



GENDER, JUSTICE, AND NEOLIBERAL TRANSFORMATIONS

Sexual Politics and Post-Neoliberalism in Latin America

by Mario Pecheny

My reflections on this theme are based on the experiences of Argentina. In some aspects, but not all, these reflections also refer to Latin America as a region. In Latin America, social movements, political leaders, and governments are increasingly framing issues and political responses at a regional (Latin American) level. Regional languages, political initiatives, as well as conventions, treaties, etc., promote social movement integration. "Demonstration effects" (as labeled by dependency theorists in the 1960s and 1970s) and a postcolonial and/or de-colonial discourse also encourage a synergy of advances throughout the region. At the same time, new "South-South" discourses and practices are in vogue, and take the form of social forums, academic collaborations, and shared intellectual projects.

Latin American sexual politics and Latin American ways of thinking about sexual politics have historically stressed the political, collective, and conflictive nature of sexuality. Structural violence, for instance, is a category that was born within a Latin American theology of liberation. Structural violence—structural vulnerability, gender relations as part of capitalist relations, the commodification of sexuality, and the libidization/eroticization of commodities—is part of discussions both within social movements and within academia. In the region, the distinctions among civil, political, and social rights have not followed the same sequence and "generations" as in Europe.^[1] Social and collective rights sometimes preceded civil and political rights, and in the political culture the imbrications of rights—in practice—is much more embedded in Latin America than in other contexts. Awareness that rights result from social and political struggles, and not from upper level advocacy or lobby activism, traditional in the region, coexists with the new political culture of professional NGOs and neoliberal ways of promoting social justice reforms.

In Argentina and in some other countries of South America, perhaps prematurely, and for sure optimistically, most observers now qualify the current situation in the region as "post-neoliberal." But what does this label mean? I shall argue below that the Latin American case can be described as "post-neoliberal" in three distinct senses of the term: post-neoliberalism, post-neoliberalism, and post-neoliberalism. These components, which might be contradictory in theory, are, in fact, more coherently articulated in practice.

The sociopolitical features attributed to the prefix neo (in relation to neoliberalism) are, of course, still with us. Structural transformations that neoliberal governments produced have created neoliberal political regimes and cultures in the context of neoliberal states and economies, in which we still reside. Neoliberalism is defined by the framing of politics as instrumental: economic logics; structural adjustment and the dismantling of the state; prioritization of cost-effectiveness; social order considered as a self-regulated, natural order; discourses of positivist "evidence"-based policies; segmentation and specialization of policies and politics; NGOization and professionalization of social movements; end-of-ideologies ideology, etc. Some of these features are not exclusive to neoliberalism. The main feature of neoliberalism is the explicit, but ideological and false (in Marxist terms), depoliticization of politics. State-centered politics in Latin America have been critically attacked. Public health and public education, public (i.e., government-funded) universities, and social welfare have suffered from processes of decentralization and privatization. Even if these objectives have not always been achieved (due to popular mobilizations and collective resistance), social ties and networks, particularly among the poor, have been weakened or destroyed.

However, in this regime that has followed the debt crisis and structural adjustment policies, most South American countries have achieved key advances in terms of gender, sexual, and health rights. Since the 1990s, in response to strong social mobilizations of gay and HIV organizations, and due to health systems that formally guarantee universal access to healthcare, most countries have offered universal access to HAART (highly active antiretroviral therapy), and have produced progressive legal reforms on reproductive health, gender, and sexuality, including some recognition of LGBT rights.

Some countries have been avant garde: stipulating nondiscrimination based on sex, gender, and sexual orientation (Ecuador); laws of affirmative action for women that have dramatically increased the presence of

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women within federal governing bodies (at least twelve countries in the region); state production of antiretrovirals and patent negotiations (Brazil); universal provision of HAART (Argentina, Uruguay, Brazil); equal marriage (Argentina, Mexico City); and gender identity rights (Argentina). Four countries in the region have recently elected female presidents (Argentina, Brazil, Costa Rica, and Chile). These progressive steps in gender, reproductive, and sexual politics might be explained by the three “components” of post-neoliberalism.

