims regarding equality and democracy; and (3) the focus on social reform" (Beasley 2005, 37).

The notion of Reason is a very important notion of Liberal feminism. Because women are as capable to use reason as men, Liberal feminists demand the same rights for women as for men. Women have to be part of and have to be included in modern society.

Beasley explains this as following:

> Reason in this setting generates the capacity to be an individual, since it gives the freedom to *choose* rather than having to be told what to do. It enables freedom to compete with other choosing persons. Hence, reason becomes universal Truth of Human-ness (a universal Human essence) which is linked to political equality – that is, the capacity for and right to public participation.
>
> (Beasley 2005, 38)

Thus, reason must be seen as the possibility to enter Humanness and as a consequence also the basis to be allowed to be included in human rights, social justice and social fairness (Beasley 2005, 38).

Summarizing, one can say that Liberalism has the strong understanding of a human as being rational. Thus, it is a human essence to have the capacity to think rationally and therefore, both men and women have to be treated equally and both are entitled to same rights that should and have to be provided by the state.

Furthermore liberalism is also about agency, freedom, liberty and free choice. This becomes clear by the following quote:

> Liberalism concerns itself with freedom and with spheres of choice. As I conceive it, this does not mean maximizing the sheer numbers of choices people get to make for themselves. The idea of liberty should be understood in close conjunction with the idea of equal worth and respect: The choices that liberal politics should protect are those that are deemed of central importance to the development and expression of personhood. … But the goal should always be to put people into a position of agency and choice, not to push them into functioning in ways deemed desirable.
>
> (Nussbaum 1999, 11)

4.3.2 Martha Nussbaum's Liberalism

In order to be able to understand Martha Nussbaum's Liberalism I would like to quote her explanation of her understanding and usage of Liberal belief:

> The version of liberalism here begins from the idea of the equal worth of human beings as such, in virtue of their basic human capacities, are worthy of equal concern and respect: Thus, the view is at its core antifeudal, opposed to the political ascendancy of hierarchies of rank, caste, and birth.
>
> (Nussbaum 1999, 10)

This means that Nussbaum does not only use the categories ‘gender’ or ‘sex’ but also all other categories which might allow forms of discrimination, exclusion, oppression etc. Every person is human, ignoring the person’s background or social status. Nevertheless her main concern is gender hierarchy in general and the role of women in particular.
According to Nussbaum, women have for too long been seen as means and not as ends. However, “…each human being should be regarded as an end rather than as a means to the ends of others” (Nussbaum 1999, 10).
This is why she believes in the possibility for Liberalism to ameliorate the lives of all humans, male and females.

> The liberal insists that the goal of politics should be the amelioration of lives taken one by one and seen as separate ends, rather than the amelioration of the organic whole of the totality. I argue that this is a very good position for women to embrace, seeing that women have all too often been regarded not as ends but as means to the ends of others, not as sources of agency and worth in their own right but as reproducers and caregivers.
>
> (Nussbaum 1999, 10)

This means that it is necessary both for men and women to gain rights. In this case as mentioned above, Nussbaum is more concerned with the rights of women. This is similar to Catharine MacKinnon who states that women have been neglected in the rights discourse for too long. In order to be able to enter the right) discourse women have first to be seen human at all. Accordingly she asks in her homonymous book *“are women human? And other International Dialogues”* (2006):

> Becoming human in both the legal and lived senses is a social, legal, and political process. It required prohibiting or otherwise delegitimating all acts by which human beings as such are violated, guaranteeing people what they need for a fully human existence, and then officially upholding those standards and delivering on those entitlements. But, in circular epistemic fashion, seeing what subordinated groups are distinctively deprived of, subjected to, and delegitimated by, requires first that they be real to power: that they first be seen as human.
>
> (MacKinnon 2006, 2f)

Rosalind Pollack Petchesky’s (2003) argumentation on sexual rights similarly states that women have for too long been neglected and only seen as means for other social goals and not as ends for themselves. When it comes to sexuality this approach consists only of population control, health of children etc. This is why she and other feminists claim that women’s sexuality and their pleasure and empowerment have to be treated as crucial for their wellbeing.

> Based on such established human rights principles, feminists affirm that women's health, pleasure and empowerment must be treated as ends in themselves and not merely as means towards other social goals – for example, reducing population numbers, producing more healthy babies, or helping to create expanded markets and cheap labour pools.
>
> (Pollack Petchesky 2003, 9)

However, one critique of feminist Liberalism claims is that Liberal feminists always stay in the sphere of institutions. They do not ask for political transformation but do only try to change the structures of the already existing institutions that had as their basis a patriarchal society. The question is then what liberal feminists try to achieve because they do not try to go back to the roots from where oppression, marginalization and exclusion resulted in the first place (Beasley 2005, 42).

Beasley (2005) says that Nussbaum is a philosopher who thinks that she is able to talk for all women universally, no matter which background they have, ignoring characteristics into which women but also all humans are divided: class, race, gender, sexuality, religion, ability, marital status etc[18]. Nussbaum acknowledges the fact that she is a white woman living in the West, however "[s]he believes that philosophers like herself should be 'lawyers for humanity'" (Beasley 2005, 39). However while taking this position and the belief that she has the permission to talk for all women, she neglects multiculturalism or different norms, cultures and conventions. Thus, the resulting equation of her standpoint could be: rights, (human or women or gay etc.) before culture/religion/tradition.[19]

> I argue that the equality of the sexes should be a prominent part of the public political culture, and that religions that dispute sex equality should not have the option of making law to that effect, as of course they do in very many nations of the world, including quite a few that have constitutional guarantees of sex equality.
>
> (Nussbaum 1999, 21)

This position allows her to establish and create a grand theory like the capability approach. Beasley adds to that "[i]ndeed, Nussbaum argues that the goal is to become 'a cosmopolitan' – a citizen of the world – which means in effect to gain a universal point of view, a perspective that is objective, neutral, beyond power, beyond loyalty to a decontextualised Humanity" (Beasley 2005, 41).

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[18] Even though I also use these characteristics in order to be able to talk about humans and to be able to show inequalities etc. I think one can argue against them because it is some sort of power to say which characteristics are necessary in order to form subjects and identities. Nevertheless I think it is necessary to have these indicators of a human in order to be able to talk about it and act upon it. At this point my struggle between postmodern and radical feminism becomes evident.

[19] See chapter 8.2 in part IV for further discussions on cultural relativism, universalism and multiculturalism.

So that the basis from which the debate and discussion starts is an important moral and political matter. “The basic intuition from which the capability approach starts, in the political arena, is that human capabilities exert a moral claim that they should be developed” (Nussbaum 1999, 43).

Talking about a citizen of the world and trying to create an approach that is universally true, Martha Nussbaum asks for equality for all humans. She states that one should not asks what certain people are entitled to but that everyone is entitled to the same. Even though it will be difficult to provide all citizens of the world with the same rights and the same quality of life, we have to ensure that no one is left out, that all citizens will get above the decided threshold.

> Again, we have to answer various questions about the costs we are willing to pay to get all citizens above the threshold, as opposed to leaving a small number below and allowing the rest a considerably above-threshold life quality. Here my claim is that capability-equality, in the sense of moving all above the threshold, should be taken as the central goal.
>
> (Nussbaum 1995, 87)

One can hold against her that she misses out that this approach, which is also based on the question of reason, is always and already part of the social world order. The question of who has the power to decide what is reasonable or why reason matters so much more than emotions etc. remains. “Hence, to claim one is speaking on the side of reason – in objective, neutral terms beyond self-interest and therefore from the realms of a higher knowledge or truth – is a potentially dangerous and arrogant point of view” (Beasley 2005, 39).

Nussbaum defends her position for the creation of a universal approach by addressing the problem that one can never say something that everyone is going to like and by trying to be responsive to cultural variations. However this does not restrain her from saying what she has to say and to create a prescriptive framework for the “good human life”. In order to justify this position that one has to take a position to avoid relativism, she is referring to Dante Alighieri:

> It suggests all to clearly the sort of moral collapse depicted by Dante, when he describes the crowd of souls who mill around in the vestibule of hell, dragging their banner now one way now another, never willing to set it down and take a definite stand on any moral or political question. Such people, Dante implies, are the most despicable of all: they can’t even get into hell because they have not been willing to stand for anything in life, one way or another.
>
> (Nussbaum and Glover 1995, 2)

This is also the reason for her not to stay around and wait rather to speak up. Thus, the capability approach stays in the Liberal philosophical tradition because it sees freedom central to human wellbeing. To be able to choose, to have the freedom to choose is at its

core and which again is one of the most important beliefe of Liberalism (Deneulin 2006, 19). "…[L]iberalism is characterized by respect for the freedom of people to pursue their own conception of the good" (Deneulin 2006, 21).

Deneulin (2006) argues in her book *"The Capability Approach and the Praxis of Development"* that Nussbaum stays, as well as Amartya Sen in the realm of the Liberal project that will not be able to make effective and efficient prescription to the development praxis. "I will argue that her version of the capability approach remains a liberal project which sees freedom of choice as constitutive of the good that societies ought to pursue, and therefore, that it proves insufficient to guide development praxis towards human well-being enhancement" (Deneulin 2006, 32).

She states further that the capability approach tries to give a realistic and objective response to cultural relativism. According to Deneulin relativist development theorists believe that any prescription of how a good human life should be lived or what constitutes a good human life is another form of domination. This is also the case when it comes to commonly agreed states of being that are believed to be necessary for development such as literacy, sanitary structures etc. because "…the understanding of human life varies with history and culture, historical and cultural differences ought to be paid respect" (Deneulin 2006, 33). However, this is exactly what Nussbaum criticizes about cultural relativists. By looking away and neglecting oppression etc. we make ourselves guilty.[20]

4.4 Capability Approach

"…[w]hat are the functions without which (meaning, without the availability of which) we would regard a life as not, or not fully, human" (Nussbaum 1999, 39)?

This question is the main concern of the capability approach; every discussion and debate is rooted in this question. Starting from the position that people have different functionings and capabilities[21], not everybody has the actual potential to choose from all the possibilities one should actually have for a truly human life. One who is starving to death will not be able to fight for food relief, nor will the woman who has been genitally mutilated enjoy her sexuality as much as a woman whose genitals are pristine. According to Nussbaum we (in my opinion the 'we' refers to theorists, politicians, policy makers etc.) owe society and humans who are deprived from the most basic human capabilities the provision of exactly those.

[20] See Martha Nussbaum's quote of Dante further up.
[21] For a thorough explanation of the terms look up chapter 4.4.3

Thus, the capability approach is the effort that political philosopher and classicist Martha Nussbaum makes in order to create an objective and perfectionist theory of the good (Deneulin 1996, 32).

> In short, no human being should be expected to overcome all potential life obstacles, and people who have to fight for the most basic things are precluded by that struggle from exercising their agency in other more fulfilling and socially fruitful ways. Someone who is struggling for minimal subsistence, or who is beaten every day, probably cannot at the same time be a lawyer or a parliamentary representative. Someone who has to fight to go to a meeting where she will see other women probably will not at the same time be running a primary school or leading relief movement. Social support for basic life functions, including prominently the basic liberties, is what we owe to people's humanity and dignity. It also makes good social sense, freeing people to be agents in socially productive ways.
>
> (Nussbaum 1999, 20)

4.4.1 Moving Beyond GDP Per Capita

Sen's and/or Nussbaum's capability approach is an attempt to provide an extended framework to former development theories such as the utilitarian approach or the commodity-focused approach. Formerly, one saw improvement in people's lives when there was an increase of commodities one was able to purchase or of primary goods one was provided with. They move away from a simply economic approach to wellbeing and the quality of people's lives to an approach which includes different sets of capacities that are important for people's lives. "For we are really interested in what persons are actually able to do or be-that is, in their functionings - not in the pounds of rice they consume" (Alkire 2002, 6).

They do not only include economic factors but do also include capacities on the social, political, psychological, cultural, individual level. Nussbaum explains that it is necessary to include more factors than just economic ones in order to be able to talk about human lives and the quality of human lives. She critiques that

> [O]ne might suppose that any approach to the question of quality of life assessment in development economics would offer an account of the relationship between tradition and women's equality that would help us answer these questions. But in fact such an account is sorely lacking in the major theoretical approaches that, until recently, dominated the development scene.
>
> (Nussbaum 1999, 32f)

She states further that she does not only refer to the most common practical approach that is looking at the Gross National Product (GNP) in order to define a nation's development and prosperity status but that in general, common approaches fail to look at gender relations or to "…other constituents of life quality, for example, life expectancy, infant mortality, education, health, and the presence or absence of political liberties, that are not al-

ways well correlated with GNP per capita" (Nussbaum 1999, 33). Thus, according to Nussbaum, the capability approach has advantages over analysis which only use GNP per capita to rate countries because as it is commonly known, GNP per capita does not say anything about the inequalities and gaps in a country.

> This approach to quality-of-life measurement and the goals of public policy holds that we should focus on the question: What are people of the group or country in question actually able to do and to be? Unlike a focus on opulence (say, GNP per capita), this approach asks about the distribution of resources and opportunities. In principle, it asks how each and every individual is doing with respect to all the functions deemed important.
>
> (Nussbaum 1999, 34)

In addition to that, moving beyond economic aspects and the GNP is especially important for women because it is mainly them who are not able to take part in society, public life, institutions etc. and who can not enjoy the improved prosperity of a nation state. This is one of the reasons why Nussbaum extended the capability approach that she initially collaborated on with Sen, to an approach which includes and concentrates in particular on women's lives. According to Sabine Alkire (2005), Amartya Sen and Martha Nussbaum's capability approach are not the same. Even though they collaborated on certain initiatives together, they concentrate on different levels. While Sen emphasizes socio-economic implications, Nussbaum concentrates more on legal and political implications. In addition, Nussbaum states that the ten human capabilities she elaborated have to be taken into account while Sen leaves his set of capabilities open for discussion, so that it is still possible to add and change certain capabilities in his approach (Alkire 2005, 32).

> Like Sen, Nussbaum does not claim that she puts forward a complete theory of justice. Unlike Sen she does not frame the objective in terms of expanding valuable capabilities, or pursuing equality in capability space. Rather, she argues that the objective of governments should be to provide each and every person with the social basis of those capabilities that are essential for a 'truly human' and worth life.
>
> (Alikre 2005, 34)

Nussbaum's capability approach has as its core capabilities rather than functionings because here the freedom to choose is central. Even though the actual functionings show the status quo of a society, the capabilities should be the main concern for policy making. Freedom to choose centers around capabilities and not on the actual functionings. That is to say that one has to have the capability to choose certain functionings. Deneulin gives the example of the choice to be guided by a sect guru. One must have the capability to choose out of practical reason to lead one life or the other, to be able to choose his/her religion or spiritual guidance (Deneulin 2006, 37). This means that when having chosen

something rationally, one has to respect this and cannot judge the choice someone else has made.

> Her capability approach so modified is assumed to ensure maximally that people who have different conceptions of the good are respected, so that even those who do not endorse freedom as good are respected in their freedom not to endorse freedom as good. A life without free choice freely chosen is legitimate.
>
> (Deneulin 2006, 40)

This constitutes the sameness of Sen's and Nussbaum's capability approach because both argue for the freedom to choose. However, Nussbaum's goal is the freedom to choose a set of human functionings and not the general freedom of choice (Deneulin 2006, 38).

4.4.2 The Concept of the Universal "Human"

The human is viewed as an individual and not as being part of a group therefore one talks about the characteristics or, let us say, the human essence of a human (Nussbaum 1995, 72). To identify a person as human, Nussbaum suggests that there are two features necessary: the first one is about personal continuity. There we ask ourselves what a human needs for his_her existence. When do we see someone as a member of the human kind and when is she_he not? There are medical determinants and/or social ones that tell us when the functions of life persist or end. The second feature is named inclusion: who are we willing to accept as human. Wherein lies the difference between an animal and a human? What constitutes our recognition of someone as human? This identification becomes possible through different acts, such as stories or myths about humans in the universe that are distinct from animals or gods. The starting point for a universal concept of the human is the fact that different societies in different historical periods of time, share a crucial and basic concept of the human (Nussbaum 1995, 72f).

According to Nussbaum, this gives her optimism for the project of a universal proposal for human capabilities, because in the end it "…is not the mere projection of local preferences, but is fully international and a basis for cross-cultural attunement" (Nussbaum 1995, 74).

Nussbaum claims therefore, and is here in line with Catharine MacKinnon, that humans are entitled to basic human capabilities. Laws, institutions and policy makers have to provide humans with certain important aspects that make human lives truly human. "Thus, society owes people, including women, a basic level of support for nutrition, health, shelter, education, and physical safety, and it also owes them effective guarantees of the major liberties of expression, conscience, and political participation" (Nussbaum 1999, 20).

Nussbaum defends her position to demand the practical implementation of the capability approach by laws, institutions, governments and policy makers by referring to the crucial importance of a universal framework that includes every person worldwide. By ignoring its importance, we might become politically paralyzed by the cultural relativism that is often employed by postmodern and postcolonial thinkers. She admits openly that her proposal is universalistic and essentialist because she does not start with the question of difference rather than sameness since one can identify basic capabilities that are necessary to all human lives (Nussbaum and Glover 1995, 63).

> [T]he capabilities approach raises the question of cultural universalism, or, as it is often pejoratively called, 'essentialism.' Once we begin asking how people are actually functioning, we cannot avoid focusing on some components of lives and not others, some abilities to act and not others, seeing some capabilities and functions as more central, more at the core of human life, than others. We cannot avoid having an account, even if a partial and highly general account, of what functions of the human being are most worth the care and attention of public planning the world over. Such an account is bound to be controversial.
>
> (Nussbaum 1999, 34)

She acknowledges the fact that she has been highly criticized for being essentialist and universalistic. However by showing her experience, coming from development practice or from various conferences held on topics similar to the quality of life discussion or the capability approach, she notes that we cannot stay in the realm of theory but need to move beyond and put it into practice. Staying in the theoretical realm, we are not only paralyzed but also threatened to leave issues such as racism, sexism and oppression untouched or even worse to reproduce them.

> For we see here highly intelligent people, people deeply committed to the good of women and men in developing countries, people who think of themselves as progressive and feminist and antiracist, people who correctly argue that the concept of development is an evaluative concept requiring normative argument – effectively eschewing normative argument and taking up positions that converge … with the positions of reaction, oppression, and sexism. Under the banner of their fashionable opposition to universalism march ancient religious taboos, the luxury of the pampered husband, educational deprivation, unequal health care, and premature death.
>
> (Nussbaum 1999: 36)

4.4.3 Capabilities, Functionings, and Development

In order to understand the capability approach and its terminology I would like to give a short introduction to the principles and terminologies that are used. In general one can understand 'functionings' as states of being. "Functionings are 'beings and doings', such as being nourished, being confident, or taking part in group decisions" (Alkire 2005:5). While functionings are states of being and a set of capabilities, capabilities are understood

as the possibility or the freedom one has in order to be able to achieve certain states of being called functionings. “Capability refers to a person’s or group’s *freedom to* promote or achieve valuable functionings” (Alkire 2005, 6).

Thus there are two possible ways to measure the welfare or wellbeing of an individual. On the one hand there is the realized welfare of functionings and on the other hand the level of the potential and possible welfare in the form of capabilities (Kuklys 2005, 5). It is not all about the realization of welfare or wellbeing itself but also about the potential achievement (Kuklys 2005, 6).

Nussbaum emphasizes capabilities rather than functionings. Even though they are interrelated and one cannot be understood without the other. Thus, capabilities have to be provided by public policies. She explains this with the example of fasting. One who does not have the capability to choose whether she_he wants to eat or not, does not have the capability to choose between the options of eating or fasting. Someone who is fasting out of religious reasons has the capability to choose this form of life whereas someone who lives in hunger does not or cannot fast because she_he is not capable to choose one way or the other. “For if we were to take functioning itself as the goal of public policy, the liberal would rightly judge that we were precluding many choices that citizens may make in accordance with their own conceptions of the good. A deeply religious person may prefer not to be well nourished but to engage in strenuous fasting” (Nussbaum 1999, 43f). She wants to give people the possibility to act in the most ample way, so that they have all opportunities wide open for them. Well-nourished looses the narrow definition of having eaten but one can choose what this means exactly. Here, fasting can also be seen as a way to be well-nourished. “She also agrees that the capability approach as a theory of justice should focus on people’s capabilities rather than on functionings so that people are not compelled to act in particular ways but are given ample opportunities to choose the types of functionings they consider valuable” (Alexander 2008, 64).

Thus, people with the help of the capability approach should not be more restricted; on the contrary people should be provided with the most important, basic capabilities. “She argues that it is important not to make people function in a certain way but to make them *able* to function in a certain way, since freedom is the most important characteristic of human beings” (Deneulin 2006, 34).

In my work being capable to choose his_her own sexuality is the relevant question. So that the capability would constitute choosing between a life of celibacy or a life of sexual activity. However when people are deprived of this capability then one might argue in

Nussbaum's tradition that he_she does not have a truly human life. It becomes clear where the difference between fasting and starving lies for the argument of capabilities. "The person with plenty of food may always choose to fast, but there is a great difference between fasting and starving, and it is this difference we wish to capture" (Nussbaum 1999, 44).

4.4.4 Basic, Internal and Combined Human Capabilities

Nussbaum distinguishes three different kinds of capabilities: basic, internal, and combined (Alkire 2005, 33). In her logic and following the Aristotelian tradition she believes that it is common sense to say which central human capabilities are more important than others (Alkire 2005, 32).

Basic human capabilities or as Nussbaum also calls them elsewhere, lower-level capabilities (Nussbaum 1995, 88) are, as the term explains, central for the further development of more advanced capabilities or high-level capabilities. "…the innate equipment of individuals that is the necessary basis for developing the more advanced capability, and a ground of moral concern" (Nussbaum 2000, 3). The moral concern is of great importance for Nussbaum because capabilities are always also moral claims one has to make for humans. "The basic intuition from which the capability approach starts, in the political arena, is that human capabilities exert a moral claim that they should be developed" (Nussbaum 1995, 88). If they are not being nourished Nussbaum claims they are like actors who can never go on stage. This means that they are necessary and crucial for any further development of humans. Internal human capabilities are the necessary equipment and state of people to exercise certain functions (Nussbaum 2000, 3). She explains this further by giving the examples that everyone has the internal capability of sexual pleasure if she_he has not been genitally mutilated, as well as that everybody worldwide has the internal capability of religious freedom or freedom of speech. Combined human capabilities are a combination of internal capabilities and external factors and conditions which can be political, economic, sociological, cultural etc. A widowed woman has the internal capability of sexual expression but not the combined if she is not allowed to marry again. In addition to that, women who are not married commonly don't have the right to political participation or participation in public life and are often deprived of their land. This means that they have the internal capability of sexual expression but not the combined (Nussbaum 2000, 3).

Nussbaum's capability approach is a list of combined human capabilities (Alkire 2005, 33). "To provide these capabilities or powers, as well as to an appropriate enabling environment for their exercise-that is, to both material and social aspects" (Alkire 2005, 33).

Martha Nussbaum defends her position arguing for a set of indicators for a truly human life by starting at the core of the human; by asking about the basic capabilities a person needs in order to function and in order to have a good life. Hence, the question is what functionings really make a human life. There are, according to Nussbaum, central human functional capabilities that make it possible to define a human as human. Others can be left out because they are not as essential.

> The list of basic capabilities is generated by asking a question that from the start is evaluative: What activities characteristically performed by human beings are so central that they seem definitive of a life that is truly human? In other words, what are the functions without which (meaning, without the availability of which) we would regard a life as not, or not fully, human?
>
> (Nussbaum 1999, 39)

Nevertheless, the capabilities are not fixed and stable but they are open for discussion, for changing and adding others. Her list can be seen as incomplete because it always needs to be adjusted to certain local realities and conditions. "Her list is *incomplete*-it identifies only the subset of human capabilities that are necessary for a dignified human existence anywhere. It is also *flexible*: her proposed list has already been revised a number of times… Also, the list is open to *multiple realizability*..." (Alkire 2005, 33f; italics in the original).

4.4.5 The Capability Approach's Political Implication

Her list of central human functional capabilities is, as a consequence, a list of basic capabilities. If one of them is missing in a person's life, the life can never be a truly good and human life. In addition to that it is not only an approach which should be seen as a mere survival strategy, but an approach which is able to show the opportunity of a good life. "For we do not want politics to take mere survival as its goal; we want to describe a life in which the dignity of the human being is not violated by hunger or fear or the absence of opportunity" (Nussbaum 1999, 40).

This means that Martha Nussbaum's capability approach is regulative and prescribes to law and policy makers, governments etc., which core human capabilities they have to include in their policies and laws. Furthermore, she states that in her view capabilities rather than functionings should be the ones that public policy should concentrate on. "I introduce this as a list of capabilities rather than of actual functionings, because I shall argue that capability, not actual functioning, should be the goal of public policy" (Nussbaum 1999, 41).

