

Sex and the Rights of Man

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1 Introduction

This article explores the subject of sexual rights and the claims about such rights as they are made by and for men. It considers the different bases of these claims, which range from some men's experience of sexual oppression to other men's experience of their gender socialisation. The article highlights the issues of power and privilege, which often lie hidden within such claims and calls for a discourse of 'men and sexual rights' that can take account of both gender norms and sexual hierarchies. Central to this call is a conception of accountability that is at once personal and political; the political accountability of duty-bearers to promote and protect the sexual rights of all rights-holders, men and women; and the personal accountability of men in relation to the ways in which their gender privilege serves to deny the sexual rights of others. My understanding of these issues springs from my work over the last 20 years on HIV/AIDS, gender and violence, mostly as an independent consultant working with non-profit organisations to support their work in the global South and as an activist working on issues of masculinity, violence and social justice in the USA.

2 Male responsibilities?

Sexual rights are a fundamental element of human rights. They encompass the right to experience a pleasurable sexuality, which is essential in and of itself and, at the same time, is a fundamental vehicle of communication and love between people. Sexual rights include the right to liberty and autonomy in the responsible exercise of sexuality. (HERA 1999)

The struggle to include sex and sexuality within the language and instruments of international human rights agreements continues to this day. Notwithstanding the universality that is, by definition, central to these agreements, the practical struggle for sexual rights has been largely fought on the terrain of gender equality. This has been a struggle for women's sexual rights in the face of the

gender and sexual oppression that men perpetrate against women.

The short history of this struggle begins at the 1993 Vienna Human Rights Conference where, for the first time in the international arena, attention is given to women as subjects of human rights and women's bodies as the objects of human rights violations. This work lays important foundations for the subsequent discourses of reproductive and sexual rights that are developed at the landmark Cairo and Beijing conferences in 1994 and 1995, respectively. Not only do the declarations produced at Cairo and Beijing characterise sexual rights in terms of women's control over their sexual lives; women's rights are counter-posed with men's sexual responsibilities to respect these rights.

Given this gender analysis, what can men's relationship be to sexual rights claims whose goal is to radically change social and sexual arrangements of power from which they benefit? After all, as Connell (1995) has noted: 'A gender order where men dominate, women cannot avoid constituting men as an interest group concerned with defence, and women as an interest group concerned with change'. What sense can it make to talk of 'men' as some kind of singular, internally coherent category when what the extremely heterogeneous group called 'men' fundamentally share in common is Connell's 'patriarchal dividend', the privilege that comes with simply being male? For, notwithstanding three or more decades of feminist struggle and women's movements, and all the gains that have been made in gender equality, it remains in so many ways a 'man's world'. Given this, what can men's interest be in the social and sexual revolution being proposed by advocates for sexual rights?

3 The sexual oppression of (some) men

The first answer to this question is to bring a more complex, and less heterosexist, gender analysis to bear on the issue of men's sexual rights and to

recognise that some men's sexual rights have long been violated. Those men who 'betray' their gender through their 'feminine' representation and/or sexual relations with other men are especially vulnerable to such violation. This violence is used to 'police' the gender boundary between men and women and the heterosexual order that mandates sexual relations between genders and proscribes sex within genders. By punishing those who are seen as breaking the gender 'rules' of how a man is supposed to be and behave, such violence is a warning to all men about obeying these 'rules'. Research on groups of men who have sex with men (MSM) in Cambodia has found that violence is common, especially for those men with a feminine gender presentation (*sray sros*, who would be termed 'transgender' in countries of the economic North):

Many '*sray sros*' experience discrimination in the form of verbal abuse, harassment, physical violence such as blows, kicks, sex under compulsion, and occasional cases of rape. As a result, they tend to hide their sexual orientation and practices, making it difficult to reach and educate them. (KHANA 2003)