Let’s start with the neo component, related to economic logics, cost-effectiveness, and modernization discourse. Neoliberal policies aim to solve the fiscal crisis of the state, as well as to discipline social actors. Advances in contraception, reproductive health, and sexual rights (in the context of AIDS) have been perfectly compatible with focused social policies and processes of NGOization. AIDS, reproductive health (or family planning), and even malnutrition/poverty have provided an impersonal discourse of medicalization in order to legitimize laws and policies that could also be framed as issues of sexual rights. In other words, progress in gay rights has been achieved thanks to the AIDS epidemic, and progress in women’s rights has been achieved thanks to rates of maternal mortality or of unwanted pregnancies. Neoliberal governments and global institutions more easily accept arguments in terms of “health” (which are impersonal and apolitical) than arguments that are framed in terms of sexual rights and social justice.

Some advances have been instrumental for neoliberals: these advances have allowed for cost saving, homogenizing populations, and controlling potentially radical social actors. Measures that we could read as pertaining to social justice have been framed in de-radicalized ways and translated into instrumental laws and policies. The implementation of legal and policy reforms has also encouraged private profit: pharmaceutical companies, private and public health providers, etc., make money if more people get access to drugs and treatment. Notably, advances in gender and sexual rights facilitate a regional self-image of modern societies, modern politicians, and modern political systems. The enlightened middle classes that support individual values of sexual freedom find in these measures (divorce, sex education, and even equal marriage) a sort of compensation for the unjust economic policies and attacks on social rights that have occurred simultaneously. Parliaments and political elites have used “modern” laws and policies around gender and sexuality to prove that they are “modern,” “first world,” and “non-conservative.”^[2] Neoliberal politics are thus coherent with access to rights through the marketplace (i.e., practices of consumer citizenship) and are not incompatible with the advancement of sexual rights. This phenomenon is perhaps paradoxical, but not contradictory.

The second component is the liberal aspect of neoliberalism and post-neoliberalism. This liberal component refers to the discourses of personal rights, autonomy, equality, and freedom. In the wake of dictatorships and authoritarian regimes, a human rights discourse has become a lingua franca, a universal framing of political claims, laws, and policies in Argentina and other Latin American countries. Human rights discourses have allowed for the constitution of a social justice and sexual justice agenda, as well as for the formation of sexual subjects and social movements around gender and sexuality throughout the region. These processes are well documented.^[3] Liberal and rights-based discourse has prevailed since the 1980s with no interruptions: during the “hope stage” of early democratic transitions (1980s), during the neoliberal climax (1990s), during the period of crisis of neoliberalism (2001, 2002...), and today in this post-neoliberal period (the last decade or so).

And finally, we can consider the third component: post. This post-neoliberal moment is at the same time a revival of the populist and left discourses of the past. This is referred to as both “post-neoliberal” and “neo-populist.” Several different articulations of this dynamic circulate among contemporary scholars: struggles over the meaning of populism and the left are, in fact, part of Latin American politics.^[4]

Although neoliberal structures are still in place, the post qualification is indeed apt. In South America, we are witnessing a re-politicization of politics, a re-politicization of rhetoric, legitimacy, identities, and social mobilization. Human rights discourse has been radicalized again, reinfused with the politics of memory and justice. We have seen a rebirth of social justice discourse, with campaigns for gender and sexual rights reframing their claims in the name of equality, democracy, social justice, and intersectional/postcolonial approaches. All of these processes have occurred within states, political parties, and public institutions that have been shaped by two or three decades of neoliberal hegemony. It is in this context of post-neoliberal politics that Argentina voted in 2010 for equal marriage, with populist, liberal, neoliberal and post-neoliberal arguments together contributing to its success.^[5]