Her list stays open for discussion and she acknowledges that it is very general. However she argues that all capabilities on the list need to be considered and included into policies, otherwise a truly 'good' human life cannot be guaranteed. It does not help to have more of one capability than of another. In general one must say that no matter which of these capabilities is missing, the truly, 'good' human life cannot exist. "The list is, emphatically, a list of separate components. We cannot satisfy the need for one of them by giving a larger amount of another. All are of central importance and all are distinct in quality" (Nussbaum 1995, 85). The list should be seen as a guidance for policy makers.

4.4.6 Nussbaum's Methodological Standpoint

In her essay on human capabilities in the volume *"Women, Culture and Development"* (1995), Martha Nussbaum highlights the methodological background with which she was able to frame her proposal on human capabilities. She lists eight methodological standpoints one has to take into account in order to understand the universal implications.

Nussbaum asks the question of whether women and men's capabilities should be treated differently and comes to the conclusion that in fact they should not. Because assumptions of male and females are flawed and that we actually cannot really prove that women and men have different capabilities, they should both be treated as though they have the same basic capabilities.[22]

> This means that in the present gender-divided state of things we cannot get beneath culture reliably enough to get the necessary evidence about basic capabilities. I think this supports the conclusion I defended earlier: the potential for error and abuse in capability testing is so great that we should proceed as if every individual has the basic capabilities.
>
> (Nussbaum 1995, 102)

This means that we think of one norm of the human rather than two because gender differences have been socially constructed. No evidence can be found that men or women have to be separated or distinct norms for creating a universal framework should be taken into account. "In light of this, Nussbaum finds no good arguments for claiming that basic functioning capabilities differ with sex, and so advocates one norm common to all humans" (Wolf 1995, 113).

To summarize, there are eight important points on which Nussbaum has based her approach:

[22] This standpoint obscures in my opinion the different experiences and life situation of both men and women. I do not want to argue for the division of sexes but point here to the different structural, political, economic, cultural, religious, social dimension women and men face on a daily basis. I will discuss this argument further in 4.4.8.

1. The concept of the human within the approach derives from historical experience over time. It does not claim to talk about a human who is apriori or ahistorcal but rather comes from "…an especially deep and continuous sort of experiential and historical truth" (Nussbaum 1995, 74).
2. The question is what constitutes continuously a human over the borders, trans-nationally, trans-culturally?
3. We have to understand the inquiry as a normative concept that is not based either on biology or on metaphysics but rather as an overlapping concept of the two. The question remains of the real and good human life.
4. It stays open for discussion, amendments and is therefore open-ended. The possibility for the inclusion of new experience and encounters should be given.
5. The claim for universality does only exist and is only possible on the very basis of a society. The diversity of different cultures and societies is therefore acknowledged. The commonness of the human rests on the very basis of the human and it tries not to ignore social construction etc.
6. The consensus that is aimed for is only accepted when it conforms with rationality.
7. The list is described to be heterogeneous because it protects and ensures: "…for it contains both limits against which we press and capabilities through which we aspire" (Nussbaum 1995, 75).
8. The notion of the human being is on the one hand still the philosophical concept of a person in moral philosophy, on the other hand it is more open and includes persons who were primarily excluded, i.e. women were excluded from political thinking for a long time. When one talked about men, which usually means both sexes, most of the time one meant or imagined only males. (cf. Nussbaum 1995, 74f)

4.4.7 List of Central Human Functional Capabilities

The following quote is Martha Nussbaum's elaborated capability approach.[23] Nussbaum elaborated, changed and specified her list and perspective on the central human functional capabilities from the 1990s onwards. Her thinking changed and refined. John M. Alexander (2008) states that there was a transformation from "…developing a distinctive approach to social justice drawing inspiration from Aristotle on the one hand and Sen's capability approach on the other … to develop a hybrid view of capabilities that critically aligns elements of Aristotelian social democracy with certain liberal doctrines" (Alexan-

[23] Note that in the volume from 1995 this approach was still different and was published under the name of the "conception of the human being" (cf. Nussbaum 1995, 76ff).

der 2008, 63). The following list can be found in Nussbaum's book *"Sex and Social Justice"* (1999) and constitutes the latest version.

Central Human Functional Capabilities

1. *Life*. Being able to live to the end of a human life of normal length; not dying prematurely or before one's life is so reduced as to be not worth living
2. *Bodily health and integrity*. Being able to have good health, including reproductive health; being adequately nourished; being able to have adequate shelter
3. *Bodily integrity*. Being able to move freely from place to place; being able to be secure against violent assault, including sexual assault, marital rape, and domestic violence; having opportunities for sexual satisfaction and for choice in matters of reproduction
4. *Senses, imagination, thought*. Being able to use the senses; being able to imagine, to think, and to reason--and to do these things in a ‚truly human' way, a way informed and cultivated by an adequate education, including, but by no means limited to, literacy and basic mathematical and scientific training; being able to use imagination and thought in connection with experiencing, and producing expressive works and events of one's own choice (religious, literary, musical, etc.); being able to use one's mind in ways protected by guarantees of freedom of expression with respect to both political and artistic speech and freedom of religious exercise; being able to have pleasurable experiences and to avoid nonbeneficial pain
5. *Emotions*. Being able to have attachments to things and persons outside ourselves; being able to love those who love and care for us; being able to grieve at their absence, to experience longing, gratitude, and justified anger; not having one's emotional developing blighted by fear or anxiety. (Supporting this capability means supporting forms of human association that can be shown to be crucial in their development.)
6. *Practical reason*. Being able to form a conception of the good and to engage in critical reflection about the planning of one's own life. (This entails protection for liberty of conscience.)
7. *Affiliation*. (a) Being able to live for and in relation to others, to recognize and show concern for other human beings, to engage in various forms of social interaction; being able to imagine the situation of another and to have compassion for that situation; having the capability for both justice and friendship. (Protecting this capability means, once again, protecting the freedoms of assembly and political speech.) (b) Having the social bases of self-respect and nonhumiliation; being able to be treated as a dignified being whose worth is equal to that of others. (This entails provisions of nondiscrimination.)
8. *Other species.* Being able to live with concern for and in relation to animals, plants, and the world of nature.
9. *Play.* Being able to laugh, to play, to enjoy recreational activities.
10. *Control over one's environment.* (a) Political: being able to participate effectively in political choices that govern one's life; having the rights of political participation, free speech, and freedom of association (b) Material: being able to hold property (both land and movable goods); having the right to seek employment on an equal basis with others; having the

> freedom from unwarranted search and seizure. In work, being able to work as a human being, exercising practical reason and entering into meaningful relationships of mutual recognition with other workers.
>
> (Nussbaum 1999,41f)

This list can be seen in close conjunction to John Rawl's list of primary goods but also the current list of human rights and the obligation of social justice (Alexander 2008, 65). Especially the connection to human rights should be kept in mind because it is the relation between the capability approach and human rights which I am interested in and more specifically in the debate and discourse regarding sexual rights.

4.4.8 Problems Arising From the Capability Approach and the Freedom to Choose

> The poor and deprived frequently adjust their expectations and aspirations to the low level of life they have known. Thus they may not demand more education, better health care. … As Sen argues, they may have fully internalized the ideas behind the traditional system of discrimination, and may view their deprivation as 'natural'. Thus if we rely on utility as our measure of life quality, we most often will get results that support the *status quo* and oppose radical change.
>
> (Nussbaum 1995, 91; italics in the original)

This idea or question of the lower expectation of poor and deprived people is highly interesting because it can be seen as a critique of the preference approach[24] critiqued, according to Deneulin (2006), by Sen.

However, I would argue that this can also be found in Nussbaum's approach, as shown with the quote above. It is about the reasons why people have certain preferences or not. In a highly patriarchal/sexist society, this is the example Deneulin gives, oppressed women might not have the preference for education. This might be the result of the highly oppressive and sexist structures in exactly that society. It might not say anything about the real preferences women in general would have (Deneulin 2006, 22). Even though it is Sen who implies this critique and I argue that Martha Nussbaum follows him with this critique, Deneulin shows that neither Sen nor Nussbaum's capability approach includes the question of why people should value certain capabilities rather than others. Taking Nussbaum's capability approach into account, one could notice that she does actually say that certain basic human capabilities have to be provided in the first step by the state, policy

[24] "...[R]evealed preference theory is a method by which it is possible to discern consumer behavior on the basis of variable prices and incomes. A consumer with a given income will buy a mixture of products; as his income changes, the mixture of goods and services will also change. It is assumed that the consumer will never select a combination which is more expensive than that which was previously chosen." (Economy Professor)

makers or in laws and only as a second step, people should have the possibility or the freedom to choose. Nevertheless, no matter what in people's point of views are the most important issues concerning their wellbeing, they have to be provided with all basic human capabilities. Only then can we really talk about the freedom to choose.
Another point Deneulin makes is that often people do not choose for the common human good but out of egoistical reasons. She gives the example of the tax cut. One person might prefer a tax cut for egoistical reasons, ignoring that the tax cut may lead to benefits for the poorer population (Deneulin 2006, 24). Thus, Deneulin questions how the capability approach can be implemented through democratic processes, as they are always influenced not only by internal but also by external factors. "Another major problem with leaving the choice of valuable capabilities to democratic processes is that these occur within structures of inequality" (Deneuling 2006, 25).

Susan Wolf (1995) critiques Nussbaum and her one-norm conception. Highlighted in the chapter on Nussbaum's methodological standpoints, it becomes evident that she believes that one norm, namely the human norm, is enough ignoring differences such as gender. This becomes clear when she argues that there has not been any evidence that women or men are in need of different central human capabilities. However, Wolf argues that gender differences do matter because they define who we are and have an important influence on our lives. It does not only affect the person concerned but also people around, how they perceive and treat the other (Wolf 1995,113).

> In the past, theories that were offered as theories of human nature tended actually to be theories of male human nature-theories constructed by men, formed by thinking about men, and intended to apply to and describe men. Obviously, we must protect against the exclusion of women from the definition, the imagination and the concern of the theory-builders (as well as the concern of the policy-makers whom it is hoped the theory will aid). The way to do this, however, is not by insisting, before the fact, that there will be one norm for men and women alike, but rather, by ensuring that women as well as men participate in the task of theory construction, that both be sensitive to the history and the dangers of excluding women from consideration, and that both be careful in their reflections sometimes to focus specifically on the real and imagined lives of women and sometimes to focus specifically on the real and imagined lives of men.
>
> (Wolf 1995, 114)

More explicitly one can state, for example, that humans have the same need for being well-nourished but there exist different needs for men and women and also between women in general. A pregnant woman needs different kinds of nourishment than a non-pregnant one etc. So that it is an open ended question on whether or which specification

(emotional, intellectual, or other psychological needs) one takes into account when it comes to sex differences (Wolf 1995, 114).

Wolf's argument is surely an important one to make because it is exactly this that has been attempted in the last years ever since women, and then gender, has been included and introduced in development theory and development policy. This comes from the idea that women have different needs and problems than men as well as that gender relations have influences on the development of countries. Not only has this been introduced by NGOs or other organizations that have the living situations of human as their main goal, but also international organizations such as the World Bank or the International Monetary Fund.

This is also one of the main reasons why I am concerned with sexuality in my thesis. I argue that sexuality is one of the starting points for segregation and oppression based on sex. It is the sphere where men and women are separated, where the dichotomies are created.

This universal list was accused not only for being essentialistic and universalistic, but also for being paternalistic and culturally insensitive (Alexander 2008, 66). These arguments will be discussed in more detail later in this work when I will focus in particular on the postmodern and postcolonial critique, which can be made of Liberal concepts of rights and approaches such as the capability approach with their right to universalism based on essentialism.

Adam and Pigg (2005, 15) point out that only recently development programs that deal with sexual and reproductive health have been critiqued. Health and sexuality have for a long time been handled as to be sacred because of their "moral and unassailable" issues. However, in their opinion, this is a field of struggle and bargaining especially when it comes to cultural and multicultural practices and norms such as female genital mutilation, sexual rights etc. This happens because health and sexuality are surrounded by moral and normative thinking.

In the next part of my thesis I will elaborate specifically on the basis of this question. How is sexuality included in development cooperation? Is it important to deal with sexuality on that level and if yes, how can one deal with a constructed issue on a universal scale? Are sexual rights for this undertaking the right tool?

III Sexuality and Development

Why is sexuality a development concern?
Because sexuality matters to people…
(Cornwall and Jolly 2006, 10)

5. Linkages Between Sexuality and Development

5.1 Sexuality's Entry Into Development

Over the past few decades, development theory and practice generally ignored matters of sexuality. Foremost, sexuality was seen as a problem or threat and was negatively connoted. Only programs that dealt with health, sexually transmitted diseases such as HIV/AIDS, population control, reproductive rights of women, or (sexual) violence discussed sexuality. Furthermore, sexuality in development was for a long time always considered to be less urgent as a need. The main argument was that it should stay in the private sphere. Hence, development project, policies etc. should not get involved with issues of sexuality because the assumption was prevalent that people in the Global South just needed to eat while people in the Global North were also concerned with love and sex (Jolly 2000, 81).
Nevertheless, with the emergence of the HIV/AIDS epidemic, international development scholars, practitioners, activists, policy makers etc. started to talk about the need to include sexuality in development, in order to fight against HIV/AIDS on a local, national and international level. Hence, the emergence of HIV/AIDS made it possible for 'sexuality' to come out of the shadows and enter the scene of development.

Unfortunately, sexuality in development is still often only about the management of risk, danger, ill-health and threats. Nevertheless, Gosine (2005, 1) argues that the HIV/AIDS epidemic can be seen as a 'boon' not only for the ability to talk about sex in general but also for people who do not fit into the heteronormative model. Meaning that HIV/AIDS has opened up the space to talk about sexualities with all their facets. "…[T]he international consensus reached about the urgency of the HIV/AIDS crisis has provided,… an opportunity to bring visibility to and *perhaps* offer attention to the welfare of people en-

gaged in non heterosexual sex" (Gosine 2005, 1 italics in the original).

As mentioned before, for a long time there was no space and need to talk about sexuality in development.

However, especially in the last decades, sexuality has come out of the shadow and a new focus on this intimate matter started to be implemented. This shift happened because of three main reasons, one is the change of the perception of development and poverty which I mentioned in the first chapter. Second, there has been an increase of rights-talk in development. The third reason is the new focus on gender and the therein lying notion of power that produces inequalities through the existing gender and sex orders by development actors (Cornwall et al. 2008, 6). "The expansion of conception of poverty, the reframing of development in terms of human rights and the recognition of gender, power and difference prompted by these shifts open up new perspectives on the linkages between sexuality, human rights and development" (Cornwall et al. 2008, 7).

5.1.2. The Relation Between Poverty, Development and Sexuality

Even though many argue that sexuality has always been treated like a silent issue of development, it has always been present in international development because it actually is closely related to all other matters of development. In the broadest sense, sexuality has something to do with the most important issues development theory and practice deal with: livelihoods of people, employment, shelter, wellbeing, bodily integrity, security, health etc. As Cornwall points out, sexuality is in close connection with all dimensions of poverty: „in relation to security, livelihoods, voice and clout in decision-making forums, social relations, access to services, capabilities, physical well-being, and ascribed and legal inferiority" (Cornwall 2006, 276).

The new discourses in the academia[25] and between different practitioners in the field[26] see sexuality as closely related to poverty and material protection and as a consequence, development interventions have to add sexuality to their agenda. There are numerous examples of the correlation between sexuality and material protection. To name only a few: women often only have access to land and resources through the heterosexual institution of marriage so that the marital status (which is closely related to sexuality) has political, legal, economic, social, sexual, and physical consequences for people, especially

[25] See the website of the Institute of Development Studies

[26] cf. Armas (2006; 2007; 2008); Website of the pleasure project; Cornwall (2002; 2006; 2008); Chambers (2007).

women. **L**esbian**G**ay**B**isexual**T**ransgender**Q**ueer (LGBTQ) people are also often excluded from the labor market and are generally discriminated in various institutions and areas of society. Thus, it is a fact that people because of their sexuality experience violence, lack human rights and are threatened with death. Furthermore, Jolly (2000, 79) points out that sexual freedom is crucial in order to be able to have all the needed capabilities- to speak in Nussbaum's words. Jolly states therefore "[f]reedom to determine one's sexual behaviour is closely connected to economic and political freedoms" (Jolly 2000, 79).

Thus, sexuality is not only connected to sexual identities or sexual practices but is involved and can be linked to some if not all other forms of poverty and is, as a consequence, highly political, economic and creates morals of accepted behavior. Working and dealing with sexuality is not only important for sexual minorities but also for people who conform with sexual norms in their specific society and context.
Sexuality is therefore a vital aspect of development because it has influences on the livelihoods as well as on security, health and wellbeing of every human.

> Many of the development implications of sexuality stem directly from the gender and sex orders that prescribe how we should live our everyday lives, what we do to earn a living and hold on to our jobs, what kinds of families we have and how we are treated in public, as well as in our private relationships. And while those whose sexualities depart from socially sanctioned norms suffer exclusion and prejudice- and, in some societies, often violent forms of repression - those who conform to these norms may also suffer the consequences of the limits to freedom and well-being that arise from the regulation of sexuality.
>
> (Cornwall et al. 2008, 11)

Adams and Pigg (2005, 11) point out that talking of sex, whether through health issues, reproductive or sexual rights, population control etc. holds the power to transform the thinking of sexuality, norms, behavior, and naming. However, one can also state that the global talking of sex, especially in the form of HIV/AIDS prevention and education has also negative impacts on different societies. The global talking about sex, HIV/AIDS etc. creates a (moral) standardization of sex, sexuality and the according knowledge production (cf. Nguyen 2005, 245-268).

Interestingly Jolly explains that Gender and Development (GAD)[27] approach incorporates queer theory in the way that it does not only look at women as a fixed category but at

[27] In the 70s and 80s the important Women in Development (WID) approach was established due to Ester Boserup's study „Women's Role in Economic Development" from 1970. There she states that modernization progresses in certain countries and the connected trickle down effect had only positive impacts on men.

power relations between genders. This is important because it is not only and always the category 'Woman' that is marginalized, subordinated or excluded, but there are different reasons and different 'categories' of exclusion. Including sexuality in development may help to find and to address 'other' marginalized humans that do not fit into categories such as 'Woman' or 'Man'. Nevertheless, according to Jolly it is sometimes difficult to identify the most marginalized people in a particular society.

Accordingly, I would argue that sexuality is in fact an important realm to identify discrimination and exclusion because it is one of the first spheres where power relations are established.

5.1.3 Poverty's Disadvantages and Sexuality

Robert Chambers (2007, 37) listed in his work on poverty research twelve dimensions of poverty that have been developed and articulated by poor people that are concerned with poverty. Corrêa and Jolly (2008) extended this framework in order to show how these dimensions of poverty are also influenced by sexuality. The following chapter summarizes their findings and draws on their elaboration of the influence of sexuality in poverty research and understanding. This might help to get a clearer picture of the interwoven dimension of poverty and sexuality.

Institutions and access

Exclusion of people who differ from sexual norms from political, religious and health institutions. As well as the exclusion of people that fit gender norms but are excluded in another form. The example given here is the one of the women's veiling to protect their image of chastity and honor.

Poverty of time

Lack of time for sexual encounters equals unsafe sex, unpleasurable sex, no communication about the own (sexual) needs during sexual encounters or no sexual activity at all.

Women were still confined to the informal or subsistence sector. In the WID approach, women were identified for the first time in the history of development practice as a particular disadvantaged group and inequalities between the genders were revealed. Women, so it was believed, contributed positively to the development and modernization of a country and had to be included as a consequence into development programs and policy. Gender and Development (GAD) functions as an alternative to the WID approach through its holistic claim. It does not only look at the two categories of male or female but is involved in gender and power relations. It did not evolve around the question of women's rights but concentrated on the power differences between men and women.

Seasonal dimensions

During periods of hunger, women are often forced into prostitution; men have more money to buy sex after the harvest season; wars etc. create unwanted pregnancies as well as after parties and festivals there is an increase of unwanted pregnancies and abortions.

Places of the poor

Exclusion of people who diverge from sexual or gender norms are often forced to live in insecure or poor areas where they do not have access to information, health services, the labor market etc.

Insecurities

Gender or sex roles can create insecurities meaning that masculinity often translates into machismo which in turn leads to violence against women. Women who are dependant on their men are also exposed to insecurities such as violence, lack of financial independence that can lead to (honor) killings or legal sanctions for adultery especially for women.

Physical Illbeing

Physical Illbeing caused directly by sexual practices such as HIV/AIDS infection or other sexually transmitted diseases has also indirect impacts on people, such as unsafe abortions, other complications concerning pregnancy or sex; as well as female genital mutilation contributes to the death of many women.

Material poverties

Women that are unmarried may not have access to resources or land as well as LGBTQ people may be excluded from resources.

Social relations

This involves discrimination, exclusion of people who differ from sex norms and societal gender orders such as single people or widows. People with all sorts of gender or sexual identities are forced to get married out of societal and cultural norms and expectations.

Ascribed and legal inferiority

Stigmatization, discrimination, marginalization of LGBTQ, sex workers, single people, divorcees, etc. through the law. Criminalization of homosexuality and sex workers.

Lack of political clout

Exclusion of people who do not fit into gender and sexual orders might reinforce their lack of confidence for their participation in political and public spheres.

Lack of info

Lack of information for safer sex practices, maternal health etc. when someone differs from accepted norms.

Lack of education/capabilities

This is not only about the lack of appropriate sex education but also the marginalization, discrimination, bullying in school of people who break gender roles or general discrimination of undesirable states of being such as pregnancy, menstruation etc. Girls might be forced to drop out of school as soon as they start menstruating or because of teenage pregnancy (Corrêa and Jolly 2008, 29).

To add up to this web of poverty's disadvantages, Gosine (2005) summarizes a research study that had as its focus the problems arising for MSM (Men who have sex with men) according to their sexual behavior or their sexual identity.[28]

"…their family had reacted negatively with beatings, forced marriage and disinheritance. Nearly half of the respondents (48 per cent) stated that fellow students or teachers had harassed them in school or college because they were effeminate, and most of them believe that their study habits suffered as a result" (Gosine 2005, 7).

In addition to that, harassment leads to higher drop out of school quotes and as a consequence higher illiteracy, lower education level and hence greater problems in the labor market. In effect, concerned people are exposed to and forced into precarious working situations in the informal sector such as prostitution.

[28] I will use the term MSM for men who have sex with men because that is the most commonly used term to describe same-sex behavior. However, I would like to note at this point that this description might confine this behavior only to bodily experience and might conceal love, desire and emotions. In addition, the term 'men' might often be inappropriate because those who are indentified from the outside as men might not identify themselves with this category.

Gosine highlights that although there are numerous studies about MSM there are only a handful about women who have sex with women (WSW). MSM might be more persecuted due to anti-sodomy laws, women however also suffer from marginalization, exclusion, violence etc. because of their sexual behavior, desire, practice, identity etc.[29]

5.1.4 Gender relations, Sexuality and Development

Sexuality is one sphere where power relations are bargained. Hence, sexuality plays a central role for the constitution and development of gender roles and relations.

> [t]he desire to control women's reproductive functioning and to maintain control over their sexuality has been a major impetus behind various restrictions on women's public role, ranging from seclusion and veiling to more subtle pressures and disincetives… there are both sexual and nonsexual reasons for women's subordinate status, and … these reasons interact and reinforce one another in many different ways.
>
> (Nussbaum 1999, 17)

A self-determined sexuality is crucial for gender equality, not only but especially for women. Over the last decades it has been accepted that the lack of gender equality leads to poverty and that the effacement of gender inequality leads to the development and prosperity of nations. This does not only happen through the increase of the Gross Domestic Product but also through other social developments in education and social security. A report of the World Bank states on this:

> The impacts on adult and child health, knowledge, and freedoms- each important in its own right- also influence people's lives through economic growth. Constraints on access to information or to land and physical capital- and unfair labor practices or limits on the type of work one can engage in- are obstacles to men's and women's abilities to earn a living. And because women's status affects the cognitive development, health, nutrition, and schooling of their children, it also influences a country's long-run prospects for economic growth.
>
> (Worldbank 2001, 83)

In addition, women's illiteracy and their lower education rate have negative impacts on the productivity, the income of women and the economy in general (Worldbank 2001, 84).

Hence, it is important that women are able to decide freely on matters such as reproduction or abortion, and also to be able to get out of gender relations that are based on differ-

[29] Drawing on my introduction chapter on theorizing sexuality I would argue here, that this might happen because sexual activity of women is first of all less important and secondly less harmful as it is not taken seriously like the real sex drive. Real sex is often masculinized. As a consequence, I would argue that sexuality is often denied to women, which means that sex is seen to be something male, because only vaginal penetration is considered to be 'normal' and therefore natural sex.

ent unequal power distribution. Therefore, sexuality plays an important role for the effacement of power relations between the genders.

Gosine also critiques that even though the HIV/AIDS epidemic opened up the space to discuss non-heterosexual practices and challenged the marginalization and discrimination of homosexuals, it does not question other "patriarchal interpretations" such as femininity and masculinity or gender relations in general (Gosine 2005,12).