The consequence of such violence, as the quote above makes clear, is that these men are driven 'underground', away from the services and information that they need about sexual health and into hurried and secretive sexual behaviour that makes safer sex, not to mention loving relationships, much more difficult. The violence that targets such men is communal and institutional, as well as interpersonal. MSM suffer much of their violence at the hands of the police and other men in positions of authority. Human Rights Groups, such as Amnesty International, have received many allegations of torture and ill-treatment in detention, which indicate the risk is high in police stations, particularly during the initial period of detention. Research conducted by Human Rights Watch in Bangladesh found that such violence at the hands of police and *mastans* (hired thugs used by political parties) was common:

Numerous men who have sex with men who spoke with Human Rights Watch reported being raped, gang-raped, and beaten frequently by police and *mastans* ... Men who have sex with men also reported that they were regularly subjected to extortion by both police and *mastans* ... Men who engaged in sex work reported that

police and *mastans* also extorted money from their clients. This extortion from clients can place the men selling sex in danger as well. (Human Rights Watch 2003)

Many countries maintain laws that prohibit or regulate sexual activity between consenting adults of the same sex. These are often called sodomy laws, which are still in existence in at least 70 states worldwide. Such laws range from regulation of specific sexual acts (e.g. anal sex) to broad injunctions against 'anti-social' or 'immoral' behaviour. Whatever their exact content, such laws are used by the police to arrest and harass gay men, lesbians, bisexuals, and transgender persons and constitute a grave violation of human rights, including the rights to privacy, to freedom from discrimination, and of expression and association. The violence of state laws and institutions is reinforced by violence at community level, ranging from discrimination to assault by peers, colleagues and family members. Those people who challenge norms of gender and sexuality through their sexual desires and practices and/or their gender 'presentation' face some of the most severe forms of social stigma and disapproval.

It is important to broaden our gender analysis, such that the violence experienced by 'queer' men can be properly understood as being based in gender. The violence that they suffer is based on their positioning within a gender order premised on the male supremacist logic that social relations are fundamentally hierarchical. This order insists not only on male-female hierarchies but also on hierarchies between men based on their gender status, that is the degree to which they conform to prevailing norms of masculinity and heterosexuality. Violence maintains the hierarchy by keeping the men 'who are not men enough' in their place.

4 Men's experience of sexual violence

But what about the men who appear to be, or strive to be, 'man enough'? What can be said of their sexual rights? Perhaps the most basic demand of advocates for sexual rights is that people be free to live their sexual lives without coercion. But men's experience of coercion in their sexual lives, irrespective of their sexual orientation or identity, often goes unmarked. On the basis of interviews with over 8,000 men aged 18 or older, the US government's National Violence Against Women Survey estimated that 92,748 men were raped in

1995, in addition to the 302,091 women who were raped that year (Tjaden and Thoennes 2006). This figure must be considered an underestimate as men in penal institutions were not included in the survey, and from other data it is known that the prevalence of male rape in prison is significant, at least in the US context. Background information in the US Prison Rape Elimination Act, signed into law by President Bush in 2003, estimated that at least 13 per cent of US inmates had been sexually assaulted in prison. In its global overview of men's experience of rape, the World Health Organization (WHO) makes clear that:

Unfortunately, there are few reliable statistics on the number of boys and men raped in settings such as schools, prisons and refugee camps. Most experts believe that official statistics vastly under-represent the number of male rape victims. The evidence available suggests that males may be even less likely than female victims to report an assault to the authorities. (WHO 2002)

In addition to adult men's experience of sexual violence, boys' experience of child sexual abuse is only now beginning to receive the attention it deserves. Research in Peru found that among young men reporting a heterosexual experience, 11 per cent reported a non-consensual experience at first sex. A study of adolescents in Kenya reports that 4 per cent of boys were forced into first sex and a further 6 per cent were 'persuaded' to engage in sex against their will (Jejeebhoy and Bott 2005). A review of studies from 20 countries, including ten national representative surveys, showed rates of childhood sexual abuse of 3–29 per cent for boys (compared with 7–36 per cent for girls), with most studies reporting up to three times more sexual violence against girls than boys. In all countries, the offenders were overwhelmingly male when the victim was female (above 90 per cent), while studies varied on the sex of the offender when the victim was male (Finkelhor 1994).