In my view, de-politicization and de-sexualization are fellow travelers. De-politicization means hiding the structural and historical conditions that produce “an issue,” removing it from its context of symbolic values and social relations. De-sexualization means hiding the sexual nature of some issues, social relations, and symbolic values. For example, illegal abortion, vulnerability to HIV, or violence against women could be framed as health issues, gender issues, social justice issues, but also as sexual issues. Recognition of the sexual nature of those issues makes them “problematic” for democracies that by definition exclude whatever appears to be radical, personal, and conflictive. To fully achieve the promise of post-neoliberalism, contemporary feminists (and sexual/social justice movements and intellectuals more generally) must work to re-politicize and to re-sexualize issues, relations, and values (to show the structural and historical conditions of processes and situations, as well as their sexual specificity) in Latin America and beyond.

Footnotes

1. Elizabeth Jelin and Eric Hershberg, “Introduction: Human Rights and the Construction of Democracy,” “Citizenship Revisited: Solidarity, Responsibility, and Rights,” and “Convergence and Diversity: Reflections on Human Rights,” *Constructing Democracy: Human Rights, Citizenship, and Society in Latin America*, (Boulder: Westview Press, 1996) 1-10; 101-119; 215-224. [Return to text]
2. Eric Fassin, *Le sexe politique. Genre et sexualité au miroir transatlantique*, (Paris: Editions de l’EHESS, 2009); Renata Hiller, “Matrimonio igualitario y espacio público en Argentina,” Laura Clerico and Martin Aldao, eds., *Matrimonio igualitario. Perspectivas sociales, políticas y jurídicas* (Buenos Aires: Eudeba, 2010) 85-130. [Return to

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3. Jelin and Hershberg 1996; Carlos Cáceres, Gloria Careaga, Tim Frasca, and Mario Pecheny, eds., *Sexualidad, Estigma y Derechos Humanos: Desafíos para el Acceso a la Salud en América Latina*, (Lima: Universidad Peruana Cayetano Heredia/Ford Foundation, 2006); Carlos Cáceres, Tim Frasca, Mario Pecheny, and Veriano Terto, Jr., eds., *Ciudadanía sexual en América Latina: Abriendo el debate*, (Lima: Universidad Peruana Cayetano Heredia/Ford Foundation, 2004); Mario Pecheny and Rafael de la Dehesa, "Sexualidades y políticas en América Latina: un esbozo para la discusión," *Sexualidade e política na América Latina: histórias, interseções e paradoxos*, Sonia Correa and Richard Parker, eds., (Rio de Janeiro: Abia, 2011) 31-79. Available at: <http://www.sxpolitics.org/pt/wp-content/uploads/2009/10/sexualidades-y-politicas-en-america-latina-rafael-de-la-dehesa-y-mario-pecheny.pdf> [Return to text]
4. Ernesto Calvo and Victoria Murillo María, "Who Delivers? Partisan Clients in the Argentine Electoral Market," *American Journal of Political Science* 48.4(2004): 742-757; Germán Pérez, "Genealogía del quilombo. Una exploración profana sobre algunos significados del 2001," *La huella piquetera. Avatares de las organizaciones de desocupados después de 2001*, Sebastián Pereyra, Germán Pérez, and Federico Schuster, eds., (La Plata: Ediciones Al Margen, 2008). Alain Touraine, "Entre Bachelet et Morales, existe-t-il une Gauche en Amérique latine?" *Nueva Sociedad* 205(2006): 14-23; Gerardo Aboy Carles, "Populismo, regeneracionismo y democracia," *Revista Postdata* 15.1(2010): 11-30; Germán J. Pérez, Oscar Aelo, and Gustavo Salerno, eds., *Todo aquel fulgor. La política argentina después del neoliberalismo*, (Buenos Aires: Nueva Trilce, 2011). [Return to text]
5. Hiller 2010. [Return to text]

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