Sexuality in development should not only be about the effacement and erasure of HIV/AIDS and other life-threatening sexual diseases but also about the protection of people who are discriminated, marginalized, harassed etc. because of their sex, sexual behavior, desire, identity or because they do not fit into a certain gender role.

5.1.5 Gender, Sexuality, Poverty and Development

Pinar Ilkkaracan, Susie Jolly and Emily Esplen point out in *"Gender and Sexuality. Overview Report"* (2007) why gender and sexuality are important for development. This is mainly because sexuality constitutes an important cross-sectoral issue that influences or is influenced by different areas of international development.

One of the main problems is of course, as I have mentioned before, that often the connection between sexuality and poverty is not made. Poverty reduction is the starting point and the core of development interventions, whereas sexuality is either seen as not important because it is less urgent or not considered a survival issue, that is to say a frivolous issue. Drawing on the writing of Mexican human rights activist Claudia Hinojosa, Corrêa and Jolly (2008) point out that there is a

> …false dichotomy between the 'seriousness' of the problem of poverty and the 'frivolity' of sexuality which tends to prevail among progressive thinkers of development. Hinojosa suggests this dichotomy can be dismantled by documenting the 'invisible' links between sexual exclusion and poverty; economic deprivation and sexual violence; compulsory heterosexuality and homophobia; and hegemonic masculinity and various forms of violence.
>
> (Corrêa and Jolly 2007, 28)

That is one of the reasons why Ilkkaracan et al. point to the necessity to focus on sexuality and on gender because according to them there is a clear and fundamental connection between poverty reduction and sexuality.

> Why gender and sexuality?[30]
> - because sexuality is influenced by gender norms

[30] I would like to mention at this point again, like in 3. that one has to pay attention to the fact that we should not overlap gender and sexuality. Some authors state they are codependent, others would argue that they should not be considered as being one and the same (Richardson 2000, 5).

- because ideologies around sexuality are used to control women
- because sexuality is linked to poverty
- because gender inequality fuels transmission of HIV/AIDS
- because sexuality is a survival issue
- because attention to sexuality is key to meeting the Millennium Development Goals
- because sexuality can contribute to empowerment and well-being
- because sexuality is a site of political struggle

(Ilkkaracan et al. 2007)

5.1.6 Sexuality and the Millennium Development Goals (MDGs)[31]

> Reproductive rights are recognized as valuable ends in themselves and essential to the enjoyment of other fundamental rights. Ensuring universal access to SRH [sexual and reproductive health] and rights is thus an important part of strategies for achieving the MDGs. The achievement of some Goals- including improving maternal health, reducing child mortality, promoting gender equality and combating HIV/AIDS-depend *directly* on making access to these services widespread. Other goals are also closely connected with SRH issues, since the ability to make informed decisions concerning reproductive health, marriage and childbearing without any form of discrimination or coercion is closely correlated with a country's prospects of reducing poverty, improving health and education, raising productivity and living standards, and achieving environmental sustainability.
>
> (Bernstein and Juul Hansen 2005, 29; italics in the original)

According to the reasons listed in the previous chapter, the consideration of sexuality is also important to achieve the Millennium Development Goals (MDGs), which form in the world of international development industry the Holy Grail of poverty reduction and development. Further, the MDGs constitute not only a framework in order to measure development progress but also serve as a guide for governments and advocates how and where to implement projects and where to invest resources to ensure sustainable and equitable development worldwide (Esiet 2008:188f). At the Millennium Summit in September 2000, development goals, which have already been established at previous summits, such as the International Conference on Population and Development (ICPD), the Fourth World Conference on Women or the World Education Forum, have again been recognized especially under consideration of the interconnectedness of various aspects of poverty alleviation.

The MDGs should also be recognized to take part in the human rights discourse. This constitutes an important approach of the 1990s where the human rights based approach

[31] Millennium Development Goals: Goal 1: Eradicate extreme poverty and hunger, Goal 2: Achieve universal primary education, Goal 3: Promote gender equality and empower women, Goal 4: Reduce child mortality, Goal 5: Improve maternal health, Goal 6: Combat HIV/AIDS, malaria and other diseases, Goal 7: Ensure environmental sustainability, Goal 8: Develop a Global Partnership for Development (http://www.undp.org/mdg/basics.shtml)

was introduced also in international development[32].

The MDGs should constitute an extensive approach to development where all factors of life should be included in the fight against poverty. However one important factor is missing in the MDGs, namely sexual and reproductive health. Even though the MDGs address various factors such as maternal health and sexual transmitted diseases, they do not talk explicitly about sexual or reproductive health.

Nevertheless, it has been stated that especially the inclusion and the consideration of sexual and reproductive health is key in meeting the goals. Some authors in UN publications argue that if there is no increase in investments, improving the access to sexual and reproductive health information and services, the Millennium Development Goals cannot be met (Bernstein and Juul Hansen 2006, viii).

Hence, the MDGs have a holistic approach to poverty alleviation. Even though they have different targets and aim to multiple factors in life, they assume that one goal or target cannot be met without the other. For example a woman in labor might not be able to reach the hospital without adequate roads or might not be able to get the necessary care in the hospital if there is no electricity. (cf. Bernstein and Juul Hansen 2006, 23)

5.1.6.1 Making the Connection Between SRH and the MDGs

Goal 1: Eradicate Extreme Poverty and Hunger

There is evidence for the connection of demographic developments or fertility status, poverty and hunger. First of all, poverty leads to the lack of resources for family planning or contraceptives, which in turn leads to a large number of children. Hence, it is impossible for parents who live in poverty to provide their children with the necessary education or health care, which again leads to the lack of information for sexual transmitted diseases, contraceptives, family planning etc. Second, poverty and hunger might endanger maternal health through malnutrition, lack of access to health centers, information etc.

Sexual and reproductive health care programs can help to provide the necessary information on the adequate nutrition for people, women and children especially and also improve health care.

Goal 2: Achieve Universal Primary Education

Families with a high number of children face not only general financial problems for the education of their children but also have to decide whom they send to school. Most of the

[32] See the chapter 6 on sexual rights.

time the choice of who is educated is based on a gender bias with the result that boys are the privileged gender.[33] Gender inequalities in general lead to stigmatization and marginalization so that it is not only the duty of females to take care of the household and of sick or elderly people but if an adolescent girl gets pregnant in school, they are most likely to (be forced to) drop out of school. Early marriage of girls, which still exists in many countries, is also one reason for the lack of education. Either because she, as a wife, has to take care of the household in the private sphere and is no longer allowed to go to school or the girl gets pregnant and again drops out of school.

Goal 3: Promote Gender Equality and Empower Women

All forms of gender inequality or other forms of discrimination based on the gender of a person have [34] negative implications on the wellbeing and health of the person.

Women face fatal consequences based on gender inequality, not only are they more likely to be infected with sexual transmitted diseases or HIV/AIDS because of their body's physical structure but also they are exposed to gender-based violence. [35]

Enabling women to decide freely over reproductive and sexual choices and trying to educate women and men about gender equality might enable women in general to be better educated and to be able to decide freely on matters such as reproduction, sexual health and pleasure but also might enable them to participate without discrimination in public life such as in the political, economic, social and cultural spheres.

[33] I do not want to argue that this is always the case but most of the time studies show that boys are more likely to go to school than girls. However, this often changes in female-headed households as studies from Latin America show (cf. Chant 1997) or when women have the responsibility of the family's expenses (Bernstein and Juul Hansen 2005, 8).

[34] I would like to note here that even though gender equality in this sense draws mainly on women, in my thinking men are just as much addressed here as women. While mostly women are addressed in the text with woman-specific problems, transgender, intersex, men who do not fit their gender role or people in general who do not go conform with the normative behavior of their gender are affected by gender inequalities, especially their psychological and physical well-being caused by lack of access to health institutions, labor market, education etc. However, Bernstein and Juul Hansen (2005) also stated here that it is also important to include men when it comes to sexual and reproductive health in order to ensure their reproductive and sexual health. This is very important, because often men endanger women's health through their better status in society. An example for this would be adultery which is often only accepted for men but of course also has an negative impact on women's sexual health and well-being. Adultery often goes hand in hand with unprotected sex and which again is one of the main reasons for the transmission of sexual diseases and HIV/AIDS.

[35] Gender-based violence includes among others "…coerced sex in marriage and dating relationships, rape by strangers, systematic rape during armed conflict, sexual harassment, sexual abuse of children, forced prostitution and sex trafficking, child marriage and violent acts against the sexual integrity of a woman (such as FGC or virginity inspections)" (Bernstein and Juul Hansen 2005, 8).

Goal 4: Reduce Child Mortality

Maternal behavior and fertility of women are important factors for the survival chances and wellbeing of infants. Statistics show that babies born by teenage mothers are more likely to die or suffer from diseases or ill health than babies of mothers between the ages of 20 and 30. The reasons for this are that the bodies of young teenage mothers have themselves often not fully matured; they do not get adequate ante- and/or postnatal care for themselves and their children. This might lead to malnutrition, low-weight babies and poor health. Furthermore, children born too closely to each other are also at a higher risk of ill health or death because the mothers sometimes do not breastfeed the children long enough. This implies that sexual activity at a too early an age, limited access to contraceptives etc. have negative impacts in the long run on the wellbeing of infants and children (Bernstein and Juul Hansen 2005, 9).

Goal 5: Improve Maternal Health

Better and improved access to sexual and reproductive health care could prevent mothers and children from unwanted mortality and morbidity.

Especially unwanted or unintended pregnancy often causes problems for maternal health not only because (unsafe) abortions might follow but also because there are not enough health care possibilities in general. This can lead to problems during and after pregnancies, such as anemia or childbearing. It is also evident that one third of women in the Global South do not get even one antenatal consultation (Bernstein and Juul Hansen 2005, 10f).

Goal 6: Combat HIV/AIDS, Malaria and Other Diseases

Unprotected sexual intercourse is still one of the dominant factors of HIV/AIDS transmission. Better education and awareness programs for men and women respectively must be implemented. Often unequal power relations between men and women as well as women's differing anatomy cause the higher possibility of HIV/AIDS infection for them. The risk reduces by 80% when condoms are used. This is why programs and projects must not only to raise the awareness but also initiate the de-stigmatization of condom use in general, as well as to building awareness of abstinence or monogamy. Women are less likely to have access to condoms or cannot decide freely over their own sexuality; hence the creation of the higher risk for them.

Goal 7: Ensure Environmental Sustainability

"Population growth is an indirect driver of environmental degradation. It is part of a complex dynamic that includes poverty, inequality, levels of consumption and policy and market failures" (Bernstein and Juul Hansen 2005, 12).

This is the reason why development intervention should also focus on sexual and reproductive health in order to positively influence population growth and consequently natural vulnerability.

Goal 8: Global Partnership

The International Conference on Population and Reproduction located the resources that are needed in the four most compelling areas for the security of population development and health. These four areas consist of "…family planning; reproductive health; STIs [sexual transmitted infections] and HIV/AIDS; and basic research, data and population and development analysis" (Bernstein and Juul Hansen 2005,13).

However Bernstein and Juul Hansen critique that the financial aid given in this area concentrates mostly on HIV/AIDS and leaves out other matters such as family planning and reproductive health. Nevertheless, they are just as important as the area of HIV/AIDS because they are interconnected with each other.

"Reproductive health commodity security is about ensuring a secure supply and choice of commodities such as contraceptives (including condoms), maternal health supplies and those needed for HIV/AIDS and other STI treatment and prevention" (Bernstein and Juul Hansen 2005, 14).

Hence, when it comes to sexuality and sexual and reproductive health, in particular donors, actors, practitioners, participants etc. must to work together on the local, national, international and global level.

5.2. Sexuality and Development: The Case of HIV/AIDS

Having shown in the previous chapter where the connection between sexuality in the broadest sense and the Millennium Development Goals lies, I would like to focus here on development intervention that is the most closely related to sexuality.

Population growth, the environment etc. are related to sexuality and thus reproductive and sexual health but the connection becomes even more evident when it comes to HIV/AIDS which was also one of the main factors in making the connection of sexuality and development visible and even possible.

5.2.1. HIV/AIDS

Thinking about sexuality in international development, one will always first come across HIV/AIDS. It challenges development interventions and policies because it is not only an issue of health but it is also closely connected to individual, national and global poverty.
"Poverty and HIV/AIDS are interrelated. Poverty is a key factor leading to behaviours that expose people to the risk of HIV infection, and poverty exacerbates the impact of HIV/AIDS. The experience of HIV/AIDS can readily lead to an intensification of poverty and can push some non-poor into poverty" (United Nations 2005, 3).
Consequently, the prevention and the fight against HIV/AIDS appear under goal 6 in the Millennium Development Goals.
Even though one could think that the connection between sexuality and HIV/AIDS is evident, it most certainly is not. Some authors (cf. Corrêa and Jolly 2008, 27; Pollack Petchesky 2003) noted that the link between sexuality and HIV/AIDS is not always made and this is one reason why sexuality should be put at the core of the fight against HIV/AIDS because sexuality interconnects with economic, social, and cultural power relations. These relations can best be captured by a human rights approach.
Nevertheless, biomedical approaches which desexualize HIV/AIDS stay dominant.

In the beginning of the fight against the HIV/AIDS epidemic, the focus was on men who have sex with men (MSM)[36] and less on women who have sex with women (WSW). As a result it was perceived to be first of all a disease of homosexuals, also because the first discovered case of HIV/AIDS was a man who had sex with men. This is also one reason why in the beginning of the 80s HIV/AIDS was referred to as Gay Related Immune Deficiency (GRID) or Gay People's Immuno Defiency Syndrome (GIDS). Subsequently new cases were reported of prostitutes and drug users so that the focus shifted marginally.
Hence, in the realm of development, homosexuals, and especially MSM are often still the main focus. They are represented as a threat to the whole society because of their 'deviant' lifestyle. This is because MSM often also engage with non-homosexual sex, so that the spread of the HI-virus to female sex partners is very likely. Even though Gosine (2005) points out that the HIV/AIDS epidemic had a positive impact on marginalized,

[36] I am aware that in the western world, men who have sex with men are usually described as gay or as homosexual but acknowledging the fact, that this might be a western form of labeling and that not all men who have sex with men identify themselves as gay I would like to meet this concern. However, so as not to impede the reading flow, I will also use the term homosexuality or homosexual but I would like to indicate here that I am aware of the western term. "…[P]eople who participate in alleged 'homosexual' practices do not necessarily identify as 'homosexual', nor may they necessarily comprise a fixed minority" (Gosine 2005, 11f).

discriminated people who do not engage in heterosexual sex because of their visualization, she first raises criticism against the way these people are represented, and second she states that it is not enough to only include non-heterosexuals because they are a high-risk group of HIV/AIDS but they should also be included and seen as a target group because of their specific needs and problems they face.

So HIV/AIDS not only initiated that sexuality entered the scene of international development but it also made it possible for governments from the Global South where homosexuality is mainly treated as only a Western imported construct to deal with HIV/AIDS on a different level, including also queer people in their agendas.

5.3 Sexuality's Trouble in Development

5.3.1 Nature vs. Nurture- The Case of Sexual Identities

Adam and Pigg (2005, 18) state that sexuality in development rests on the assumption of a natural sex drive of people and forgets to look at the social construction of sexuality in general and sexual practice and identities in particular. Sexuality as well as sexual practice and identities are fluid and differ in diverse contexts. They criticize that development interventions tie sexual practices to sexual identities. This leads to problems because those interventions often fall short, as they miss out when they confine their projects to specific identities and practices. "For example, it is not always possible to correlate how, in a given context, a variety of sexual contacts can be tied to specific identities through the use of development models of heterosexual sex and homosexual sex" (Adam and Pigg 2005, 18).

This may be shown through the example of the development of the terminology of the term gay, queer etc. These terms are indeed Western in their origin, coming from the United States. However, even though some people identify themselves as gay, it is still possible that other people who do have same-sex sexual interactions do not speak of themselves as gay or homosexual. The term 'gay' for example was not used in Latin America until the 1970s and was mainly used in a positive way. 'Gay' stood for the idealized American version of being gay, namely gay freedom. These days people search for terms to describe themselves, trying not to reproduce Western conceptions of sexualities because the term 'gay' does not mean the same in all the different contexts. "Debates flourish, for example, as to how to define oneself in terms of sexuality and gender (e.g. *chito*, femme, *feminista*, homosexual, *lesbiana, torillera, gay, maricon*, etc.) and how

self-definitions reinforce Western categories of sexuality, reappropriate or proved alternatives to them" (Lind and Share 2003, 59).

Cornwall et al. (2008, 34) point out that one framework which might be able to make it possible to talk beyond fixed and imposed identities and categories, is the sexual rights framework. Talking within this framework more openly about emotions, desires etc. and thinking beyond the two gender order or identity impositions according to sexual practices, might allow us to move forward.

5.3.2 The Case of Cultural Translation of Reality

"Even 'new' understandings of terms such as 'development' or 'gender', for example, are inevitably imbued with traces of the dominant discourses of colonialism and neoliberalism in and through which they have been constituted" (Dunne 2008, 8).

Therefore, I argue that also the inclusion of sexuality in development is always turning around an understanding of sexuality that is used in the West. Language is only one factor that has influences on particular world-views and perception of lives. Talking about sexuality in the Global South is always connected to a Western understanding of sexuality since language is one factor with which we try to capture what goes on in our world. Considering that in the Global South there are numerous languages and world perceptions we might also be able to understand that there cannot be one homogenous understanding of sexuality.

When trying to describe for example other societies we try to squeeze them into our epistemology. We live in a patriarchal dichotomy where we have divided the world into two sexes, either male or female. Hence, if we encounter other societies and other 'cultures' we try to understand and describe their life with our knowledge. Unfortunately this leads to flaws and is inevitably erroneous. (Dunne 2008, 8)

"Nevertheless, her arguments remind us of the everpresent problematic relationship between linguistic representation, social reality and power; moreover, they act as a stark warning not to take for granted either the relevance or the meaning of gender as an analytical category for social analysis in African (or any other) contexts" (Dunne 2008, 8).

5.3.3 Stigmatization and Stereotypes

Sexual practices are not only linked to sexual identities but often also to certain cultures.

This is also what Laura María Agustín tries to tackle in her book "*Sex at the Margin*"[37] (2007), namely stereotypes of sex workers and other assumptions on sexual practices related to cultures. She gives one example of a HIV/AIDS prevention leaflet sponsored by the EU, Spain's national health institute and West African migrants' association. This leaflet should not only be culturally sensitive as it uses images of Western African women who constitute the target group of this leaflet because in Madrid mainly Western African women are the most visible ethnic group to sell sex on the streets but it should also give detailed information on the HIV/AIDS prevention.

However, Agustìn criticizes that this leaflet leaves out one risk-factor of infection, namely oral sex. The explanation given to her when pointing to that flaw by the program coordinator was that people from West Africa do not engage in oral sex.

Furthermore she laments that the maker of this leaflet knows exactly that women who are selling sex are also mothers, lovers, sister etc. who also engage in sexual interaction outside of their work. Imposing on them cultural features and denying them practices they might engage in because of cultural reasons is actually another form of cultural relativism. "The decision to omit an important risk-practice from an education project is cultural relativism and delicacy taken to the extreme of subordinating epidemiological concerns" (Augstín 2007, 177).

Depriving West African women oral sex does not only constrain them to a certain culture and to certain practices but also stigmatizes them as un-African if they actually perform oral sex.

> The omission could make all people from West Africa who practise oral sex feel that they are somehow betraying their culture, whether they are paid to do it or do it for their own pleasure. Everyone involved in this publication knows that a large number of women from these countries sell sex at some time or another and therefore have probably practised oral sex, but no one mentions it. The implication is that such people no longer belong to their 'traditional culture' and therefore are not members of migrant associations. Social agents have managed to create a leaflet that stigmatizes a range of people, along with a sexual practice.
>
> (Augustìn 2007, 177f)

This is an example where well-intentioned interventions and projects fail because of their undifferentiated assumptions about certain groups, ethnicities, cultures and their appropriate/assumed behavior. The problem is, that groups cannot be treated as an entity or the simplistic understanding that ethnical or cultural belonging does not equal certain practic-

[37]Augustìn's book is actually more about challenging and tackling stereotypes regarding prostitution and sex works but the following example reflects perfectly cultural stereotypes of sexual practices and stigmatization of exactly those.

es or world-views. The denial of, in this case, oral sex when it comes to Western African women causes flaws and failures and might do more harm (i.e. on a psychological level) than it actually helps those women it addresses.

5.4 Imaginations and Reproduction of Norms

In order to introduce my next chapter on normative assumptions of development industry and heteronormativity in general, I would like to quote four points that were stated as examples for heteronormativity in development practice at a workshop held at the Institute of Development Studies in Sussex:

> Interventions that start from the assumption that poor people living in rural areas are universally heterosexual.
>
> Gender and development programmes that represent women as universally victimized and men as universally predatory and irresponsible.
>
> Macroeconomic policies that seek to promote equitable heterosexual marriage as a universal poverty reduction strategy, as if everyone is or should be married.
>
> HIV and AIDS prevention strategies that target men who sleep with men, sex workers and other 'high-risk groups' as a means to 'protect' the health of the 'general' (heterosexual) population, while denying the complex identities of and relationships between the 'marginalised' and the 'normal.'
>
> (Lynch 2008, 12)

Summarizing one can say that development industry starts from a particular point of view of sexuality. Firstly, it has a division based on female-male category and its heterosexual reality, ignoring at large all other forms of gender such as transgender or people who do not identify with categories such as male or female. Furthermore the categories are charged with certain characteristics such as sexual predator for men and sexual victim for women, ignoring different experiences altogether (cf. Jolly 2007, 14).

5.4.1 Adding Gender to the Agenda

For a long time development interventions have excluded women from their agendas because they were more concerned with economic growth, modernization, industrialization and the expected trickle down effect.[38] However, as mentioned before, this promise was not fulfilled, especially not for women. The trickle down effect did not reach all classes in society and especially not women because they are still the ones who were/are at the margins of society, pushed aside into the informal or subsistence sector. This can be

[38] Under trickle down effect, one understands the theory that economic growth and general wealth will eventually trickle down to all classes in society. Every class in society will benefit from the prosperity of a nation. It is linked to modernization theory from the 1950s but is still present in much development theory and literature.

noted with the term 'feminization of poverty' that is more and more used in the global arena.[39]

This was the reason why the Women in Development (WID) approach was established and then expanded through the Gender and Development (GAD) approach. The latter did not only see the dichotomy male and female but looked at the (power) relation between the two. But even though this was/is the claim of GAD, there are theorists who criticize that even though gender includes both sexes and their relation with each other, often only women are meant with the term gender. The main focus of gender projects were and still are women and not necessarily structures of patriarchal society or power relations.

"Gender is the linguistic index of the political opposition between the sexes. Gender is used here in the singular because indeed there are not two genders. There is only one: the feminine, the "masculine" not being a gender. For the masculine is not the masculine, but the general" (Wittig, quoted in Butler 2007, 27; quotation marks in the original).

Hence, one can say that the segregation between male and female still exists and the norm is still the belief of the separation of humans into either male or female and add certain characteristics to these categories: males are uniformly predatory and irresponsible whereas women are mostly vulnerable and victimized.

> Despite important advances made by feminist practitioners since the inception of the gender and development field, … 'sexuality and development' is rarely discussed except in terms of reproductive health, and sexual identity is linked to national and financial well-being, in apolitical, heteronormative ways. Because of this, as we have argued, queer identities and alternative family paradigms are 'invisible' in daily economic transactions and household life. They become obscured and constructed as academic abstractions, irrelevant to 'real' women's lives and therefore not influential in policy-making or development theories.
>
> (Lind and Share 2003, 63)

5.4.2 Highlighting Heteronormativity in Development Industry

Heternormativity is

> …one leg of a tripod that also includes sex essentialism (the idea that sexuality is an essential or biological drive or instinct) and binary gender thinking (the idea that all human beings fit into the categories of 'male' and 'female', outside of which no 'legitimate' gender identities exist.
>
> (Lynch 2008, 12)

Extending this concept, one could argue that development interventions are not only blinded by the hegemonic belief of the two distinct and complementary categories but that therein also lays the belief of heterosexuality as the natural norm. This leads to one of

[39] Women 2000.

my hypotheses that development practice in general rests on a heteronormative belief system that also creates other norms again. This is often done through the disproportionate focus on certain categories or identities concerning certain problems or needs - for example the focus on heterosexual mothers concerning reproductive health or gay men in the field of HIV/AIDS (Lynch 2008, 15).

According to Corrêa and Jolly (2008) this is the case when we look at the liberal economic ideology which has as its main research focus the 'family' as the main economic unit. However, the 'family' is considered to be heterosexual, with a male person as the head of the family. Lesbian 'families' would be described in literature as female-headed households even though most of the time female-headed households are the term for single mothers whereas a term for single fathers is missing. These examples show how norms shape terminologies and realities. If a term is missing or describes realities inaccurately it nevertheless has the power to create or construct a certain reality.

When considering that the 'family' is one of the main focuses for development interventions and policies because they are the basic unit of economic analysis, it becomes evident that such policies and interventions must draw on heterosexist assumptions and binary thinking of male/female and the assigned gender roles. The authors criticize that a woman would never be considered to be head of the family if a man is present. This might lead to problems when Poverty Reduction Strategy Processes draw their information and lead their interventions according to false or biased assumptions (Corrêa and Jolly 2008, 24).

5.4.3 The Case of Identities: the Heterosexual, Married, African, Female

Development industry not only can be accused for being heteronormative or sexist but it also reproduces racist and colonial assumptions that result from prejudices of 'other' identities. This argument can also be found with Jessica Horn (2006). She explains how assumptions regarding female African identity are built around the married, heterosexual, maternal woman. For her this is not only seen in informal, oral or written culture of art but also in legal contexts.

> A litany of proverbs, contemporary cultural norms and laws reinforce the idea that the 'proper' or 'real' African woman is a woman who is heterosexual, married, bears children, and more often than not, pleases her husband sexually. This construct of the 'woman-mother' has also coloured policy and programming concerning women's health in Africa, where reproductive health and family planning services for married women have been prioritized over services for sexual well-being and health, or the sexual and reproductive health needs of non-heterosexual or unmarried women. The trope of domesticity is also perpetuated in legal frameworks that deal with women's rights, including the African Charter for Human and People's Rights. The charter sanctions the [heterosexual] family as the primary unit of society, thereby extending rights to women according to the degree to which they participate in it.
>
> (Horn 2006, 9)

Here the connection to development interventions or programs can only be made indirectly because the author relates more to the African context itself. However, I would argue that these 'African' assumptions of a woman have been influenced through colonial discourses and also the influence on one another between Northern and Southern exchanges. This becomes evident with the following quote: "Most development interventions are premised not only on heteronormativity- assuming and enforcing heterosexuality as the norm- but also on marriage normativity" (Cornwall et al. 2008, 11).

This argument is also supported by Amy Lind and Jessica Share (2003) in their article *"Queering Development: Institutionalized Heterosexuality in Development Theory, Pracitce and Politics in Latin America."* They too argue that heterosexuality is in fact institutionalized, as well as naturalized and "regulated both explicitly (by excluding LGBT people form the analysis) and implicitly (by assuming that all people are heterosexual, marriage is a given and all men and women fit more or less into traditional gender roles)" (Lind and Share 2003, 57).

This assumption is in line with feminist theorist Adrienne Rich and her famous argument of the 'compulsory heterosexuality'. Rich, however, is more concerned with women, the lesbian existence, and how women have been controlled through legislation and other institutionalized realities in society and warns us about the regulation and control of our lives by institutionalized realities. "The institutions by which women have traditionally been controlled- patriarchal motherhood, economic exploitation, the nuclear family, compulsory heterosexuality- are being strengthened by legislation, religious fiat, media imagery, and efforts of censorship" (Rich 1980/1986, 24) In other words, through performance and other forms of regulation our lives are formed towards the hegemonic heterosexuality.

I would argue that this concept can also be expanded to other people who do not fit into the heterosexual model and the resulting regulation of life such as motherhood, nuclear

family, marriage etc. since development interventions unfortunately often base their projects on heterosexual, monogamous marriage assumptions. However, single, widowed or divorced women face different problems and have, as a consequence, other needs and are exposed to other threats in society. I do agree with Cornwall et al. (2008) that marriage is an important sphere one has to look into. Many problems are caused in marriage because of different power distribution, including marital rape or lack of access to resources or oppression in general. Nevertheless, we have to think beyond traditional or fixed assumptions of social behavior and organization (Cornwall et al. 2008, 34f).

Adam and Pigg (2005) also criticize that development interventions or models fall short if they only have heterosexuality or homosexuality as their tools or if they operate with traditional, blind and reduced gender roles.

"For example, it is not always possible to correlate how, in a given context, a variety of sexual contacts can be tied to specific identities through the use of development models of heterosexual sex and homosexual sex" (Adam and Pigg 2005, 18).

Similarly, Gosin (2005) claims that assumptions about specific gender roles have negative impacts on people who break out of these models of heterosexuality, marriage or other gender roles. "…gender equality policies have sometimes worked against the interests of lesbians and unmarried women in many countries because of their assignment of heterosexist gender roles for men and women" (Gosin 2005,10).

In addition, gendered ideas of how men and women have to behave create insecurity, oppression and violence. Assuming that men need to be strong and macho, or that women are passive and silent also leads to problems in sexual relations. These assumptions might cause non-pleasurable sex or even expose people to the danger of sexually transmitted diseases amongst others.

Furthermore, thinking of women as a homogenous group has negative effects on the lives of women. Homogenization of women primarily takes place through institutionalized heterosexist assumptions in the field of development when it comes to family structure, gender and sexuality. Ignoring the different needs that women who do not fit the married, heterosexual model have, means that they are either not addressed at all in development projects or they are left out of politics, economy, public life and they are also more likely to become victims of homophobia, violent repression etc. (Lind and Share 2003, 60).

These are reasons why, for Jessica Horn (2006), it is essential to introduce sexual rights into the African context, and into the global context of development practice in general in

order to be able to dismantle and deconstruct hardened assumptions of gender roles, identities in general, family structures etc. “Without sexual health and sexual rights, African women remain within a status quo-mainly in the heterosexual family institution- as the means through which men reproduce themselves socially, culturally and sexually” (Horn 2006, 10).
This claim has also been stated by Lind and Share who point to the importance of thinking about gender etc. in a different way because institutionalized assumptions of gender, sexuality, family structures etc. “…serve as disciplining mechanism” (Lind and Share 2003, 62) and underlie power structures that control people or through which people control themselves and society.

In the following section I will look more closely at sexual rights following the question of whether they are capable of avoiding the problems I have mentioned above, such as heteronormativity or sexual identities that are always dealt with in a fixed and unchangeable way. Firstly I will look at it from a historical perspective, try to define what sexual rights consist of and then I will concentrate on the problems that arise from the language of sexual rights.

6. Sexual Rights

6.1 Sexual Rights as Human Rights

Human Rights were developed in the Universal Declaration of Human Rights in 1948. Already in this declaration a direct link to gender equality can already be made. In Article 2 of the Human Rights Declaration it states: "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status." This means that no one can be discriminated because of his_her sex and gender.

From this Declaration resulted the belief of the necessity to also include sexuality, sexual orientation, and identity into the human rights framework. Corrêa and Howe (2007) point out that long before sexual and reproductive rights were addressed in international conferences or drafts, they "…had been struggling with the idea that sexuality is a domain of freedom, as well as one where persons must be protected from inequality and abuse" (Corrêa and Howe 2007, 170).

Since the 1990s, human rights (as well as sexual rights[40] according to the rights based approach) have been considered to be the best tool and the most promising factor in order to implement sexuality in the global arena, international development and public policy.

"Human rights, and rights-based approaches to development, remain the most promising estuary for sexuality" (Corrêa and Jolly 2008, 31).

That is why I would like to draw on sexual rights thoroughly in order to find out what has already been done in this area, what needs to be done and to ask the question of whether sexual rights are indeed one of the best tools to introduce sexuality in development cooperation.

Andrea Cornwall answers the question of what sexual rights have to do with development with the following: "Definitions of sexual rights have at their core issues of non-discrimination and recognition that might be considered fundamental to human dignity" (Cornwall 2006, 275).

[40] "Sexual rights is a very recent addition to the lexicon of human rights. The term 'sexual rights' arrived on the world stage in the early 1990s, emerging from earlier discourses on reproductive and women's rights" (Herdt and Howe 2007, 119).

Furthermore she states that

> [s]exuality is a development issue, because it affects the very things that many think of as constituting 'development'. The right to bodily integrity, to sex that is consensual, pleasurable and safe, is at the core of our very well-being. The right to have intimate relationships of our own choosing without being victim to violence, ostracism or discrimination, is fundamental to our lives and livelihoods. How, if women's and men's bodies can be violated by others, and if our existence is threatened by those who deny us the right to be, can we even imagine being able to enjoy any of the aspects of development that are captured…?
>
> (Cornwall 2006, 275)

At this point I have to admit that I made a big leap from human rights in general to sexual rights in particular, omitting the discourse around women's rights almost entirely. However, similar things can be said about the women's rights movement and the sexual rights movement, knowing that the category sex is often the first level of analysis. Nevertheless, there are some theorists that agree that one cannot identify some categories as more important than others, especially because sexuality is so interrelated with the dichotomy of the sexes and gender relations in general. "A growing body of feminist human rights literature argues that the male bias of human rights thinking and its priorities … have been constructed after a male model" (Okin 2000, 28). This is also the case for sexuality because it is not only constructed according to a male-headed household model or male model in general (Okin 2000, 28) but also on a heterosexual and two-gender model. This is why human rights and women's rights have to include the view of sexuality that goes beyond simple sexual practices because sexuality influences various aspects of human life.

6.2 Sexual Rights Definition

On the World Health Organization (WHO) website, the following definition of sexual rights is published. However, it also states that this is only an unofficial definition and should not be quoted as the official definition of the WHO.

> Sexual rights embrace human rights that are already recognized in national laws, international human rights documents and other consensus statements. They include the right of all persons, free of coercion, discrimination and violence, to:
>
> the highest attainable standard of sexual health, including access to sexual and reproductive health care services;
>
> seek, receive and impart information related to sexuality;
>
> sexuality education;
>
> respect for bodily integrity;
>
> choose their partner;
>
> decide to be sexually active or not;

> consensual sexual relations;
> consensual marriage;
> decide whether or not, and when, to have children; and to
> pursue a satisfying, safe and pleasurable sexual life.
> The responsible exercise of human rights requires that all persons respect the rights of others.
>
> (WHO 2004, 3)

There are numerous other definitions[41] when it comes to sexual rights so that different institutions and international organizations understand and include different aspects of human lives into their sexual rights definitions. Hence, the different declarations and definitions contain different points and vary in their preciseness and complexity.

Most of the definitions however contain the right to sexual freedom which can be basically understood by the WHO's unofficial definition.

Some definitions are more specific and target structural adjustment in a pragmatic sense. They include aspects which can be used as real indicators such as the points of the WHO. Others concentrate on vague and blurry aspects such as fantasy or pleasurable sex-life. The latter is more about the realization of dreams and fantasies. However they all also include bodily integrity and the freedom of choice.

To sum up, sexual rights contain the rights to be free of violence and coercion as well as the right to pleasure, desire and fulfillment independently of identity, gender or sexualities.

> Sexual rights involve the right to a safe and satisfying sex life, autonomy and 'bodily integrity' – the ability to make decisions about one's body, sexuality, and health. Bodily integrity requires access to information about sex, reproduction, and pleasure, as well as a supportive environment in which to exercise one's sexual decisions. Other critical ethical questions surrounding sexual rights include principles of equality, including gender equality, fair and equal treatment for sexual 'minorities,' and attention to the ways that racial stereotypes negatively impact the right to a supportive environment for all people.
>
> (Herdt and Howe 2007, 119)

The authors also add another list to this broad definition of sexual rights that should be included or also be part of sexual rights. Recent studies on sexuality in the United States show that some women do not know that they have the right to say "no" to sex or to tell the partner that they do not enjoy a certain kind of sex. Hence, "…sexual rights must also include the right to be assertive, forthright, and heard in these kinds of situations. The right to accept or decline sexual advances and to decide for one's self how one's body is

[41] cf. Esplen (2007, 5ff) in order to find more sexual rights definition and links to other declarations.

touched is a concern in both the developed and the developing world" (Herdt and Howe 2007, 120).

Categories such as homosexual, bisexual, transgender, female, male etc. should be dissolved so that it should be seen as an inclusive concept that has the ability to free people from different labels.

This can be shown by the following quote:

> Sexual rights are not … the property of a minority. They are everyone's birthright and everyone's concern. The man who faces arrest and torture in Egypt because he fell in love with a man; the lesbian in South Africa whose family believes that rape will 'cure' her; the transgender woman in the United States harassed and brutalized on the street- these people share, despite their differences of geography and detail, a common cause with the woman confronting a sentence of death for adultery in Nigeria; with the mother ostracized and shunned by her village community in Jamaica because she contracted HIV/AIDS from a sexual partner; and with the woman in Pakistan whose parents can take her life with impunity, because her behaviour supposedly strikes at the family's 'honour'.
>
> (Long 2004, Human Rights Watch quoted in Ikkaracan et al. 2007, 22)

6.3 The Connection Between Sexual Rights and the Capability Approach

"A rights based approach is essential to avoid arguments based on culture and 'age-old tradition' which, in Africa, have been used to maintain practices that denigrate women and pose great risks to their health and general well being" (Makinwa and Tiemoko 2007, 3).

The capability approach as outlined above has its foundation in the liberal tradition of rights in general and human rights in particular, and therefore also has an impact on the concept of sexual rights. Somehow sexual rights can be understood as an extension of the capability approach in the matter of sexuality. They constitute the implementation of the prescriptive capabilities in the area of sexuality. The relevance of the capability approach in the discussion around sexual rights can not only be found in the most apparent point of Nussbaum's list, namely point three[42] but is represented in almost every single point.

Point three discusses bodily integrity which is understood to constitute the possibility to move freely from place to place, to be protected from violent attacks which includes not only sexual attacks or harassment but also domestic violence. It also contains the possibility to choose sexual satisfaction and to decide freely on matters such as reproduction.

[42] „*Bodily integrity*. Being able to move freely from place to place; being able to be secure against violent assault, including sexual assault, marital rape, and domestic violence; having opportunities for sexual satisfaction and for choice in matters of reproduction" (Nussbaum 1999, 41; italics in the original).

This point not only presents a negative conception of sexuality but also contains an affirmative one. It shows the dangers of sexuality but also the pleasure and understands sexuality as an affirmative as well as deliberating act. It draws on concepts such as sexual satisfaction, the possibility to choose reproduction on a self-determined basis and the possibility not to take part in reproduction. It evolves from an understanding that everybody has the right to choose freely his_her sexual identity, sexual practices and sexuality in general. It includes all forms of sexual identity or sexual practice and all LesbianGayTransgenderBisexualQueerIntersex (LGTBQI).

However, the points 1, 2, 5, 6, 7, 9 and 10[43] in particular are in close conjunction with sexuality and sexual rights. The underlying assumption of this paper draws on the fact that people with a non-heterosexual sexuality are not only excluded, oppressed, marginalized but often also fear death. Point one is concerned with life.

Denying people their self-chosen sexuality can result in the death of that person or at least in bodily harm or violation. When believing that sexuality can be a main factor for the wellbeing of a person, then denying ones sexuality can mean that this life is not worth living and in effect lead to death.

In point two, bodily health and integrity are closely related to point three but this point is more concerned with health and wellbeing and therefore also with reproductive health. Reproductive health derives from the notion of sexuality but as I would like to criticize here, it is based on the assumption of heterosexuality. However, bodily health and sexuality do not only connect when it comes to reproduction, but sexuality in general has a major impact on bodily health. HIV/AIDS is only one out of a number of sexually transmitted diseases that have negative impacts on bodily health. Discussing only reproduction or giving only this as an example implies that one is only concerned with sexuality for reproductive reasons. Sexually transmitted diseases however, are very important for any other form of sexual activity. Furthermore, the psychological and physiological wellbeing of a person also play crucial roles and are not entirely connected to STDs or reproductive health but also on matters such as free choice, non-discrimination etc.

The relevance of point five is clear as it deals with emotions. The connection is not only given when we think of sexual emotions but also when it comes to grief etc. As Judith Butler writes in her book *"Undoing Gender"* (2004), people with a sexuality that is not heterosexual are often denied the possibility to grieve when the partner dies or the relationship ends. "Nevertheless, those who live outside the conjugal frame of maintain mod-

[43] Martha Nussbaum's capability approach can be found in chapter 4.4.

es of social organization for sexuality that are neither monogamous nor quasi-marital are more and more considered unreal, and their loves and losses less than 'true' loves and 'true losses'" (Butler 2004, 26f). To name only one sphere where this discrimination constitutes itself is the area of law. By the exclusion of rights or their denial, certain people with non-heterosexual practices or identities might not be able to enter (heterosexual constructs such as) marriage or to adopt children.

Point six, called 'practical reason', draws attention to the handling of non-conforming sexual practices or identities. They are often believed not to be rational or being just 'bad' or deviant in general. Non-heterosexuality can only be explained by the lack of reason or a flaw in nature.

'Affiliation', point seven, is about the inclusion in society, taking part in relations with others, to be able to show concern. However this is often denied to people because of their sexual identity or sexual practices which leads to a lack of self-respect and/or humiliation as they are often treated as not being human or not normal at all.

Point nine, 'play,' involves leisure time during which one should be able to relax and regenerate. Sex could be part of this. However if only certain sexual practices are allowed then this point excludes all others and turns sex from some sort of relaxation into a sphere of fear and danger. Danger because of the marginalization or exposure to violence of people who differ from the heteronormative constructed reality of the social organization, as well as danger if people lack information for safer sex practice which can lead to death through sexually transmitted diseases, unwanted pregnancy etc.

Taking part in political participation and movements is one of the major concerns of point ten. However, people are excluded and marginalized out of sexual or gendered reasons, this includes not only women but also all forms of non-heterosexuality.

Henry Armas sees the connections between sexual rights and wellbeing too and stresses that there is a connection between rights and development of the wellbeing.

> In the past, needs-based development approaches along with a reluctance to frame sexuality and sexual pleasure as basic needs that have echoes in every aspect of life, obscured the connections between sexuality and development and disallowed their exploration. In recent years, the shift towards rights-based approaches to development have helped to make these connections more evident: rights are a clear entry point for talking about sexuality in relation to many other domains of life, and the implications of these linkages for development.
>
> (Armas 2006, 21)

Looking more closely at sexual rights, one will see that they do not differ a lot from the capability approach as the necessary tool for development and overall wellbeing.

> Anchoring the possibility of women's *individual* right to health, well-being, and 'self-determined sexual lives' to the *social* changes necessary to eliminate poverty and empower women, this framework [sexual rights] dissolves the boundary between sexuality, human rights, and development. It thus opens a wider lens not only on reproductive and sexual rights, but on rights in general.
>
> (Corrêa and Petchesky 2003, 90; italics in the original)

6.4 Let's just be human!

There are no definite sexual rights which confine sexuality to particular circumstances such as reproduction or sexual health; but different organizations, institutions, NGO's etc. have their own lists of sexual rights and find different points more important than others. Looking up sexual rights, one can find many different lists with various definitions that are again constantly debated, renewed and contested. Nevertheless, they all have certain characteristics in common. This is one reason why sexual rights might constitute a tool for development that is, like the capability approach, open for adaption, transformation and extension.

First of all, sexual rights are based on a universal and essentialist understanding of the 'human'. As Illkaracan and Jolly (2007) show, sexual rights move beyond identity politics. They do not have certain categories or identities, such as women or gay, as their main target or their analytical category but have humans in general as their main subject.

> Sexual rights offer the potential for an approach that goes beyond identity politics. With identity politics, rights are associated with particular categories of people, such as 'women's rights' or 'gay rights'. Sexual rights can instead be taken to mean that everyone should have the right to personal fulfillment, and to freedom from coercion, discrimination and violence around sexuality, whatever their sexual orientation or gender identity.
>
> (Ilkkaracan et al. 2007, 10)

In the same way that Martha Nussbaum argues that it is not about certain gender identities but about humans, they argue that sexual rights can identify "…the underlying structures of inequality" (Illkkaracan et al. 2007, 10). It is not about men as violent oppressors or about the marginalization of LGBTQ and their disadvantages in comparison to heterosexuals but it is about the underlying structural oppression and the structures of power concerning gender and sexuality. This is called the stratification of sexuality, similar to the stratification of class and gender, which has been highlighted through theories of in-

tersectionality (cf. Crenshaw 1989) or the interlocking analysis[44] (cf. Raszack 1998). The concept of the stratification of sexuality can be traced back to Gayle Rubin (1984). She developed a figure with the aid of which she was able to highlight the normative concept of sexuality and its fluidity from 'good' - that is to say 'normal' and which means heterosexual sex within marriage - to 'bad' sexuality or sex which indicates homosexual, pornographic, promiscuous sex. This diagram[45] (Rubin 1984, 14) represents the reflection of the social acceptance of certain sex and sexualities in a particular time and context, here the 1980s, and shows that sex and sexuality follows a certain hierarchical order exactly as other categories such as gender, race, class etc. (Ilkkaracan et al. 2007, 11).

> The point of the figure is to show that there is a stratification of sexuality (which intersects with gender, class, race and other hierarchies). Different groups battle with each other for a higher rank in the hierarchy when what we should be doing is forging alliances with each other to challenge the hierarchy itself, and establish instead a new approach to sexuality based on consent and respect, instead of respectability. Moving beyond identity politics makes this more possible.
>
> (Illkkaracan et al. 2007, 11)

However, Ilkkaracan et al. (2007) complain that this diagram has its flaws because it fails to consider people who fit into the area of 'good' sex but are still vulnerable to forms of violence such as marital rape or other forms of violation and harassment because of their chosen sexuality. Socializing effects of what a 'real' man is and has to do in order to achieve his masculinity- the same is true for women-, might also have negative effects on people, no matter if they, per definition, are actually higher up in the hierarchical order of 'good' or 'bad'.

Therefore, the authors conclude that sexual rights allow us to go beyond any form of hierarchical order or gender- and sexual identities. "The concept of sexual rights allows

[44] The interlocking analysis of oppression differs from intersectionality in the way of their analytical tools. "Interlocking systems need one another, and in tracing the complex ways in which they help to secure one another,…" and "…explore in a historical and site-specific way the meaning of race, economic status, class, disability, sexuality, and gender as they come together to structure women in different and shifting positions of power and privilege" (Razack 1998, 12f).

[45]

'Good' sex:			**'Bad' sex:**
Normal, Natural, Healthy, Holy		Major area of contest	Abnormal, Unnatural, Sick, Sinful, "Way out"
Heterosexual Married Monogamous Reproductive At home	"The Line"	Unmarried heterosexual couples Promiscuous Heterosexuals Masturbation Long-term, stable lesbian and gay male couples Lesbians in the bar Promiscuous gay men at the baths or in the park	Transvestites Transsexuals Fetishists Sadomasochists For money Cross-generational

us to look beyond categories of socially approved and socially marginalised, to consider how rights for all can be sought" (Ilkkaracan et al. 2007, 11).

6.5 Private and Public Responsibility- Ethical Principles

Sexual rights can never be achieved if certain conditions and factors are not provided, that is to say, appropriate infrastructure and services. This demonstrates another correlation to the capability approach, to be able to choose, to decide freely because all external and internal functionings are there. "The 'means to do so' contain a universe of freedoms and capabilities out of reach for many women and girls" (Petchesky 2003, 19).

Theorists who are more concerned about sexual rights than basic human needs claim the following when it comes to reproductive and sexual rights:

> For reproductive decisions to be in any real sense 'free', rather than compelled by circumstance or desperation, requires the presence of certain *enabling conditions.* These conditions constitute the foundation of reproductive and sexual rights and are what feminists mean when they speak of women's 'empowerment'. They include material and infrastructural factors, such as reliable transportation, child care, financial subsidies, or income supports, as well as comprehensive health services that are accessible, humane, and well staffed. …They also include cultural and political factors, such as access to education, earnings, self-esteem, and the channels of decision making. Where women have no education, training, or status outside that which comes from bearing sons, childbearing may remain their best option.
>
> (Corrêa and Petchesky 2003, 92)

Thus, sexual rights should link individual liberty to social entitlements, a connection with personal needs and public responsibility. They acknowledge that there might never be a harmony between public and private interests, however these discourses on sexual rights should help us to see the larger picture and might be able to provide us with an ethical framework that includes a multiplicity of interests (Corrêa and Petchesky 2003, 93). "Clearly, reproductive and sexual health requires both access to quality services and a reliable physical infrastructure" (Pollack 2003, 7).

Sexual rights have at their base four major ethical principles which again cannot only be violated by public authorities but also by private individuals. These are the following: bodily integrity, personhood, equality, and diversity.

> (1) *bodily integrity*, or the right to dignity and respect for one's physical body and to be free from abuses and assaults, including unwanted pregnancy and unwanted sex; (2) *personhood,* which is closely associated with bodily integrity and implies the right to self-determination and respect in one's decisions about reproduction and sexuality; (3) *equality* in access to health services and all social resources, not only of women with men (gender equality) but of women with one another across lines of class, race, ethnicity, age, marital status, sexual orientation, physical ability, and other common social dividers; and (4) *diversity*, or the right to be respected in one's group affinities and cultural differences, in so far as these are freely chosen and women are empowered to speak on their own behalf, not subordinated to group claims in the name of tradition.
>
> (Petchesky 2003, 8)

These four ethical principles show that individual freedom and social justice can never be treated in isolation as long as power and resources are unjustly distributed. Thus, it becomes evident that public officials have to support the implementation of sexual rights, because the individual will not be able to exercise her_his rights as long as the necessary infrastructure and other conditions are not given. This is why Sonia Corrêa and Rosalind Petchesky (2003) criticize the language of 'entitlement' or the claim 'choosing freely and responsible', because they say that the common public interests are ignored. Social and economic development cannot be achieved if fundamental and basic human needs are not met. The individual cannot always decide freely if certain conditions in her_his life hamper life choices.

This is why they say that "[t]he correlative duties associated with sexual and reproductive rights belong not only to the bearers of those rights, but to the governmental and intergovernmental agencies charged with their enforcement" (Corrêa and Petchesky 2003, 100). This is also the reason why sexual and reproductive rights should be involved in development agendas so that unjust power relations, and unequally distributed resources can be tackled and wellbeing, justice and human capabilities can be installed worldwide (Corrêa and Petchesky 2003, 101).

"Social and legal norms and economic structures based around sexuality have a tangible impact on people's physical security, bodily integrity, health, education, mobility, and economic status. In turn, these factors impact on their opportunities to live out happier healthier sexualities" (Jolly and Corrêa 2006, 11).

6.6 Correlation of Negative and Positive Freedom

When we talk about rights in general and sexual rights in particular, we always are in the realm of freedom and liberty. "Sexual self-determination and sexual rights imply both the negative freedom against unwanted intrusions, violations, and abuses, and also the posi-

tive capacity to seek and experience pleasures in a variety of ways and situations, including (for women) without a man" (Petchesky 2001, 131). As Petchesky and Sen point out, it is not only about the freedom *to* do something but also the freedom *from* something. This means that freedom is not always only to be perceived in a positive way but also in a negative way. Petchesky points out, summarizing Sen, that sexual rights are not only about pleasure or danger and thus should not be seen as a dichotomy but as dialectic. In order to experience pleasure and to be able to talk about an affirmative sexuality, one might also need to experience its violation. "Not only does a person's right to fully develop and enjoy her body and her erotic and emotional capacities depend on being free from abuse and violence, as well as having the necessary enabling conditions and material resources discussed earlier, it may also be the case that awareness of affirmative sexual rights comes as a result of experiencing their violation" (Petchesky 2001, 131).

However, Gosine criticizes the persistent negative approach towards sexual rights, because she sees in them only the negative connotation of sexuality, namely as a problem that has to be solved and not as an emancipating and liberating realm. "Sexual rights are almost always discussed as a measure to alleviate a problem, not celebrate a positive experience"[46] (Gosine 2005, 13).

The question remains however, of whether this extension really opens up new ways of thinking, imaginations of alternatives or if we still stay in the realm of "…objective, often quantifiable indicators …" (Lind and Share 2003, 63). Lind and Share critique exactly the use of "…standard social and economic indicators in development practice…" which often include "life expectancy, literarcy, sex ration, birth rates, nutrition and income-generating activities, women are determined to be in need or poor and 'underdeveloped' (Lind and Share 2003, 63). This is also what Mohanty (2003) criticizes, when she says that development practice is often only concerned with a few frozen indicators that determine progress or good human life. I will further discuss these critical points in the last part of my thesis when I aim to see how liberal and rights based theorists can talk to post-colonial theorists and be influenced by them. But let us stay with sexual rights just for a little bit longer. Over the next few pages I would like to answer the question regarding what sexual rights are, their potential and their possible positive and negative aspects for development practice and theory.

[46] See chapter 6.9 for further problems concerning sexual rights.

6.7 On the Power of Sexual Rights

6.7.1 Hiding Sexuality in the Closet

> Neither the existence of national laws nor the prevalence of custom can ever justify the abuse, attacks, torture and indeed killings that gay, lesbian, bisexual and transgender people are subjected to.
>
> (African Renewel: Ms. Louise Arbour,
> UN High Commissioner for Human Rights)

> …[t]he agenda of sexual rights is not about creating 'new' rights, but rather acknowledging that people have the *same* rights, including the right to make decisions regarding their sexuality and relationship, and to participate and be recognised in the economic, social and political life of their community with *and beyond* their sexual identitites and preferences.
>
> (Horn 2006, 16)

Sexuality has always been a matter of development, however only with the HIV/AIDS pandemic; it has entered the international scene through sexual rights discourses, which were introduced and developed during recent decades and has found some acceptance and legitimacy in international organizations such as the United Nations. Relating sexuality to development is a difficult task considering the ongoing debates that are concerned with sex and sexuality. Sexual rights discourses offer an intrinsic space to deal with sexuality, development and social improvements (Ilkkaracan et al. 2007, 9).

Henry Armas explores links between sexual rights and other rights, however he argues that sexual rights are not less important than other rights such as the right to education, health, work etc. but rather that all rights are closely connected to sexuality and thus sexual rights (Armas 2006, 21).

According to Petchesky (2000, 119) no document on human rights from 1948 onwards has something to say about sexuality even though they are predominantly concerned, not only with rights for the public sphere but also and particularly the private one, such as the right for individuals "…to marry and form a family, to express their beliefs and religion, to educate their children, to be respected in their privacy and homes, etc.- but nothing about expressing and being secure in their sexuality" (Petchesky 2000, 119).

6.7.2 Going Public

In the late 1960s and 1970s women went on the streets and claimed their rights to decide freely on matters concerning their body, such as abortion and control over their bodies in general. These claims are defined in literature as reproductive rights and are based on women's health movements in Europe and the United States and are concerned with women's bodies and sexualities (Petchesky 2003, 3).

Petchesky stresses that especially in the United States, it is important to underline that it was mostly women-of-colour groups who led the fight against sterilization abuse, in favor of prenatal care, motherhood rights and who also demanded the necessary economic and financial aid in order to raise their children. Reproductive rights are needed to claim the ability of one's own decision about childbearing and pregnancy (Petchesky 2003, 3).
Again in the 1980s, there were different women-of-colour groups who linked the issues of reproductive rights to the issues of poverty, racism, development and social welfare.
Especially during the UN decade for women[47], women's health organizations started to advocate transnationally for sexual and reproductive rights.
Women's groups in the Global South, especially 'Development Alternatives with Women for a New Era' (DAWN) started their own fight for reproductive and sexual rights with their own purposes and needs and according to their own situations. They linked the matter of reproductive rights again to matters of gender equality and social development.
A broader concept of reproductive health and sexuality came into being, concerning not only control over fertility but also maternal health, mortality and childbearing (Petchesky 2003, 4).

6.7.3 Going Global

The triennial International Women and Health Meetings (IWHM) showed how advocating sexual and reproductive rights became a transnational fight. Conferences were held in Italy in 1975 and in the following years also moved to the Global South (Costa Rica, 1987; Philippines, 1990; Uganda, 1993; and Brazil, 1997). Central to all these conferences was to make the link between women's health and poverty, sexual abuse, globalization, population policies etc. (Petchesky 2003, 4).
Furthermore, other new global movements around LGBTQ and newly emerged and globalized problems such as sex work and HIV/AIDS had influences on pushing forward these discourses (Ilkkaracan and Jolly 2007, 9).
According to Petchesky (2003), one can find three major reasons why the international and transnational women's health movement shifted towards a comprehensive and affirmative agenda to deal with sexual and reproductive rights.
First of all she stresses the difficult, oppressive, and hard situation of women during the new economic situation in the Global South that has its roots in the development of structural adjustment programs initiated by the International Monetary Fund and the World

[47] UN Decade for Women was from 1975 to 1985 (Nohlen, 2002).

Bank. These programs were most of the time carried out on the backs of women who suffered particularly from government's social expenditure cuts and the following decline in affordable health services. Secondly, it was an answer to religious and fundamentalist movements who tried to reestablish or reinforce patriarchal structures within society and the assigned gender roles. Thirdly, the HIV/AIDS crisis made further steps concerning sexuality and sexual rights necessary in order to protect the health of predominantly women, youth and children. Last, she states that UN conferences held in Cairo and Beijing opened up the space for further discussion on sexual and reproductive rights (Petchesky 2003, 5).

In addition to this governments, international human rights organizations and international institutions have started to mobilize around and to add sexual rights into their agenda and their analysis (Illkaracan et al. 2007).

All of this happened because the thinking about development also changed. Increase in national product growth on the costs of the income of the majority, expenditure cuts in the social sector for the sake of economic development, or an amelioration of livelihoods in the Global South will never achieve their goal in the long term. However, concentrating on health provision, education, as well as other basic human needs, will raise the quality of the life, the labor force and will consequently have a positive effect on the growth of the economy (Petchetsky 2003, 13).

This argument can also be linked to Martha Nussbaum's capability approach as it is one model that has as its basis a rights-based approach.

6.8 Tackling Poverty Through Sexual Rights

> Human rights are a project of society, a framework for order that empowers and obligates the individual. That is the reason why they are so important in the context of development. Human rights are the attempt for a normative mirror of the complexity of human existence. They have a bridge-building function between development theory and international law.
>
> (Werther-Pietsch 2008, 9; translated from German by the author)

These are the reasons why the rights-based approach found its entry into development theory, practice and policies in the 1990s and is closely related to international human rights and can be extended to the claim of sexual rights. The rights-based approach can be defined as following:

> A rights-based approach to development sets the achievement of human rights as an objective of development. It uses thinking about human rights as the scaffolding of development policy. It invokes the international apparatus of human rights accountability in support of development action. In all of these, it is concerned not just with civil and political (CP) rights (the right to a trial, not to be tortured), but also with economic, social and cultural (ESC) rights (the right to food, housing, a job).
>
> (ODI 2008 http://www.odi.org.uk/publications/briefing/3_99.html)

Hence, five elements can be identified that are crucial to the rights-based approach, namely the linkage to rights, the accountability, empowerment, participation and the non-discrimination and attention to vulnerable groups (Armas 2008, 211; Werther-Pietsch 2008, 126).

Drawing on those five elements Armas elaborated a list where he shows how sexual rights fit into the framework of the rights-based approach.

1. Sexual rights are in close connection to human rights because somehow they not only relate to issues of sexuality but also to housing, food, employment, political participation etc.
2. Sexual rights also claim accountability from people in power "...regarding the most personal and intimate dimensions of their lives" (Armas 2008, 211).
3. Sexual rights empower people in the way that they can decide freely over their emotions, sexual desires, bodies, life choices through a higher self-esteem, new perception of citizenship which means new perception of belonging to a group or nation and also to other spheres of life such as health, education, employment.
4. Sexual rights bring people out of the margins by their visualization of people who were vulnerable and discriminated before.
5. On a larger scale sexual rights are also able to tackle poverty (Armas 2008, 211).

There are three major points that go along with the rights-based approach according to the United Nations.

> 1. All programmes of development cooperation, policies and technical assistance should further the realization of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments.
>
> 2. Human rights standards contained in, and principles derived from, the Universal Declaration of Human Rights and other international human rights instruments guide all development cooperation and programming in all sectors and in all phases of the programming process.
>
> 3. Development cooperation contributes to the development of the capacities of duty-bearers to meet their obligations and/or of rights-holders to claim their rights.
>
> (Armas 2008, 211)

6.9 United Sexuality- How Sexual Rights Entered the United Nations

> Realization of sexual rights requires gender equality in society. It challenges deeply seated racial prejudices. It calls on us to confront the limited conceptuatlization of gender-conforming sexuality and social 'norm' conforming sexual behaviour. Taking a rights-based approach to sexuality is an important part of the struggle to achieve equality, and end to violence and justice for all.
>
> (Sheill 2008, 45f)

Human rights were for the first time linked to sexuality in 1979 at the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW). It calls for free and self-determined reproductive choices, a minimum age for marriage, and stands against trafficking and exploitation of women in prostitution (Ilkkaracan et al. 2007, 13). However, before 1993 one would not have found in any of the documents the forbidden 's'-word. Sex only and exclusively referred to the biological sex (Petchesky 2000, 119). And even after a decade of introducing sex and sexuality into the international discourse, sexual rights discourse language can be described as "infantile or embryonic" according to Petchesky (2000, 118).

A few years later, through the aid of CEDAW, sexual equality and rights for women to control their fertility through their own choice were claimed, neglecting however the right for women to a self-determined sexuality (Petchesky 2000, 119).

The first direct reference to sexuality concerning human rights was made during the International Conference on Human Rights in 1993 in the Vienna Declaration and Programme of Action that stated that all forms of gender based violence and all forms of sexual harassment and exploitation have to be eliminated since they constitute a violation of human rights. This also included "…trafficking in women, rape as a weapon of war, sexual slavery, and forced pregnancy" (Ilkkaracan et al. 2007, 13). This happened under the banner of 'women's rights are human rights' "…and that violence against women contradicts universal norms that supersede either 'tradition' or national sovereignty…" (Pechtesky 2003, 35). Petchesky classifies this step as crucial for the further development and legitimization of sexual and reproductive rights. "Thus the sexual and gender violence claims were precursors in opening up the space for any talk about sexual rights, including affirmative rights of enjoyment and satisfaction, in international arenas" (Petchesky 2003, 34).

The notion of sexual rights only appeared one year later at the International Conference on Population and Development (ICPD) in Cairo in 1994. However, 'sexual rights' as a designated term did not get published in the final paper, but consensus was only achieved

on a broader definition on reproductive health that included for the first time not only the importance of sexuality in connection to health but also to sexual satisfaction (Ilkkaracan et al. 2007, 13; Corrêa and Jolly 2006, 9):

> Reproductive health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes. Reproductive health therefore implies that people are able to have a satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when and how often to do so.
>
> (Report of the ICPD, Platform of Action, Paragraph 7.2)

Illkkaraca and Jolly point out that "[r]eaching a consensus on the term 'reproductive rights' proved challenging enough, and 'sexual rights' provoked even greater controversy. However, the document did include several important points on sexuality and gender" (Ilkkaracan and Jolly 2007, 13). These points consist, according to Petchesky (2003), of three major aspects of the Programme of Action. First, a shift from a narrow conception of family planning to a broader conception of reproductive health can be noticed. In addition to that, gender equity, equality and women's empowerment were acknowledged and identified as important for population and development strategies. Lastly, reproductive rights in general were recognized. These points do not link sexuality only to reproduction but also to sexual satisfaction and wellbeing, Petchesky criticizes, not only during this conference but also during others that followed such as Cairo+5 and Beijing+5, that any further recognition and acceptance of sexual rights were blocked especially through religious conservative groups, Christians on the one hand and Muslims on the other. They advocated against self-determined reproductive choices made by women or adolescents without the consent of men; family forms or sexualities that do not conform with the heteronormative order; abortion in general and they opposed any language that might include the points listed above (Petchesky 2003, 36f).

Nevertheless, Petchesky highlights that the steps made towards sexual rights discourse are revolutionary because the language they chose never constricted in any way sexuality to only heterosexual couples. However, they also did not explicitly name non-heteronormative sexual forms.

> Nonetheless, although women's groups failed to win explicit reference in the documents to freedom of sexual orientation or sexual expression-or even the words 'sexual rights'- their gains on behalf of a sexual rights discourse woven through the Cairo and Beijing texts are little short of revolutionary.
>
> (Petchesky 2003, 37)

Furthermore Petchesky points to chapter seven of the document produced at the conference where the importance of providing adolescents with information is stressed, as well as the necessity that governments have to ensure counseling and necessary services in reproductive health matters such as contraception and preventative education against sexual transmitted diseases and HIV/AIDS.
Another controversial point can be found in chapter five where the plurality of family forms in most societies is highlighted (Petchesky 2001, 121).

One year later, sexuality and sexual rights were again one of the major controversial and debated topics at the Fourth World Conference on Women held in Beijing in 1995, especially when it came to sexual orientation, abortion and women's control over their bodies. One major step forward in the 'right' direction was made with the following meaningful paragraph where the term sexual rights was not named explicitly but where the connection can be found:

> The human rights of women include their right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence. Equal relationships between women and men in matters of sexual relations and reproduction, including full respect for the integrity of the person, require mutual respect, consent and shared responsibility for sexual behaviour and its consequences.
>
> (Beijing Platform for Action, Paragraph 96)

This is the starting point according to all authors that "…placed the issue of sexual rights onto the international agenda" (Cornwall 2006, 277) or Corrêa states that this definition became "…the icon of sexual rights in current global and national debates on the subject" (Corrêa and Howe 2007, 171).
For the first time women were seen not only as reproductive beings but also as sexual beings. Even though the draft of this document stated firstly "sexual rights of women" and not "human rights of women"; other formulations such as sexual orientation or sexual rights disappeared altogether (Petchesky 2001, 121f). Furthermore, the heteronormative[48] nature in this paragraph should be highlighted and criticized since this paragraph consists of a negative approach towards sexuality as it leaves out the positive aspects such as pleasure, fulfillment and wellbeing (Corrêa and Jolly 2008, 26).
Illkkaracan and Jolly point out that the success was not due to women's movements from the Global North but thanks to women's movements from the Global South. Petchesky

[48] See: „Equal relationships between *women* and *men*..." (Beijing Platform for Action, Paragraph 96; italics by the author)

outlines further that this paragraph was included into the program of action because non-Western groups supported the sexual rights language. However Petchesky imputes[49] that they only supported this language because they did not understand that it includes indirectly sexual orientation. According to her, their prejudices against homosexuality would not have allowed a language that moves away from the heteronormative model (Petchesky 2003, 38).

In addition to this, the Beijing program also achieved some other steps forward: It introduced safe abortion in countries where abortion is not against the law. Secondly it was postulated that punitive measures should be softened for women who have undergone illegal abortion.

Nevertheless, one has to stress that before Beijing, the Vatican led a media campaign that assigned reproductive and sexual rights to labels such as individualism, Western feminism and lesbianism. "This campaign not only opposed the language of 'reproductive rights' and 'diverse family forms' but, for a period of time, also succeeded in bracketing all references to the word 'gender'" (Petchesky 2001, 123). Gender was perceived to be another word for homosexuality or sexuality in general. The Catholic Church sought to return to the term 'sex' to reestablish its former meaning and to show the divine and natural way of life, the one of maternity (Butler 2004, 182). Cornwall (2006) writes on this that "[l]anguage in international declarations that relates to sexual rights has become a bargaining tool; and the constant quest for consensus among state delegations with very different underlying views and philosophies means that statements that support sexual rights are likely to be sacrificed" (Cornwall 2006, 277).

This progress was advanced at the Cairo+5 conference in 1999 in the document of *"Key Actions"* where it said that legal abortion should be safe and accessible, and training and equip health services should be provided. This is of major importance, because even in Western countries such as the United States where abortion is legal, protection, training and information concerning abortion are often missing. Furthermore, the document also contains paragraphs that address HIV/AIDS and other STDs and gives information on which policies and measures are necessary to be implemented such as female condoms and anti-retroviral drugs for pregnant HIV+ women (Petchesky 2003, 39f).

[49] I chose this verb of accusation on purpose because I would like to note here, that there have also been fights in the Global South for the acceptance of sexual rights for homosexuals and of non-heterosexual practices (cf. Jessica Horn 2006).

The Beijing+5 Conference held in 2000 was another example of the strong and powerful women's movement when a predominantly Muslim country such as Turkey accepted for the first time sexual rights claims and militated against marital rape, honor crimes and forced marriages. As a consequence, these issues were added for the first time to the outcome document (Illkkaracan et al. 2007, 14). However no consensus could be found on the issues of sexual orientation.

This was also the case for the World Conference Against Racism, Racial Discrimination, Xenophobia, and Related Intolerance in Durban, South Africa in 2001 where a paragraph for the protection of sexual orientation was presented but in the end rejected. (Corrêa and Howe 2007, 171)

Uncountable other initiatives, papers, drafts, and resolution were tried to be introduced but were always rejected.[50] This is especially due to conservative governments, religious fundamentalists such as the Vatican or some fundamental Islamic countries.

> A new backlash, now global, is clearly underway, which is largely generated by fundamentalism in various forms: theocracy in Islamic countries and Pentecostal and radical fringes of the Catholic Church in many other countries…. All over the world these regressive forces increasingly zero in on sexuality and gender equality as a primary target.
>
> (Corrêa and Howe 2007, 173)

According to Jessica Horn (2006), "Cynthia Rothschild's analysis of activist experiences in UN negotiations reveals a systematic attack on the agenda of sexual autonomy and on supporters of women's right by representatives of Christian churches, the Organisation of the Islamic Conference, conservative governments and associated NGOs" (Horn 2006, 12). Hence, the language that is mainly used, can be described as nationalist, traditionalist and religious fundamentalist excluding all progressive trials in direction of sexual rights that include the right of sexual orientation.

6.10 On the Problematic Nature of Sexual Rights

Many theorists, practitioners and activists give the new rights discourse a chance for a positive, enabling transformation in the development industry in order to create a sustainable framework of justice and power. Rights stand there for the theoretical and legal framework behind the wellbeing of humans.

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[50] For further information please see the International Lesbian and Gay Association (ILGA) under: http://www.ilga.org/news_results.asp?FileCategory=44&ZoneID=7&FileID=577

On the one hand, agreement can be found with this engagement for sexual rights but on the other hand, questions are posed on how far these rights are a cultural import, Eurocentric and excluding in nature. This is especially the case when talking about sexuality. Through sexuality, identities are formed or nations define their sovereignty. When the belief exists for example that homosexuality is un-African, then sexual rights will stay under the attack of the states concerned.

> Sexuality remains one of the arenas where the universality of human rights has come under the most sustained attack and around which governments most often seek to erect protective barriers of cultural and national sovereignty to evade their internationally recognized rights obligations. Sexuality figures prominently in the construction of narratives around state sovereignty, national identity and non-interference. The appeal to 'cultural sovereignty' and 'traditional values' as a justification for denying sexual orientation (alongside other sexual-rights) claims, has become all the more prevalent in response to the processes of economic globalization and global cultural homogenization.
>
> (Saiz 2005, 15)

One important point Andrea Cornwall stresses is that often, sexual rights are perceived to be Western-centered or that they would poison the way of life in the Global South. "Sexual rights are perceived in many developing countries as representing the insidious creep of Westernisation, and as promoting corrupt sexual mores." (Cornwall 2006, 279) Let us see in more detail voices that criticized sexual rights.

6.10.1 From Universality over Objectivity to Fixed Identities

Sexual rights are often understood as an extension of human rights that are considered to be universal, neutral, objective, value-free and which exceed particular cultural contexts. However, this list of adjectives also contains one of the most important critical points one can raise against sexual rights.

First of all, experiences and understandings of sexuality and sexual rights vary cross-culturally and within different cultural settings.

Secondly, human rights as well as sexual rights are often criticized for being western concepts. This is one reason why definitions regarding sexual rights have to be discussed and challenged regularly as it is difficult to find an objective framework for sexual rights that can be applied in different regional, cultural, socio-economic and political contexts. Even though Cornwall points out that sexual rights should be neutral, objective, value-free and universally applicable, she also takes into account the voice of Sergio Cerrara from the Latin American Centre on Sexuality and Human Rights (CLAM) who points out that rights "…are never neutral; they become 'filled' with cultural content when they are negotiated in particular contexts" (Cornwall 2006, 278).

The same critique of the western concept is effective for terms that create and construct (sexual) identities which in the end should be protected by sexual rights. Terms such as 'homosexual' and 'transgender' are often only a cultural construction and are not applicable in different contexts or are also used differently (Cornwall 2006, 279) which of course can lead to exclusion. "That is a real danger that international lesbian, gay, bisexual and transgender (LGBTQ) groups who challenge the assumptions of heterosexuality that pervade development, may end up reproducing imposed models of sexuality" (Cornwall 2006, 279).
As a result rights language may define and constrain people to fixed and labeled categories. However, as Jaya Sharma[51] points out "…sexual identity and sexuality are more fluid than this" (Cornwall 2006, 278).

In addition, sexual rights, in case they have a universal claim, may not only constitute rights for a minority but have to also include majorities or groups which often constitute the dominant group within society such as 'men'. 'Men' are often presented in the discourse of sexual rights as the group that is not concerned with problems resulting from sex, sexuality or their sexual identity but are understood to be the ultimate cause of problems such as gender inequalities, sexual violence etc. However, men have to be included in the sexual rights just as much as minorities or vulnerable groups like for example LGBTQ people. This might enable questioning masculine sexual identities in order to identify the construction of masculinities and the related stereotypes. As a consequence, sexual rights have to be understood not only to be for the obviously more vulnerable groups or minorities in general but for everyone because 'men' might also suffer from the imposed gender-based attributions or from problems related to sexuality.
"By casting women as victims and men as predators, narratives on female and male sexuality in development leave little space for the possibility of female sexual desire or male sexual vulnerability, let alone for pleasure" (Cornwall et al. 2008, 14).

Another point of criticism can be identified with the term 'consensual sex' and follows the question to which extent sex can be consensual. This finds its origin in the assumption that gender or sexual relations often rest on relations of power. Here again, stereotypes based on heteronormativity come into play, because unequal power relations are often

[51] Jaya Sharma's concept of extending and queering sexual rights and their language will be discussed in more detail in part three, chapter 7.2 of this work.

assigned to heterosexual relations but never to lesbian couples. Power relations of lesbian couples are thus neglected and factored out.

The hegemonic position of heteronormativity and everything that can be connected to this (marriage etc.) or gender dichotomy in general also exist and are dominant in the discourse of sexual rights. However, there are a few authors who do see positive developments in the human rights arena when rights are extended to women's rights and in our case sexual rights, because through this extension also non-normative sexualities become more visible and can be understood as a challenge to heteronormativity. "The increased visibility of lesbian rights – in human rights agendas and through placing pressure on the UN to officially approve a lesbian rights agenda – has also made visible institutionalized heterosexuality at an international level. This visibility has helped to situate the heterosexual experiences of women as a relative one and not as the universal norm" (Lind and Share 2003, 67).

6.10.2 Rights- a Blurry Concept

One problem arising from the sexual rights language is the universal application of those rights.

As Saiz (2005, 16) writes, a universal rights language, especially in the field of sexuality is difficult to advocate because of the social and cross-cultural construction of sexuality. Sexuality is managed, named and labeled differently in various contexts.

"A dilemma for rights advocates is how to formulate claims to universal rights in language that recognizes the significance of cross-cultural constructions of sexuality. Labels and perceptions attached to same-sex sexual identity and behavior vary enormously from culture to culture" (Saiz 2005, 16).

Saiz continues further to state that labeling people with certain terms such as gay, lesbian etc., which means essentializing various forms of sexuality might be counter-productive or harmful (Saiz 2005, 16). Furthermore, binary categories such as men/women or hetero/homosexuality have counter-productive effects as they might be able to reproduce or recreate subordination (Saiz 2005, 18).

This might happen through the belief that there is equality; that everyone is the same. However, reality shows that the world is unjust and that there is no equality among people. We cannot emanate from sameness because we are defined through diversity and (economic, gender, cultural, political, social etc.) inequality. Hence, if all people are considered to be the same and put under the same banner it might be even more difficult to

extinguish certain inequalities because putting everyone into the same basket conceals power relation and thus excludes the possibility of difference.

According to Petchesky (2001), sexual rights are sometimes difficult to handle or to operate because of the same reason: they can mean different things in different contexts, depending on the dominant concept of sexuality in the particular country, but also to different groups depending on whether they are gay, lesbian, queer, heterosexual or which power position they have (Petchesky 2001, 118).
"Moreover, the risks, ambiguities, and potential misunderstandings of trying to negotiate sexuality through the arcane channels of international human rights procedures are troublesome" (Petchesky 2001, 118).
In addition to this, the rights language is also able to exclude groups of people who do not fit into the model or by not explicitly including everyone it again reproduces the hegemonic order of sexuality as a marital and heterosexual act with the aim of reproduction.

> …[A]s an umbrella category attempting to be inclusive and universal, sexual rights can become a totalizing language that actually excludes and obscures. The now mainstreamed elision of the phrase 'sexual and reproductive rights' among feminist reproductive health advocates too often tends to bury the sexual, folding it discretely into marital/heterosexual and childbearing relations.
>
> (Petchesky 2001, 131)

This is also of interest for the critique of Eurocentrism which I will discuss in the next chapter.

6.10.3 Eurocentrism

In his work on sexuality, Michel Foucault (1978) makes the critical claim that sexuality is always subjugated under law. Although this critique is more or less directed towards the laws in the 18th century, I would like to use it here for the framework of a good human life and sexual rights. Foucault states: "On the one hand, the theory would justify its authoritarian and constraining influence by postulating that all sexuality must be subject to the law; more precisely, that sexuality owes its very definition to the action of the law: not only will you submit your sexuality to the law, but you will have no sexuality except by subjecting yourself to the law" (Foucault 1978, 128). In my opinion this also implies a critique made by queer or poststructuralist theorists on identities and the formation of sexual norms and normativity. If there are certain laws, then one has to subjugate him_herself under these laws and is therefore turned into a subject. Althusser (1970) calls this moment interpellation where an individual is being/turns him_herself into a subject.

However, this cannot be our goal, to create again fixed - although multiple - (sexual) identities under the law. Can there be fluid, non-fixed (sexual) identities when there are laws for sexual minorities or various sexual identities? How can we still be able to move around freely in practice or identities of sexuality? On the other hand, there is a big movement for the acknowledgment of for example queer identities or gay rights. The question is then whether such rights will create another form of sexual, normative sexuality, sexual identities etc.

As Zizek (2000) points out arguing in Butler's tradition universality does not necessarily have to be something fixed and stable but that universality should be seen in the act of performance, that it can be questioned and redefined all the time and that is exactly this sort of questioning that makes it possible for us to believe in some sort of universality which is then something we can work with.

> None the less, the inclusion/exclusion involved in the hegemonic notion of universal human rights are not fixed and simply consubstantial with this universality but the stake of the continuous ideologico-political struggle, something that can be renegotiated and redefined, and the reference to universality can serve precisely as a tool that stimulates such questioning and renegotiation ('if you assert universal human rights, why are we [gays, Blacks…] not also part of it?').
>
> (Zizek 2000, 102)

Maybe we have to move away from sexual identities as, for example, Essig (1999) points out in her book *"Queer in Russia"* where she shows the example of a workshop held by a German NGO where only people who identified themselves to be 'gay' were allowed to attend. However one of the participants claimed that even though she defines herself as being a woman and has sexual relations exclusively with women she does not define herself as being gay. Nevertheless she wanted to attend the workshop and as a consequence called herself 'gay' (Essig 1999, 126-128). Essig criticizes that "[t]hese importers of fixed sexual identities are true believers in the ahistorical, acultural 'nature' of sexuality. They firmly believe that sexualities comprise only the hetero- and homosexual. One is either one, or the other, or both- but never neither or something else" (Essig 1999, 127).

This example shows how colonial discourses are still persistent because a western NGO forced people to name themselves and to choose a constructed identity, to give themselves a certain label such as 'gay'.

"Speaking of sexuality only in terms of identities promotes a view that sexuality is fixed and that it can be fitted into mutually exclusive categories…If this is premised on predefined communities based on sexual orientation, we are faced with the issue of exclud-

ing those who do not identify and of promoting a view of sexuality that is rigid" (Sharma 2006, 53).

This whole right discourse comes, in Foucault's opinion also from the new form of power, namely the power not to take life but rather to foster life (Foucault 1978, 138).

This new form of power is called the biopolitical power. The shift is clear, away from the sovereign power over to the "…administration of bodies and the calculated management of life" (Foucault 1978, 140). Having mentioned before that I will not put my focus on the economical form of our society and I will not critique capitalism profoundly, nevertheless, I would like to state at this point that it is important that this new form of biopolitical power is "an indispensable element in the development of capitalism…" (Foucault 1978, 141).

In this context we will also be able to understand Foucault's critique on the laws:

> It was life more than the law that became the issue of political struggles, even if the latter were formulated through affirmations concerning rights. The 'right' to life, to one's body, to health, to happiness, to the satisfaction of needs, and beyond all the oppressions or 'alienations,' the 'right' to rediscover what one is and all that one can be, this 'right'-which the classical juridical system was utterly incapable of comprehending-was the political response to all these new procedures of power which did not derive, either, from the traditional right of sovereignty.
>
> (Foucault 1978, 145)

Thus, according to Foucault 'rights' are always connected to this new form of power where people have to discipline themselves and where the attention is drawn to their bodies.

6.10.4 Responses

According to Petchesky (2003) the claim of reproductive and sexual rights should not be seen as a Western import with a neo-colonial background since different concepts and "[i]deas are not the property of any nation or culture, they 'travel', take on new meanings in diverse circumstances, and indeed may be used creatively to oppose the very (colonial or post-colonial) powers that once bred those ideas" (Petchesky 2003, 3).

Sonia Corrêa and Rosalind Petchesky (2003) acknowledge criticism raised by feminist theorists, Marxists and postmodernist thinkers when it comes to the discourse of human rights. Nevertheless, they argue that these thinkers do not give any alternatives to rights in order to achieve a political and collective transformation and protection of humans. In addition to that they stress transnational discourses on and movements and struggles for human rights, or more interestingly for this paper, for sexual rights not only in the Global North but also in the Global South. They conclude that one cannot argue that it is basical-

ly only a Western imposed concept. Even if it was a Western or Eurocentric concept, it has been picked up all over the world by now.

The emphasis is on transforming the classical liberal rights model in order to get a more inclusive and affirmative rights model. This should happen according to four major points:

> (1) to emphasize the *social*, not just individual, nature of rights, thus shifting the major burden of correlative duties from individuals to public agencies; (2) to acknowledge the communal (relational) *contexts* in which individuals act to exercise or pursue their rights; (3) to foreground the *substantive* basis of rights in human needs and a redistribution of resources; and (4) to recognize the bearers of rights in their self-defined, multiple identities, including their gender, class, sexual orientation, race, and ethnicity.
>
> (Corrêa and Petchesky 2003, 90)

The next part of this paper will relate to the possibility of responses to the critiques and the transformatory possibilities of sexual rights as a universal concept.

First of all, I will give an introduction to feminist discussions on universality and then aim to show solutions to this dilemma that are offered by feminist theorists and development practitioners.

IV ALTERNATIVES

Fantasy is what allows us to imagine
ourselves and others otherwise.
(Butler 2004, 216)

7. Fantasy: Beyond Borders and Norms

7.1 Feminist Responses

> …[W]e must recognize that global feminist discourse communities are not philosophical or political fantasies but real entities that already have begun to exist. Innumerable feminists are engaged already in discussing issues that cross national borders and they are increasingly cooperating in working to address these issues. 'The' global feminist discourse community is not singular, because global feminist discourse occurs in multiple and overlapping networks of individuals and communities and with varying and changing agendas. Indeed, it is a community in the making and, in this sense, it is not only both ideal and imagined but continually being reimagined. Feminist imaginings offer ideals toward which to aspire; imagining a global feminist discourse community that seeks constantly to be more inclusive, open, and equal may serve as a heuristic for feminist moral discourse and a basis for feminist political action.
>
> (Jaggar 2007, 21f)

In the next and final part of this master thesis I would like to give a response to the questions raised in the previous chapters through the capability approach and the rights-based approaches and their implementation into development cooperation. Thereby I draw on postcolonial[52] and post-development (feminist) theorists, practitioners and activists in the field of sexuality and development.

Martha Nussbaum's capability approach aims to establish certain indicators, which are necessary and contribute to a "good" human life. "While such descriptive information is useful and necessary, these presumably 'objective' indicators by no means exhaust the meaning of women's day-to-day lives of Third World women is here collapsed into a few frozen 'indicators'

[52] "Postcolonial feminism are those feminisms that take the experience of Western colonialism and its contemporary effects as a high priority in the process of setting up a speaking position from which to articulate a standpoint of cultural, national, regional, or social identity. With postcolonial feminisms, the process of critique is turned against the domination and exploitation of *culturally* differentiated others. …[T]hey try to stay away from rigid self-other binaries. …[A]n intense criticism is directed at the gender stereotypes and symbolic constructs of the woman's body used to reinforce outdated masculinist notions of national identity" (Schutte 2000, 61; italics in the original).

of their well-being“ (Mohanty 2003, 48). This critique voiced by Mohanty can also be applied, in my opinion, to Martha Nussbaum's capability approach where certain categories or states of being are considered to determine the wellbeing of people's lives. Is it true that we have to move away from such frozen indicators, as Mohanty calls them, or do we need them to have a framework we can refer to when we work with people's lives and in what way do these indicators underlie the notion of essentialism and/or universalism? As Judith Butler states when it comes to social norms and their relation to power: "If there are norms of recognition by which the 'human' is constituted, and these norms encode operations of power, then it follows that the contest over the future of the 'human' will be a contest over the power that works in and through such norms" (Butler 2004, 13). Postmodern thinking challenges the idea of social groups because of its conception of fluid and non-fixed identities as well as how social practices and norms are socially constructed while postcolonial thinkers try to understand identities based on different categories and how identities are constructed through a colonial language and discourse.

How would postmodern, postcolonial and queer thinkers respond to these assumptions on human lives and to this established approach to the nature of humans? Is it possible and if so, how is it possible to establish a concept for involving sexuality in development without at the same time establishing a new specific norm, which again violates those identities that do not fit in? Can there ever be a concept that has a universalizing claim but which still includes all different and diverse ways of living without imposing Western believes and without having colonizing effects? Furthermore I will analyze the question on the belief in fluid and not fixed identities throughout this last part and how development intervention in the practice can still be possible without victimizing and generalizing women or people in general and (their) sexuality.

Knowing whether to think universally or relativisticly when it comes to 'development' might be one of the most difficult questions to answer here. This question is central to my thesis and although I have been struggling with giving an answer from the beginning and I have to admit that the reader might not get a full and satisfying answer, it would go beyond the scope of this thesis to create a concept that is not too universalistic or too relativistic. This would also entail that a certain "Truth" can be discovered which would dismiss all the postmodern, postcolonial and queer theorists I will and have quoted in this work. Nevertheless I would like to analyze the importance and relevance of both relativistic and universalistic claims and which contribu-

tion they can make for international development. In the first chapter of my last section I will try to identify mostly theoretical approaches by different theorists and try to summarize the most important theoretical concepts that might be able to support the idea of a global agenda, drawing on Judith Butler who gives power to theoretical approaches when she states that "…theory is itself transformative …" (Butler 2004, 204).

Trying to establish new findings not only on theoretical principles, I will gather concepts and approaches from experience, that is to say fieldwork and practice in the second chapter.

Thus, in the first part I draw on theoretical implications and questions that result from rights-based approaches and the capability approach such as the question of universality, representation of identities, cultural relativism etc. and in the second part I aim to find answers with the aid of examples given by practitioners and activists on how the requirements to include sexuality in the development practice can be implemented and better be realized.

7.2 Cultural Relativism vs. Universalism

Ever since the concept of 'development' was introduced in 1949,[53] theorists have been debating not only the terminology but also the possibility to apply this concept universally. Over the last two decades new schools of thought appeared not only in the field of international development theory but also in general in political thought, feminist theory and are most often addressed with the prefix "post". Postdevelopment, postcolonial and post-modern theories have one important characteristic in common namely the rejection of the universal characterization of categories. "At stake in these 'post' theories is a certain loss of innocence with regard to narratives of identity because of a more critical awareness of the regulative power such narratives have in defining who we are, who we aren't, and who others are and aren't" (Schutte 2000, 48).

It is especially difficult in development practice or theory to theorize or to be descriptive or prescriptive about development without making general assumptions. This is also true for the concept of sexuality in development. How can we try to think universally about sexuality and the needs that follow with its inclusion into development theory and practice without ignoring culturally relevant particularities? When is it right to condemn certain practices and when do certain (read: Western) norms and values collide with other values? Who is the one (the powerful?) to decide which concept or approach to choose or when is it appropriate to implement it?

[53] See chapter 1 for more information.

The literature, aiming to answer this problematic is countless and so are the theorists who engage in the reflective work to answer those controversial questions. Acknowledging the impossibility to take all thoughts and suggestions into account I have chosen a few that I think reflect the most important directions to solve this problems or to answer some questions. Above them are inter alia the following: Judith Butler, Chandra Talpade Mohanty, bell hooks, Sherene Razack, Susan Moller Okin and last but not least Gayatri Chakravorty Spivak. They all have in common the aim to engage with the question of relativism versus universalism and they provide a few tools or concepts to overcome that tricky dichotomy.

7.2.1 Universalism

In previous chapters I presented different concepts of universalism and the quality of life. First I gave an introduction into the prescriptive capability approach that should have a universal validity for development theorists but especially for practitioners and governments in general. The idea of the capability approach can be found again in the concept of sexual rights which should also be globally applicable and which make the connection between sexuality and development more comprehensible and thus even possible.

However, as already mentioned before, such universal claims also entail some critiques, especially from critical thinkers who can be added to the postcolonial, postmodern or queer theory strands.

At this point I would like to give an overview of the most apparent critical points universalism can be accused of such as cultural imperialism, 'othering', essentialism etc., without ignoring positive possibilities of transformation.

According to Jaggar (2000) in international feminist discourse, feminist theorists deal mainly with the most horrible practices of certain cultures and communities. This includes female genital cutting, polygamy, sex-selective abortion of female fetuses, bride price, bride burning etc. Most of these issues are accompanied by examples from Western societies so that Western feminists often see themselves as missionaries who have gained the expert knowledge to judge and intervene on exactly these topics.

"…[S]o much focus on these practices encourages Western feminists to regard themselves as missionaries spreading the civilizing word of feminism, while simultaneously positioning Nonwestern women as backward, barbarous, and victimized" (Jaggar 2000, 18). Because "other" societies are perceived as homogenized and presented as barbaric and inhuman, "…Western women can rush in to save them and, in so doing, can affirm their own positional superiority" (Razack 1998, 6).

A similar critique can also be found with the next quote which does not only draw on the critique of the constructed 'experts' but also on the dismissal of local knowledge, practices, morals or values and the creation of a normal- standardized concept of the 'human'. According to Harding these are the three dangers of the concept of universality.

> …[t]he universality ideal is politically costly in three ways. It devalues and destroys knowledge traditions that are crucial to the survival of other cultures. It elevates a model of the admirably human that is defined in terms of its opposition to and distance from the womanly, non-European, and economically vulnerable. And it elevates cognitive authoritarianism and problematic 'religious' ideals to the status of the highest human ideals; it does this through its monovocality and xenophobia; its hierarchical social structures with their elite group of experts who have the status of 'chosen people,' and its formal and informal ways of protecting from public scrutiny the complete processes of sorting belief.
>
> (Harding 2000, 253)

Jaggar (2000) responds to this critique of universalism, saying that universalism does not necessarily create the dichotomy between 'missionary' versus 'ignorant' nor does it make people blind towards problems occurring in one's own culture but sees in a global feminism the possibility to combine different struggles and the possibility to learn from each other. Hence, according to her it might be possible to form a certain solidarity, a term that is also used and defined by Mohanty (2003).

> For feminism to become global does not mean that Western feminists should think of themselves as missionaries carrying civilization to primitive and barbarous lands, but neither does it meant that people concerned about the subordination of women in their own culture may dismiss the plight of women in others. At least on the level of morality, global feminism means that feminists in each culture must re-examine our own commitments in light of the perspectives produced by feminists in others, so that we may recognize some of the limits and biases of our own beliefs and assumptions.
>
> (Jaggar 2000, 15)

Narayan (2000) points to the problem that might lead to an over-essentialization of certain groups when thinking of a global solidarity. In the realm of feminism, she identifies not only the common cultural essentialism but talks about gender essentialism that can be understood just like the general cultural essentialism. Here, the main focus is on women. Thus, gender essentialism turns specific, contextualized problems of definite women into the ones of all women. This allows women (mostly the privileged ones who have chosen themselves to be able to act and to identify what is wrong or right) to act universally upon those formerly local and special problems. "The gender essentialism perpetuated by relatively privileged subjects, including Western feminists, is understood to be a form of 'cultural imperialism,' whereby privileged subjects tend to construct their 'cultural Others' in their own image, taking their particular locations and problems to be those of 'All Women'" (Narayan 2000, 83).

That is also one problem which in my opinion Butler (2004) stresses. It is not so much the problem of universalism but rather of who is included and who is excluded from universal understandings. "The universal begins to become articulated precisely through challenges to its *existing* formulation, and this challenge emerges from those who are not covered by it, who have no entitlement to occupy the place of the 'who.' But who, nevertheless, demand that the universal as such ought to be inclusive of them" (Butler 2004, 191)

7.2.2 Essentialism

To be able to apply theories and practices universally based on universalism, one is often caught in some sort of essentialism.

Hence, dedicating this part of my thesis to the question of cultural relativism versus universality also calls for a discussion on essentialism. Essentialism is defined in the New American Oxford Dictionary as:

> a belief that things have a set of characteristics that make them what they are, and that the task of science and philosophy is their discovery and expression; the doctrine that essence is prior to existence. …[And] the view that categories of people, such as women and men, or heterosexuals and homosexuals, or members of ethnic groups, have intrinsically different and characteristic natures or dispositions.
>
> (New American Oxford Dictionary 2005)

Uma Narayan (2000, 80) addresses the issue of essentialism rightly when she says that it is not so much about generalization in general but about the question that is often left out in such generalizations. Generalization, according to her, carries with it white, thus already privileged, heterosexual, Western connotations.

"The feminist critique of gender essentialism does not merely charge that essentialist claims about 'women' are overgeneralizations, but points out that these generalizations are hegemonic in that they represent the problems of privileged women (most often white, Western, middle-class, heterosexual women) as paradigmatic 'women's issues'" (Narayan 2000, 80).

This is also the case for sexuality and a reason why I would like to go beyond sexual or cultural essentialism. That is to say that some people argue that people living in developing countries do not have certain sex-drives, do not follow certain sexual practices or identities because they are too busy to worry about more substantial problems such as food, housing, employment etc. I argue, agreeing with Cornwall et al. (2008) that the development industry when dealing with sexuality in developing countries, is full of prejudices or overall generalizations which neither only belong to, nor are only true for a certain group - or they are not true at all. In addition, if it is true that women's issues are mostly concerned with heterosexual

women, then all other forms of existing sexual identities are neglected, hidden and have finally to be identified and acted upon.

Mohanty (2003) has raised the critique of the essentialization of certain groups, especially in regard to "Third World women". For her, besides the general oppressed woman, another analytical category comes into play, namely the oppressed "Third World woman". She is or they are by definition a "…category … automatically and necessarily defined as religious (read: not progessive), family-oriented (read: traditional), legally unsophisticated (read: they are still not conscious of their rights), illiterate (read: ignorant), domestic (read: backward), and sometimes revolutionary (read: their country is in a state of war; they must fight!)" (Mohanty 2003, 40). This is then how the difference between "First World"[54] and "Third World" is constructed and established (Mohanty 2003, 40).

Additionally, Alison M. Jaggar pleas for the recognition that cultures and societies are not fixed entities and therefore should first not be kept in this unchangeable momentum and second should not be described and valued for their most horrifying old traditional practices or values. "All communities change and there is no reason to identify a community with its most conservative elements or to assume that individuals who dissent form some of their community's moral beliefs thereby renounce their membership in that community" (Jaggar 2000, 16). Thus, cultural essentialism creates closed realities, that is to say that people living behind those closed doors are believed not to change. In effect, there is no room or no need for transformation because they all share the same homogenous interest and have the same belief and value systems that do not differ from one another (Jaggar 2000, 20). Cultural essentialism or gender essentialism for that matter are often established in the effort of the well-meaning of Western thinkers who would like to acknowledge the differences between groups or individuals, nevertheless ignoring that they place cultures or individuals in the same basket for the reason that they happen to be part of the same nation or live in the same region, culture, etc. (Jaggar 2000, 20). The ways in which this is done differs; on one hand, as mentioned before, it might be that Western theorists condemn practices from the Global South, always the most horrifying in nature, ignoring however their own problems and critical practices in their culture or on the other hand romanticizing certain values or morals, always however essentializing the society as a whole (Jaggar 2000, 20).

[54] I am aware that the terminology „First World" and „Third World" is not adequate as after the Cold War these terms designate the political and economic world system inadequately but are still powerful tools for criticizing the division of different parts of the world. This could also be done through the dualist terms „developed" and „underdeveloped", however, for exactly the reason mentioned before I prefer to use the other terminology.

Relativism is therefore for Code, here citing Paul Feyerabend "…a weapon against intellectual tyranny" (Code 2000, 69). She does not take in unquestioned all claims by relativism, ignoring practices that are supposedly based on cultural norms or believes and without condemning their horrifying, oppressing and deathly nature. She bases her argument on "…both critical and mitigated" relativism (Code 2000, 70).

7.3 Human

In chapter 4.4 I presented the capability approach with its distinctive definition of a human and the quality of life I would like to introduce at this point some of the critiques made by theorists of the postmodern, postcolonial or queer tradition.

Martha Nussbaum tries to define with the ten human capabilities what a human needs for a "good" human life. Thus, one can say that she has an essentialist and universal perspective on what it means to talk about 'human'.

Judith Butler on the other hand, questions the simple way of defining a human or the value of human life. She is more critical about that undertaking and sees the definition of human in the realm of power.

"If there are norms of recognition by which the 'human' is constituted, and these norms encode operations of power, then it follows that the contest over the future of the 'human' will be contest over the power that works in and through such norms" (Butler 2004, 13).

In addition to that she also sees the question of human as a normative concept with normative preconditions in order to see what one can do to make a human life livable. Hence, this functions on two levels: one level is the biological preconditions that makes it possible for a human to function and live and the others are external preconditions that are necessary for a livable life.

> When we ask what makes a life livable, we are asking about certain normative conditions that must be fulfilled for life to become life. And so there are at least two senses of life, the one that refers to the minimum biological form of living, and another that intervenes at the start. Which establishes minimum conditions for a livable life with regard to human life.
>
> (Butler 2004, 39)

Human life was once based on a male concept of the 'Human'. Male was the norm and with it the heterosexual family. This is how sexuality and the sexes were regulated. Nevertheless, in order to achieve a universal concept of the human, it is impossible to find the norm only in males and Butler sees how the female subject challenges the shortcomings of the former 'male' universality. The human, according to Butler, must be reinvented in the way that

she_he has to refute him_herself in order to create a new, a differentiating and fluid human concept that is not based on the natural and thus normative concept of the regulation of life and within it sexuality.

> That the sexual freedom of the female subject challenged the humanism that underwrites universality suggests that we might consider the social forms, such as the patriarchal heterosexual family, that still underwrite our 'formal' conceptions of universality. The human, it seems, must become strange to itself, even monstrous, to reachieve the human on another plane. This human will not be 'one,' indeed, will have no ultimate form, but it will be 'one,' that is constantly negotiating sexual difference in a way that has not natural or necessary consequences for the social organization of sexuality.
>
> (Butler 2004, 191)

Even though Butler and MacKinnon come from different political strands and would usually not be quoted in the same context, I would like to show that they argue for the same thing: MacKinnon shows how rights and especially human rights are constructed according to males. They form the norm of the human and just like Butler- with her reinvented human- MacKinnon also asks for an inclusive picture, a concept of the human that actually considers all people (taking into account or ignoring all different categories and divisions used to separate and categories human beings) as human.

> Meantime, the status and treatment of men still tacitly but authoritatively define the human universal, eliding the particularity of being a man. The state, an apex form in which the power of men is organized both among men and over women while purporting to institutionalize peace and justice, has been revealed as an institution of male dominance, its behavior and norms partial and gendered.
>
> (MacKinnon 2006, 3)

MacKinnon refers here to human rights, which according to her are on the premises of a male subject so that they not necessarily exclude women but do not recognize the special needs of women. In my opinion, this citation can also be applied to sexual rights, that is to say that even sexual rights are often and foremost seen in a heterosexual and male-female paradigm. The question remains: what about transgender, intersex, asexual, homosexual, queer people? Often and especially because of rights, women are denied the status of humans because rights and humans are masculinized within the framework of rights. In the realm of sexual rights this might also be the case for LGBTQI-people, that is to say that also in within sexual rights a certain norm has been created where some might fall through. So that I would like to reformulate the question that MacKinnon in her book *"are women human?"*(2006) raises: "are LGBTQI-people human?".

7.4 Rights

> Although many feminists have come to the conclusion that the universal is always a cover for a certain epistemological imperialism, insensitive to cultural texture and difference, the rhetorical power of claiming universality for rights of sexual autonomy and related rights of sexual orientation within the international human rights domain appears indisputable.
>
> (Butler 2004,182)

Butler dedicates one chapter in her book *"Undoing Gender"* (2004) to the discussion which language –it was mostly concerned with terms such as 'gender', 'sex', 'sexuality'- can be implemented and used in the UN platform of action. Butler states on this that the language used in these resolutions and outcomes portrays at that time consensual understanding and usage for universal claims. This also constitutes the limits of universality. "The process presumes that what will and will not be included within the language of universal entitlement is not settled once and for all, that its future shape cannot be fully anticipated at this time. The UN deliberations became the site for the public ritual that articulates and rearticulates this consensus on what will be the limits of universality" (Butler 2004, 190).

According to this perception, Butler provides an interesting definition of universality and finds an essential marker of universality; universality always means something that is not fully there yet. It is always about who is not included and about people that should still be considered to be part of universality. Thus, universality begins with an exclusion and its rearticulation of covering the excluded through their right.

"The universal begins to become articulated precisely through challenges to its *existing* formulation, and this challenge emerges from those who are not covered by it, who have not entitlement to occupy the place of the 'who,' but who, nevertheless, demand that the universal as such ought to be inclusive of them" (Butler 2004, 191).

Wangari Esther (2002) criticizes that one cannot talk about rights when only looking on who needs rights and not trying to understand why they need rights and which preconditions or structures that lead to some people lacking rights.

"Although some feminists have articulated and expanded upon the discourse…, greater commitment is required in the examination of the racist, class, and gender biases inherent in Western hegemony and control of resources" (Wangari 2002, 299). Particularly she explains this with the help of the example of HIV/AIDS. It is not enough to see that African people, especially women, are more likely to be infected than any other population in the world and as a consequence to try to articulate and create rights for their protection but it has to be connected to the structures of society. Why is it not enough to look at the HIV/AIDS spread? In

which circumstances one must also look at and address other factors? “These arguments do not address the social, economic, historical and political factors that, for example, make people move from rural to urban areas. For instance, no connections are made between previous apartheid policies of forced labour and high HIV-Aids rates in South Africa” (Wangari 2002, 304). Such an approach will be further highlighted in the next part when concepts such as the interlocking analysis will be discussed. But anticipating this one has to state that it is crucial to have a broad understanding of human life with all its political, cultural, social, economic structures and conditions.

Another important critical point of rights raised by Judith Butler (2004) concerns the forced sameness of certain individuals within groups. Rights therefore remove difference and attempt to make all- by nature different- subjects into a homogenous group.

> We have an interesting political predicament, since most of the time when we hear about ‘rights,’ we understand them as pertaining to individuals, or when we argue for protection against discrimination, we argue as a group or a class. And in that language and in that context, we have to present ourselves as bounded beings, distinct, recognizable, delineated, subjects before the law, a community defined by sameness.
>
> (Butler 2004, 20)

Even though rights might be generalizing in nature and therefore contain some risks and dangers for individuals who do not always fit into the certain category of rights, Raimondo summarizes the power a rights-based approach has universally and also for marginalized groups of people. The problem for her is basically in the labeling or naming of those people. She states that it is not enough to talk about dangerous or risky sexual behavior but says that the groups of people who are particularly endangered have to be named. In addition to that, she sees in the human rights rhetoric a powerful tool for a universal (feminist) mobilization in order to achieve certain claims. “For some feminists and/or women’s advocates, human rights rhetoric represents an enormously powerful strategy to raise questions of gender and social justice and develop transnational social movements…” (Raimondo 2005, 209).
Developing her argument Raimondo finds herself also facing the problem of universality versus relativism. First she states that human rights are not fixed instruments but belong to a political discourse or ideology and therefore they always have to be implemented or applied by nations. As a consequence, they are always competing with cultural and moral values within the particular country, which makes it of course sometimes difficult to act and implement it. “To the extent that human rights claims represent performative, contextual assertions rather

than fixed, universal principles, their effects are difficult to assess in the abstract" (Raimondo 2005, 211).

The problems evolve between rights and cultures ignoring, as what Narayan (2000) calls cultural essentialism that cultures are also diverse units that do not consist of homogenous members. "The binary juxtaposition of rights and culture risks treating the latter as a fixed, stable construct, failing to address the diversity of cultural practices and traditions within and among nations" (Raimondo 2005, 210).

7.5 Alternatives to Cultural Relativism and Universality

"If there can be a modernity without foundationalism, then it will be one in which the key terms of its operation are not fully secured in advance, one that assumes a futural form for politics that cannot be fully anticipated, a politics of hope and anxiety" (Butler 2004,180).

Postcolonial and postmodern theory have one main aspect in common namely rejecting generalizations about groups and the creation of fixed cultural, political, sexual groups. "The Postcolonial variant … offers a postmodern-influenced critique of the homogenizing and silencing effects of universalised identities by questioning any simple assumption of fixed cultural identity, or overly respectful view of cultural integrity" (Beasley 2005, 79). Furthermore, postcolonial theory tries to challenge Western based universalizing assumptions and norms that can be found in Western theory that still has imperialist tendencies in the power relation, between the constructed dichotomy between the 'West and the Rest'. According to Beasley, postcolonial theory shows that "[d]espite the decolonization of former European colonies, many parts of the world are viewed in this analysis as continuing to experience military, economic and political domination by Western powers and, importantly, the ongoing **hegemony** of Western ideas" (Beasley 2005, 79f; emphasis in the original).

Whereas postcolonial and postmodern ideas are often rejected with the accusation for being politically incapable of change and to be paralyzing for any transformation or revolution, Gayatry Spivak finds according to Beasley a solution. Spivak, belonging to postcolonial thought and being influenced by postmodern thought, acknowledges the fact that postmodern and postcolonial ideas are not necessarily adequate for change outside the theorizing academia and its meta-level but that some sort of 'strategic essentialism' "…in which concepts of group identity can be used provisionally, though with a constant sense of their limitation" is necessary (Beasley 2005, 81).

So this means that Spivak and postcolonial thought in general form a bridge between modern and postmodern thought. She rejects essentialism only to a certain point and identifies also the

power that lies in this concept. Spivak, cited in Darius and Jonsson (1993), one can read: "Essentialism is bad … but only in its application. Essentialism is like dynamite … it can be effective in dismantling unwanted structures or alleviating suffering; uncritically employed, however, it is destructive and addictive" (Beasley 2005, 82).

This matches with Mohanty's attitude towards generalization and essentialism. "I am misread when I am interpreted as being against all forms of generalization and as arguing for difference over commonalities. This misreading occurs in the context of a hegemonic postmodernist discourse that labels as 'totalizing' all systemic connections, and emphasizes only the mutability and constructedness of identities and social structures" (Mohanty 2003, 225).

Remembering that sexual rights and also the capability approach are in the liberal tradition, I would follow Audre Lordes' claim that: "The Master's Tools Will Never Dismantle the Master's House" (Lorde 1984, 110). However, as we won't be able to smash our political and economic liberal system, we might have to consider not necessarily to embrace it, but to act and work within it. That is one reason why I would argue that sexual rights might be able to form a framework for global action. However, we have to keep in mind all the difficulties and universalistic assumptions that lie within them.

I would like to call in mind Mohanty's claim for solidarity, which she defines as: "…in terms of mutuality, accountability, and the recognition of common interests as the basis for relationships among diverse communities. Rather than assuming an enforced commonality of oppression, the practice of solidarity foregrounds communities of people who have chosen to work and fight together" (Mohanty 2006, 7). In addition to that, Razacks' argument of an interlocking analysis where solidarity includes different categories can be utilized for the claim of solidarity. "…it is vitally important to explore in a historical and site-specific way the meaning of race, economic status, class, disability, sexuality, and gender as they come together to structure women in different and shifting positions of power and privilege" (Razack 1998, 12). We do not have to believe that there have to be commonalities to act. I would suggest that we have to find similar interests but still keep in mind that people's experiences, race, class, gender, sexuality and abilities, are unique and differ from one another. "Pursuing the idea of interlocking systems of domination…, I came to see that each system of oppression relied on the other to give it meaning, and that this interlocking effect could only be traced in historically specific ways" (Razack 1998, 12). Mohanty states further that: "Thus, the focus is not just on the intersections of race, class, gender, nation, and sexuality in different communities of women but on mutuality and complication, which suggests attentiveness to the interweaving of the histories of these communities. In addition the focus is simultaneously on individual

and collective experiences of oppression and exploitation and of struggle and resistance" (Mohanty 2003, 242). It is then in the realm of interlocking or intersectionality that we have to address the issue regarding sexual rights as Sharma points out:

> It is only by situating rights within the framework of intersectionality that this deeper alliance building becomes possible. Such a framework articulates the fundamental linkages between the norms and structures related to compulsory heterosexuality, patriarchy, racism, casteism, religious fundamentalism and other ideologies that seek to define and control people. It recognises that any attempt to isolate one dimension will constitute a limited approach that fails to address the underlying interplay of forces.
>
> (Sharma 2006, 54)

Experience is also a key concept for bell hooks and it is also a possibility to get over essentialist assumptions because to tell stories about the own experiences are crucial to overcome the concept of a biologically determined sexuality. However, bell hooks also writes about the dangers of the term "authority of experience" (hooks 1991, 181) because it can also be used to exclude and to ignore the voices of marginalized or oppressed people. Nevertheless, hooks argues that to talk about own experiences is a crucial form of creating knowledge. "I know that experience can be a way to know and can inform how we know what we know" (hooks 1991, 181). In this tradition we can also understand Razack's storytelling: "In the context of social change storytelling refers to an opposition to established knowledge, to Foucault's suppressed knowledge, to the experience of the world that is not admitted into dominant knowledge paradigms" (Razack 1998, 36). According to Razack, storytelling is crucial to jurisprudence because it enables social change and creates the space for people who are usually not heard, experiences which are denied. Despite the new possibilities and the empowering form that storytelling can bring, it can also be dangerous; we should never use it uncritically but we should "…pay attention to the interpretative structures that underpin how we hear and how we take up the stories of oppressed groups" (Razack 1998, 37). These stories provide the legal framework with a more just and comprehensive picture in order to create a legal structure that does not oppress or marginalize any person (Razack 1998, 38). In the context of sexual rights I think it is crucial to include people's experiences and stories in order to be able to grasp the needs and put them into an inclusionary rights-approach.

Returning to the concept of sisterhood, Ferguson (2005) identifies a few problems resulting from this concept especially from feminists who can be identified as being part of the Women in Development strand. She rejects both the notion of sisterhood and relativist assumptions where it seems that no ground for collective action is possible. This is why she uses Foucault's concept of refusal to have the new possibility to reinvent and re-identify oneself.

> As we have seen, WID/Equity feminists tend to assume a non problematic sisterhood based on identity politics, which masks their own paternalistic stand. Their reliance on universalist code ethics allows them to abstract from their own privileged position as constructors of knowledge and funders of projects. On the other hand, we must also reject the relativism of poststructuralist critics who would leave us with a participatory democratic politics so pluralistic and contextualized that it lacks any generalizable base for solidarity politics.
>
> (Ferguson 2005, 198).

That is why Ferguson suggests that one should "…refuse who we are" (Foucault 1989 cited in Ferguson 2005, 200) rather than try to revalue one's own position or essence. This means for her that women should not accept the dualism and just try to put more value on their femaleness but should in fact question the dualism and femininity all along.

Problems arising through sisterhood and identity politics are often based on different privileges. This is why she suggests that in order to call for some sort of sisterhood, one has to identify her_his privileges. "In contrast, the first step for those in dominant positions who wish to be allies against the oppression of target groups it to make a critique of the hitherto negative aspects of one's social identity; that is, a devaluation of one's assumed moral superiority" (Foucault 1989 cited in Ferguson 2005, 199).

Privileges in the case of sexuality can be easily identified in the normative concept of heterosexuality. Because heterosexuality is the norm, it is perceived to be normal. As a consequence heterosexuality is not homosexuality.[55] This equation is false and is based on a value structure. However one should concentrate more on its refusal and the questioning of its real normative and natural value. Ferguson shows how this value concept around sexuality can be drawn to the abstract. "For example, many 'natural born' lesbians will not ally with gay drag queens or transsexual male-to-female lesbians" (Ferguson 2005, 201). As a solution she offers queer politics which she sees as "…an attempt to make alliances across given social dualisms based on a felt sense of deviance or solidarity with those defines as deviant who act as gender traitors and undermined normalizing gender performances" (Ferguson 2005, 201).

There are of course numerous other forms and possibilities to imagine beyond borders and norms, however I would like to finish here, because I think all these feminist theorists offer us ways out of stagnating or resting on modernist perspectives and for reflection from which action might result how we can deal with sexuality on another level. Through solidarity that is based on the same interests that we can articulate through our experience and our stories I am

[55] I draw here on the following concept: "…the notion of positional identity, it is an identity we find ourselves assigned to by social definition, usually by opposition to another social category, such as 'woman'= 'not-man,' 'white'='not-black,' and 'middle-class'= 'not-upper-class and not-working-class or poor'" (Ferguson 2005, 200f).

confident that political action is possible without the necessity of the essence of a human life bearing in mind and recognizing our differences and also our differences based on power and privileges.

I am aware that the discussion between relativism and universalism is not over and that I only gave a short introduction, however I hope that the offers, given by various feminists I quoted and brought together in this paper, may show that there is not one way out but it depends on which way, one wants to go.

8. Necessity for Transformation

8.1 Extending Sexual Rights with Pleasure

"… just because it feels good."
(Lewis and Gordon 2008, 201)

Sexual rights are often only connoted in a negative sense, brought together with negative aspects of sexuality such as genital mutilation, sexual violence, trafficking etc. Thus, the questions raised are often only about how sexuality can be "controlled and contained" (Gosine 2005, vii). Petchesky (2001), however, demands a more affirmative rights-language that includes pleasure and satisfaction which sexual rights might be able to give (cf. Petchesky 2001).

> Of all the serious ramifications of this structuring, the reduction of sexual rights to reproduction (for women) and/or AIDS (for men) is particularly worrisome because it necessarily characterizes sex between Third World peoples as a negative activity, with very negative social consequences (too many children, AIDS), and undermines the fact that *sex,* for most people who engage in it willingly, *is a pleasurable activity.*
>
> (Gosine 2005, 12; italics in the original)

Therefore the shift has to be made from the pure reproductive position that entails danger and other problems towards a view that embraces sex and sexuality for what it supposedly is nowadays, the erotic and pleasure. "A positive focus on sexuality means embracing the erotic, and acknowledging desire and the power of pleasure" (Cornwall 2006, 281). However, talking about sexual pleasure or about an affirmative approach to sexuality is often neglected or excluded in development industry.

Pleasure can be defined in many different ways; what gives pleasure is mostly dependant on the situation and context. Pleasure and satisfaction are key factors for people to engage in sexual encounters and relations (Lewis and Gordon 2008, 201). Besides homophobia there are other more ideological reasons such as nationalism or western cultural imperialism but also the "…the legacy of Foucauldian postmodernism, which both 'discovered' and inscribed the agentic sexual self to an illusion of the European Enlightment" (Petchesky 2001, 131) that

determine not only how and who talks about sex and pleasure but also who and through which sexual practices, one is allowed to attain pleasure and satisfaction.

A way out of this negative and dangerous conception of sexuality gives Petchesky (2001). She identified 'ethical principles' and 'enabling conditions' that might be helpful for this transformation of a negative concept of sexual rights into affirmative action. Ethical principles are for Petchesky "…sexual diversity, habitational diversity (or 'diverse family forms'), health, decision-making autonomy (personhood), and gender equality" (Petchesky 2001, 126f). Those principles represent no specific 'solution' but show more the general necessity that one has to change is notion of 'good' and the 'normal'. It is necessary to tackle gender assigned roles and other mores and values concerning gender and sexual relations. Thus, not all of these principles are able to be provided by development projects or policies, however they all can be included. Provision of the adequate health system is more concerned with infrastructure than the habitational diversity. The latter can of course be included into education and awareness programs, first of all for development practitioners and in a second step for development projects.

8.1.1 On the 'Pleasure' of Heteronormativity, Sexism and Stereotypes

Bearing in mind that sexual encounters are mostly about pleasure and satisfaction, Gosine (2005) critiques that sexual rights are often only there to protect already normalized sexual behavior of heterosexual couples, such as the right to reproduction or abortion etc. and also the protection of HIV/AIDS infection.[56] HIV/AIDS constitutes the area where non-heterosexual practices may also be able to be discussed and included. Thus, sexual rights often neglect the pleasurable and positive aspects of sex outside the box of values and mores, neglecting however the emancipatory understanding. Jolly (2007) points exactly to this emancipatory project of sexual rights and states, that sex and sexual encounters underlay an enabling and emancipative possibility. If sexual rights are only connoted in a negative and dangerous way, they diminish the positive relevance for people's lives. "The promotion of sexual pleasure can contribute to empowerment, particularly but not only for women, sexual minorities, and people living with HI/AIDS, who may have been subject to social expectations that sexual pleasure is not for them" (Jolly 2007, 3).

[56] HIV/AIDS protection and education is often only directed to men because they are believed to be the transmitter of the disease (cf. Gosine 2005).

One reason for this, is often because sexuality is more connected to the male than to the female subject. Women are often only the objects of sexuality who have only the right to say 'yes' or 'no' and who are believed to be just not as 'sexual' as men.

The limited view on female sexuality in comparison to male sexuality, which is based on natural and biological forces, is best described by Lewis and Gordon (2008).

> So for women it is about the right *not* to be sexual unless fully wanting it, holding men in abeyance. But this means that the sexual rights debate does often represent women's sexuality as restrictive and limiting – if not *limited* – in contrast to the assumption of men's 'natural' urges.
>
> (Lewis and Gordon 2008, 204)

In addition, Jolly states that this negative approach to sex is also connected to and influenced by a heteronormative view on sexuality and also to gender stereotypes which involve the image of men as predators, women as victims and which leaves out sexual minorities or dissidents such as transgender or intersex people altogether (Jolly 2007, 10). "...[N]egative approaches to sexuality risk being disempowering, reinforcing gender stereotypes, crushing spaces for discussion of women's pleasure, and converging with conservative discourses around sexual morality" (Jolly 2007, 21).

Furthermore, Jolly makes another important point, drawing on the question of racial lines where not only Third-World women are portrayed as a homogenous group and are victimized but also Third-World men and their masculinity is based on heterosexuality and is described as inherent oppressive. Thus, the picture of the necessity of white women saving black women from black man gets created (Jolly 2007, 12).

Gender stereotypes or sexual norms are particularly dangerous because they confine people to certain characteristics and to certain behaviors and make the work for emancipation and education particularly difficult. This is also what Gordon and Lewis (2008) lament in their article on HIV/AIDS prevention and education in regard to pleasure.

> The challenge facing us in sexual health and safety work is that the understanding, anticipation and thus enactment of pleasure are crucially affected by people's sense of self 'as a woman' or 'as a man'. Sexual norms assign different licence, powers, possibilities and constraints for men and for women, positioning men and women in certain ways in relation to sexual interactions. And while there are distinctive similarities across cultures, there are important differences. Imposing Western norms on non-Western cultures not only misses the mark, it may make discussing – and changing – mores and practices that *do* make a difference to sexual safety and pleasure more difficult.
>
> (Lewis and Gordon 2008, 203f)

Elaborating on gender stereotypes, Alan Greig (2006) offers an interesting perspectives on sexual rights and stereotypes, challenging fixed assumption on men as predators and showing

in what way sexual rights are also interesting and necessary for men in particular and gender relations in general.

First of all he shows in what way men are mainly described as a monolithic and homogenous group. While feminist theorists (cf. Mohanty 2003) state that women are not a homogenous group and install consequently different methodologies in order to show how women differ from one another, it hardly ever is shown that the same also applies to men. Therefore Greig (2006) tries "…to bring a more complex, and less heterosexist, gender analysis to bear on the issue of men's sexual rights and to recognize that some men's sexual rights have long been violated" (Greig 2006, 84) into the discourse of sexuality in development in general and sexual rights in particular.

8.1.2 From Rights to Pleasure

Horn acknowledges that there has been a shift of sexual rights, the one towards rights to pleasure. In this light she writes that "[s]ome consider sexual rights in the context of the present epidemic of sexual violence and the gendered spread of HIV/AIDS, emphasizing rights to freedom from violation … Others focus on 'positive' rights to sexual pleasure, fulfillment and choices regarding sexual partners" (Horn 2006, 10).

Furthermore

> …INCRESE [The International Centre for Reproductive Health and Sexual Rights] uses discussions of pleasure, anatomy, multiple orgasms, fantasies, seduction and communication as a means to affirm people's desires, identities and relationships. Such discussions have also proved effective as an entry point to address violence against women, FGM, polygamy and a host of sexual rights violations that can be difficult to address effectively using traditional development approaches.
>
> (Lynch 2008, 34)

The WHO writes for example that until recently sexual health was only considered to be about reproductive health. However, the spread of HIV/AIDS and other sexually transmitted diseases (STIs), gender related violence and sexual dysfunction have shown the importance and the need to incorporate sexual health in a different way into programs and policies concerning health and wellbeing.

This new approach that includes not only sexual health but also an affirmative way of looking at sexuality has two main objectives:

> to build the evidence base for high-quality, non-discriminatory, acceptable and sustainable sexual health education and service programmes;

and

> to increase knowledge and understanding of the social and cultural factors related to harmful sexual practices in order to develop strategies to abolish these practices.
>
> (WHO 2004, 1)

A survey and research project conducted by INCRESE in Nigeria on sexual pleasure among women showed that often pleasure is only connoted with male pleasure and that awareness raising and sexual education have major positive impacts on sexuality and in related (sexual) areas. The evaluation showed that

> women were empowered and had improved self esteem
> a drop in domestic violence
> acceptance of family planning and increased use of condoms
> behavioural change to adopt healthy life styles, reducing the risk of contracting HIV
> better communication between couples and better parent-to-child communication
> fuller sexual pleasure, especially for women
>
> (Aken'Ova 2008, 4)

Aken'Ova acknowledges the relation between sexuality and pleasure to power relations and health issues. "Erotic justice can improve safety, and together these two things can yield benefits ranging from orgasm to reductions in domestic violence, maternal mortality, unsafe abortion, sexually transmitted infections and HIV/AIDS" (Aken'Ova 2008, 4).

8.1.3 Sexual Pleasure, Another Orthodoxy?

One of the questions resulting from this statement is, which indicators one can take to proof the improvement of pleasure or gender relations and sexual activity.

Furthermore, Horn shows the danger that lies in such an approach of pleasure and sexuality.

> When it comes to sex and sexuality, pleasure is closely tied with individual expression, identity and subversion, and several participants were uncomfortable with the idea of the development industry taking too strong a hand in defining pleasure. They pointed out that 'healthy life' narratives might diverge from what people desire, and highlighted the need to link pleasure with desire, an urge that societies often seek to contain and domesticate. If pleasure becomes a norm, is it still pleasurable?
>
> (Lynch 2008, 36)

Agreeing with the need to deal with sexuality in a more affirmative way, one that acknowledges the importance of desire and pleasure within sexuality and the consideration that sexuality has often or should also have the pleasurable side to it, Horn asks for a consideration of what one does to sexuality if pleasure becomes measured or qualitatively and quantitatively analyzed. "How to avoid making 'pleasure' another orthodoxy … will sex ALWAYS have to be really 'good' and 'great'? How do we define 'good' and 'great'?" (Lynch 2008, 19).

This is also what Oriel (2005) laments in her article on the question of whether *"[s]exual pleasure as a human right [is] harmful or helpful to women in the context of HIV/AIDS?"* (Oriel 2005, 392) that the term sexual pleasure or the notion of sexual rights can never be per se (gender) neutral. Because they are confined to a male view on sexuality and sexual pleasure; therein lies also the problem of female subordination. Female pleasure is secondary or neglected altogether because male pleasure is of main concern.

What Oriel critiques concerning the lack of consideration of the differences between male and female sexual pleasure in sexual rights, Sharma (2006) adds on to this, the 'queer' critique of sexual rights.

8.2 Adding 'Queer' to Rights

According to Jaya Sharma, an Indian queer activist, the current rights discourse "is insufficient to articulate and act upon a queer feminist perspective on sexuality" (Sharma 2006, 52) because it rearticulates a normative understanding of sexuality based on biological argumentation such as sexual identity is fixed from birth. "It appears to me … that rights language is precisely that – a language, more than an 'approach' or an 'ideology' – in itself" (Sharma 2006, 55).
In her article she argues that sexual rights are not necessarily the best way to articulate queer issues because it restricts discourses of same sex desire and awards feminist framings "more potential for developing strategies for achieving justice and equity" (Sharma 2006, 52).
Furthermore she critiques the fact that sexual rights are often only connected to identities or certain categories such as 'women', 'sex workers', 'queer' etc. However this perception creates an understanding of sexuality as fixed and stable and that there are indeed special unchangeable and self-contained categories lying inside a new norm. This is also what Lynch calls for and points to the danger of not putting new norms on sexuality. "Let us not set up a new norm that sex is good and we should all have it. What about asexuals and people who are not getting it? What about people who get sexual pleasure elsewhere, or those who are celibate by choice" (Lynch 2008, 19)?

That is why Sharma opines that a queer perspective might solve this problem because sexuality should not be seen as diverse in general but that every person has a diverse sexuality. "We need to consider here a queer perspective of sexuality, according to which social processes of compulsory heterosexuality seek to stifle sexual diversity – not just in society at large, but

even the potential for sexual diversity within each of us" (Sharma 2006, 53) so that she says "[i]f this is how we perceive sexuality, the dangers of a framework that is based only on identities become clear" (Sharma 2006, 53).

Having read about the argument of what constitutes a human, Sharma (2006), shows here again that it is difficult for (human) rights to be heard if some people are not considered to be human at all. The example shown by her is the situation in which someone is hostile towards same-sex desire. If someone despises or neglects same-sex desire, the existence of sexual rights is irrelevant. "For hostile players to even grant that homosexuals are 'human', and therefore should enjoy 'human rights', becomes difficult" (Sharma 2006, 54).
Another critical point according to Sharma when it comes to sexual rights is the underlying compulsory heterosexuality because they do not challenge, question or tackle heteronormativity altogether. They do not dig deeper and ask question that underlie societal arrangements and their construction but deal only with the issues on the surface which however to Sharma is not enough and to speak in Kabeer's metaphoric words: You cannot heal cancer with a band-aid (cf. Kabeer 1994).
Furthermore she compares rights to choice discourse because the liberal tradition of rights stays also in the underlying assumption of the right to free choice. Many (feminists) theorists have already shown at some other stages that the existence of free choice is illusionary. "In the context of compulsory heterosexuality, the extent to which choice and rights are exercised is severely limited, given the constraints to recognizing or acting upon the diversity of desire within us" (Sharma 2006, 55).

Summing up according to Sharma and Oriel, sexual rights are not neutral but are based on morals and values that have their roots in a heterosexual and male perspective, not to say that they are also Western based and therefore 'white' rights. However, they do not dismiss sexual rights altogether but show the white and sexist spots of sexual rights where practitioners, law and policy makers and advocates can draw to and should concentrate on.

In order to show a positive example on how the notion of sexual pleasure can be turned into an emancipative project that is not sexist, heteronormative or misogynist is shown by the international initiative called the 'pleasure project' that brings back pleasure and 'sexy'.

8.3 The Pleasure Project- Putting the Sexy Into Safer Sex[57]

The pleasure project is an initiative launched at the fifteenth International AIDS Conference in Bangkok in 2004 "…that promotes safer sex that feels good" (www.pleasureproject.org). They moved away from a negative and diseased-based approach towards sexuality to an affirmative, pleasurable and sexy view of sexuality focusing on safer sex. "[W]e take a positive, liberating and sexy approach to safer sex. Think of it as sex education ... with the emphasis on 'sex'" (pleasureproject.org).

Background of the pleasure project is its commitment of tackling danger related to sexuality and the understanding of sexuality in general. Sexuality is always confined to certain gender norms and also to normalized behavior of sexuality. This does not only mean that people with non-conforming sexualities or identities are marginalized or oppressed but that also people who have sexual identities that are perceived as normal, who confine to standard sexual practice or who identify themselves as either male or female are also exposed to risk and dangers. This is mainly because certain characteristics of what one is supposed to do in bed, confine females to passivity or males to agressivity. These stereotypes and the accordant sexual behavior expose their subjects to risking their health and wellbeing. Females have not the right to say 'no' to a man who does not want to use safer sex methods because women are supposed to please men. On the other hand, men might be de-masculinized if they are not proceeding the sex that is believed to be 'manly' enough (cf. Esplen 2007, 22). This is also true for pleasure and the questions of what a man is supposed to get his pleasure from. "Gender norms influence how and where men are supposed to take their pleasures, for example finding pleasure in tenderness and intimacy may be discouraged by ideas around what it takes to be a 'proper man'. Instead, the emphasis may be on male sexual prowess or skill, which is often associated with risky sexual behaviour" (Esplen 2007, 22). This of course can lead to unsafe sexual practice and has negative impacts on the wellbeing of those men and their partners. This is also true for women and all other gender identities who are supposed to have a 'normal' sexual behavior which does not contradict with the heteronormative order.

The pleasure project wants and its approach to sexuality and safer sex tries to take away the fear and anxiety of sexuality and attempts to show how safer sex can be not only safe but and

[57] Cf.: http://www.thepleasureproject.org/

especially sexy and pleasurable. According to them and starting point of their reasoning is that most people engage in sexual practice out of the pursuit of pleasure.[58]

> Sex is the most common way people contract HIV worldwide, yet frank discussion and information about how to have sex and stay healthy (much less enjoy yourself or give pleasure to others) are largely missing from health resources and HIV prevention campaigns. At the same time, sexually explicit and mainstream media, along with moralistic institutions and political figures, are the loudest voices telling people how and what kind of sex they should (or should not) be having. This usually boils down to a narrow list of sexual practices reserved for the young, the healthy, the married and the heterosexual among us, and rarely involves safer-sex practices, such as condom use or non-penetrative sex, except for abstinence.
>
> (Knerr 2008, 8)

One of their initiatives is their research project 'Global Mapping of Pleasure' that constitutes a world map with initiatives, projects, actions etc. that aim at putting the sexy back into (safer) sex and are therefore pleasure-orientated. They mainly work on the local level, advertising safer sex practice and are very much practice- and experience-oriented so that they "...promote and advocate for a more sex-positive, erotic approach to safer sex and HIV prevention" (Knerr 2008, 8). All of them are projects and resources "…which eroticize safer sex, and make safer sex sexy and … which are practical, real-world examples of tools and methods for eroticizing safer sex (rather than hypothetical, theoretical or conceptual examples of eroticizing safer sex)" (Knerr 2008, 8). Besides the goal for a safer sex practice, they also aim at the de-stigmatization of people with non-conforming sexual practices or identities, as well as deconstructing normalized gender characteristics through a playful togetherness.

Projects range from church based projects such as the one in Nigeria which aims at married couples and talks about pleasure within marriage to projects aimed at men who have sex with

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[58] Nevertheless, I would like to mention here that sex and sexuality are indeed as argued previously in chapter 3.3 linked amongst others to power relations. This is shown very well by Lewis and Gordon (2008) who list various reasons that participants of an HIV/AIDS workshop gave to explain why people have sex. Some of the answers given are very innocent in the sense that they are funny or are based on 'natural' assumption of sex that are linked to sexual pleasure, however some of them show indeed how sex is saturated with power and how sexual relations are based on power.[58]

The list contains amongst others the following explanation for people having sex :

> out of a 'natural need'; marital duty or fear of abandonment: owing to the need to perform and prove yourself; because you have no choice; business; education funding; fear of violence; self-esteem-boosting; boredom; kindness and generosity; pity; fear that the man's balls will burst or he will go mad; worn down by constant demand; to be allowed to sleep; to have children; to feel powerful; for exercise; self-affirmation; love; fear of coercion: for revenge; because there are electricity cuts at night; to gain experience; to get work or power; to lose weight; as proof of commitment; to prove trust: for cheap or no-cost enjoyment; to live up a peer pressure; to de-stress and relax the body; to prove you are a real man; because you cannot sleep; to reduce tension in the home; to share intimacy; to get support from your partner; from fear of threats if you resist; for fun; for no reason at all; to keep healthy; out of fear of loneliness; to further your career; to get good grades; to make someone else angry; because of poverty; as a bet; to feel young; to get what you cannot get at home; to feel powerful; out of a long friendship; to get pregnant; to gain stature or prestige; just because it feels good" (Lewis and Gordon 2008:201).

men and their education about condoms and the pleasure of anal sex (cf. Knerr 2008). They all have in common the destigmatization and the uniqueness of every individual's seek of pleasure. Project's result show that often unsafe sex practices result not only from gender inequalities but as mentioned before also from gendered norms and values. Furthermore all projects try to open up the space to be able to talk honestly and openly about one's own sexuality, about pleasure and fantasies.

The pleasure project constitutes one practical example how we can and would be able to work with and acknowledge the importance of sexuality in the sphere of development cooperation. Furthermore all its projects proof that it is possible and even necessary to include an affermative approach towards and respect the pleasurable side of sexuality.

V Conclusion

A good book has no ending.
(R.D. Cumming)

9. Summary

My starting point was the question why sexuality is important to be considered in development industry and how one can deal with sexuality in a more positive and affirmative way. Thus, the resulting research question was, "How can one deal with sexuality in development cooperation without being neither essentializing nor normalizing? Which possibilities do (feminist) postcolonial, poststructuralist and queer theorists offer? In what way do liberal positions such as the one of Martha Nussbaum and her concept of development miss out?

Martha Nussbaum provides with her capability approach, a framework with which development activists, practitioners, scholars and policy makers might be able to work. Moving away from simply measuring opulence or development through the GDP, she asks of what an individual is actually able to do through their capabilities. Furthermore she claims that through this approach one is able to create a grand theory of the good human life that should guide development cooperation and politics. Recognizing that human beings share indeed a universal common dignity and humanity, the international arena has to work together on a political and judicial level in order to provide all individuals with the same capabilities they need for a good human life. This protection and promotion of humanity might be able through "…the international human rights movement and through support for international agencies" (Nussbaum 1999, 6). This is also the point in my argumentation when sexual rights that evolved out of the human rights movement find their connection to the liberal concept of the capability approach.

Sexuality was for a long time a silent issue in development cooperation and in the international arena in general. However, through the spread of HIV/AIDS it became necessary and inevitable to start thinking about sexuality.

This universal framework can be accused for being essentialist and too fixed in its approach on human lives. A livable human life is only given when all ten human capabilities are ful-

filled. The question remains who has the power to tell which of these capabilities are really necessary and who is able to decide which live is valuable and which life is it not. I argued that Nussbaum's approach puts people again into stable and fixed identities who might be put again on the spot for exploitation, marginalization and stigmatization.
Nevertheless, it is important to take Nussbaum's approach into consideration because it is a reality that people because of their sexuality are stigmatized, exploited, marginalized and excluded from life, on a political, economic, cultural and social level which might lead to precarity and thus poverty.
Throughout this paper I tried to show how claims around sexual rights and the right to sexual pleasure rearticulate and find their origins in a framework such as the capability approach.
Sexual rights do not specifically want to point to certain identities but try to include everyone without labeling or categorizing them. Sexual rights do not believe in a sexual essence people have but try to intervene in the so-called private sphere which is highly political. Thus it is of major importance that people are able to decide freely and without fear about their own specific sexuality and sexual practices.

Nevertheless, different thinkers have warned us that we have to be careful not to put people in the position where they can be exploited again because of their ascribed sexual identity. We have to be aware of the fact that sexuality is a social construct as well as sexual identities. Therefore we are not allowed to think that sexuality is a-historic or cross-culturally the same.
This is why concepts such as rights or pleasure have to be adapted to different social, cultural and historical backgrounds.
So while we might be able to use or be influenced by Nussbaum's capability approach in order to claim for sexual rights, we have to be careful when acknowledging the fact that there also lie colonial, racist and essentialist power assumptions in a universal framework.
In the last part of my paper I tried to show which possibilities feminist thinkers or practitioners from different schools of thought offer for action or how different conceptualizations for the empowerment of people can be included and which alternative methods could be applied. First of all there has been the claim for solidarity, which does not lie on the basis of commonalities but on the basis of same interests. Same interests or solidarity can be created through storytelling and telling experiences of different people so that one becomes aware of different power structures or conceptions of sexuality and different experiences of lives in general. Therefore Razack's interlocking analysis that includes different categories by which people are often defined might be included such as race, class, gender, sexuality, ability, civil status

etc. because this categories are interlocked with each other and create different experiences and stories of people.
The sexual pleasure approach might be one possibility where all different ways of conceptualizing people's lives come into order because it tries to de-stigmatize and de-normalize certain (sexual) identities or practices. Its starting point is not a universal sexuality or sexual essence but offers the room for all sorts of sexualities that evolved in different political, social, economic, historical and cultural settings and through the organization of societies.

To answer the question if sexuality can contribute to development I came to the conclusion that the involvement of sexuality is indeed able to be one spectrum for a better human life and development in general.
Having argued in my paper that sexuality is closely linked to power and that through a more affirmative, inclusive sexuality, it is also possible that gender relations can be restructured. The fact that female sexuality is also being acknowledged can initiate the possibility that sexuality and sexual pleasure can be read up the ladder to solidarity of common interests until the level of policymaking and jurisprudence. Including people's stories and experiences and listening to them means that one does not necessarily impose Western or racialized assumptions around sexuality or human lives in general. However one has to bear in mind that sexual rights have always to be open to discussions and renegotiation. In addition to that, I do not argue that the involvement of sexuality in development leads automatically to a better human life but I claim that sexuality constitutes a small piece in the big puzzle that might be able to help for a better human life and development in general.

I have to admit that I might have failed in actually giving a critique or an analysis that is more influenced by post-(modern, colonial, development) or queer theory. Actually, in the end of this writing process, I had to find myself again at the starting point of my reflection.
It actually is necessary to consider liberal thinking in the sense of rights as they provide a certain tool. Being relativistic all in all is not possible or desirable as Narayan (2005) convinced me when she said that (either cultural or gender) anti-essentialism should not deny any form of generalization because "…generalizations are not equally problematic" (Narayan 2005, 97). I was just not able to identify an approach of the particular that is neither too relativist nor too universalist. As Narayan puts it: "It is seldom possible to articulate effective political agendas, such as those pertaining to human rights, without resorting to a certain degree of

abstraction, which enables the articulation of salient similarities between problems suffered by various individuals and groups" (Narayan 2005, 97f).

In other words: one cannot not want rights as they stimulate and give the basis for imagination and consideration of another world possible. They are the first step to move beyond the reproduction of oppressing norms and values towards a more equal world and reality.

Since there is no thing such as 'Truth', it is only possible for us to move away from naturalistic assumptions and let other voices and realities be seen, heard and imagined.

VI References

A good book should leave you...
slightly exhausted at the end.
You live several lives while reading it.
(William Styron)

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VII Annex

11.1 Curriculum Vitae

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EDUCATION

University of Vienna, Austria. International Development	**Spring 2003 to Present**
University of Ottawa. ON, Canada (Joint Study)	**Winter Term 2008**
Paris VII - Denis Diderot. Paris, France (Erasmus)	**Academic Year 2005/06**
Neusprachliches Gymnasium Schlanders. Italy	**1997- 2002**
Lycée International des Pontonniers. Strasbourg, France	**Academic Year 2000/01**

INTERNSHIPS

Austrian Development Agency, Vienna	**October 2007 to December 2007**
Horizont3000- ASAFODEB, Thiès, Senegal	**July 2007 to September 2007**
Friedrich Ebert Stiftung Namibia, Windhoek	**July 2006 to September 2006**

LANGUAGE SKILLS

German: first language

English, French, Italian: fluent in written and spoken

Spanish: basic knowledge

11.2 Abstract

11.2.1 German

Die vorliegende Arbeit beschäftigt sich mit der Frage wie Sexualität in die Entwicklungszusammenarbeit aufgenommen werden kann und welche umgestaltende Macht und Möglichkeit Sexualität als eine Sphäre darin haben kann. Genauer gesagt möchte ich eine Brücke bilden zwischen modernen und postmodernen sowie poststrukturellen Konzeptionen von Entwicklung und dem Ansatz eines „guten" menschlichen Lebens im Bereich von Sexualität.

Eines der acht Millenniumsentwicklungsziele ist es, bis zum Jahr 2015, HIV/AIDS den Kampf anzusagen, genau so wie die Gleichstellung von Frauen zu fördern. Da über HIV/AIDS oder die Gleichstellung von Frauen nicht gesprochen werden kann, ohne auch Sexualität mit einzubeziehen, setze ich mich der Problematik „Sexualität in der Entwicklungszusammenarbeit" in meiner Arbeit auseinander.

Sexualität wurde vielfach nur als zweitrangig bzw. als nicht relevant für Entwicklungsfragen gesehen, da menschliche Bedürfnisse, wie Bildung, Unterkunft und Beschäftigung, als die zentralen Hauptanliegen und Ziele der Entwicklungszusammenarbeit zählen. Sexualität wurde außerdem vielfach als eine private Sache angesehen, von der sich die Entwicklungspolitik und Zusammenarbeit distanzieren soll. Somit wurde Sexualität eine lange Zeit nur im Kontext von Gesundheit gesehen oder aber mit Bevölkerungspolitik in Verbindung gebracht. Jedoch, durch die Verbreitung von HIV/AIDS wurde es möglich, dass Sexualität ein eigener Platz eingeräumt wurde, wiederum aber nur mit einem Verständnis von einer negativen Auffassung von Sexualität, die Gefahren (Geschlechtskrankheiten, ungewollte Schwangerschaften, sexuellen Missbrauch, etc.) beinhaltet.

In den letzten zwei Jahrzehnten wurde ein neuer Menschenrechtsbasierender Diskurs in die Entwicklungszusammenarbeit und Entwicklungspolitik eingeführt, der Entwicklung eng mit den Menschenrechten verbunden hat. Menschenrechte, die anfänglich oftmals Frauen ausgeschlossen haben, da sie ein sehr männliches Bild des Menschen unterstützt hatten, wurden durch verschiedene Feministen_innen und Frauenrechtler_innen ausgeweitet, welche die speziellen und partikularen Rechte der Frauen eingefordert hatten. Diese Bewegung ermöglichte es auch den Diskurs und die Forderungen nach sexuellen Rechte voranzutreiben, welche die Einbeziehung von Sexualität in die Entwicklungspolitik und -zusammenarbeit als essentiell verstehen, da Sexualität Geschlechterbeziehungen und die Unterdrückung der Frauen und anderer sexueller Dissident_innen beeinflusst, diese aber auch verbessern könnte.

1993 auf der Wiener Weltkonferenz für Menschenrechte, wurde zum ersten Mal ein direkter Bezug zwischen Menschenrechten und Sexualität bestätigt. Daraus folgten unzählige Konferenzen und Deklarationen, in denen versucht wurde, sexuelle Rechte „salonfähig" zu machen und sich um deren internationale Anerkennung zu bemühen.
Ziel meiner Arbeit soll zum Ersten sein, aufzuzeigen welche Relevanz und warum Sexualität eine essentielle Rolle in der Entwicklungszusammenarbeit spielt und welche Probleme (Kategorisierung, Macht, koloniale Annahmen) damit auftreten. Zum Zweiten habe ich versucht den Gegenstand „Sexualität" in der Entwicklungszusammenarbeit anhand von FeministInnen aus unterschiedlichen Strömungen zu beleuchten. Martha Nussbaum, als eine liberale Feministin, sieht die Notwendigkeit darin, ein „framework" zu schaffen, mit Hilfe dessen es möglich ist, Richtlinien und Strategien für die realpolitische Umsetzung von ihren so definierten lebensnotwendigen Indikatoren in der EZA zu erstellen. Diese verknüpfe ich anschließend mit den sexuellen Rechten, da ich hier eine wichtige Verbindung und einen Zusammenhang sehe.
Jedoch ausgehend von der Annahme, dass liberale (feministische) Konzepte, wie der ‚capability approach' oder sexuelle Rechte zu kurz fassen, da sie von einem essentialistischen und universellen Menschenbild ausgehen, möchte ich mithilfe von feministischen TheoretikerInnen, die in der postkolonialen, poststrukturalistischen und queeren Tradition stehen, versuchen zu eruieren, wie sexuelle Rechte in einer anderen Form verwendet werden könnten, um ein Konzept zu schaffen, das nicht wiederum Menschen aufgrund von bestimmten Charakteristiken oder Identitäten ausgrenzt.

11.2.2 English

The general formulated research-leading intention of this paper follows the question of how sexuality can be introduced in development cooperation and what transformatory power or possibility it contains. More precisely, I will try to build bridges between modernist, postcolonial, and poststructuralist conceptions of development and the 'good' human life in the field of sexuality.
One of the eight United Nations Millennium Development Goals is to combat HIV/AIDS, as well as, to fight for gender equity. Since one cannot talk about HIV/AIDS or gender equality without including the sphere of sexuality, I concentrate in my thesis on the problem of sexuality in development.
Sexuality was perceived for a long time as irrelevant for questions of development because human needs such as housing, education and employment were the central concerns and goals of development industry. Furthermore, sexuality was considered as a private issue from which

development cooperation and politics had to distance itself from. This is one reason why sexuality was originally associated to health and population control. With the spread of HIV/AIDS, sexuality was assigned a special place in the field of development, however with a negative understanding of sexuality which contains dangers such as sexual transmitted infection and diseases, unwanted pregnancies or sexual abuse.
A new human-rights-based approach was introduced into development cooperation and politics during the last two centuries which understands development as closely connected to human rights. Human rights were accused by feminists and feminist activists for being sexist because of their male-dominated picture of what constitutes a human. They claimed for the expansion of human rights in favor of the special and particular rights of women.
This movement made it also possible to introduce the discourse and to promote the claim for sexual rights. Sexual rights understand the introduction of sexuality into development cooperation and politics as essential because sexuality influences but could also improve the status quo of gender relation, the oppression of women and of other sexual dissidents.
In 1993 at the Vienna World Conference on human rights the direct connections between human rights and sexuality was confirmed. The results from this were numerous conferences and declarations in which one tried to make sexual rights acceptable and to promote their international recognition.

The object of my thesis is firstly to show why sexuality is relevant and why and how it plays an essential role in development cooperation; and which problems (categorizing, power relations and colonial assumption) arise from there. Secondly I would like to analyze the subject matter of sexuality in development cooperation by means of (feminist) theories from different school of thoughts. Martha Nussbaum on the one hand, representing liberal feminism, sees the necessity in creating a framework with which it is possible to give instruction, guidelines and strategies for the pragmatic implication of the (so defined by Nussbaum) 'vital indicators into development cooperation'.
However, with the underlying assumption that liberal (feminist) concepts such as the 'capability approach' or sexual rights fall short because of their essentialist and universal character, I would like to elicit with the help of feminist theorists who are part of the postdevelopment, postcolonial, postmodern and queer theory tradition, how sexual rights can be used in a different way in order to create a concept which does not exclude or discriminate people because of certain characteristics or identities.