5 Sexuality and masculinity

As the definition of sexual rights presented at the beginning of this article makes clear, such rights are concerned with more than freedom from sexual coercion and violence. They are about the freedom to live our sexual lives with joy, dignity and autonomy. The denial of women's ability to enjoy this freedom is usually attributed to unequal gender relations between women and men. In other words,

it is men's patriarchal power that denies women their sexual rights. But where does this position men and their rights to live their sexual lives with joy, dignity and autonomy, especially those men who conform to prevailing norms of masculinity and heterosexuality? Aside from specific experiences of sexual violence, is there anything that is denying these men their sexual rights? A simplistic view of patriarchal privilege would suggest that the straightforward answer is 'no'. But recent developments in studies of men and masculinities are offering more nuanced accounts of how men with gender privilege come into and experience their sexuality. These accounts are bringing men back into gender, away from the abstraction of 'Patriarchal Man', and looking at the lived experience of real, as in actual, men. Such accounts are making clear that men's relationship to the gender socialisation they receive and the gender order in which they live is both diverse and complex, complicit and contested. Sexuality is central to this relationship.

Looking at the ways in which masculinity and sexuality express each other in men's lives makes it possible to see more clearly the issues of sexual rights for men who conform to prevailing norms of masculinity and heterosexuality, and who observe the rules of the gender order. Heteronormative masculinity has been linked with a number of constraints on men's ability to experience joy, dignity, autonomy and safety in their sexual lives. These constraints include the equating of masculinity with risk-taking, which can lead men into sexual behaviour that puts at risk their sexual health. This is linked to the pressure on men to use sex to demonstrate their masculinity. The prevailing discourse on men, masculinity and HIV/AIDS has identified men's need to prove sexual potency as a key reason for their seeking of multiple sexual partners and their desire to stay in control in their sexual relations with women.

The encouragement of risk and the pressure to prove sexual potency have also been linked to the sense of invulnerability promoted by heteronormative masculinity, associated with men in many societies being socialised to be self-reliant, not to show their emotions, and not to seek assistance in times of need or stress. Paradoxically, this can increase men's vulnerability to sexual ill-health by encouraging the denial of risk and constraining men from exercising their sexual rights in a way that is protective of one

of their most fundamental rights – the right to health.

The constraints of heteronormative masculinity are also evident in the feelings of sexual anxiety reported by young and adult men. A common finding across different sexual cultures is the anxiety young men report about becoming sexual in a context in which they are supposed to be knowledgeable and in control, but often feel neither. When asked about their concerns related to sex, both young and adult men often report being anxious about issues related to sexual performance, such as potency and penis size, at the same time as feeling unable to ask for help in dealing with these issues for fear of not being ‘manly’ enough.

These observations and findings on the ways in which heteronormative masculinity can constrain men in the exercise of their sexual rights have become commonplace in the burgeoning literature on men, masculinity and sexual health. My own work with men on gender, sexuality and HIV/AIDS in Zambia and South Africa, as well as my activism in the USA, bears out the central contention of this literature; namely, that if we want to engage men in work for gender equality (and thus the defence of women’s sexual rights) it is critical to address the ways in which heteronormative gender constructions harm men (and may compromise their sexual rights).

But my experience also suggests that the harms of men’s gender socialisation, especially with regard to sex, are inseparable from the privileges of men’s positioning within a patriarchal gender order. With this acknowledgement must come a willingness to be open to other readings of the connections between masculinity and sexuality. At the very least, it is useful to ask questions about the notion of risk in settings where men understand their sexuality to be a biological drive and natural necessity, which might preclude them from a sense of ‘taking a risk’. Similarly, demonstrations of potency and virility may

be as much about maintaining gender power as they are about demonstrating a gender identity, while men’s sexual anxiety must be placed in the context of their expectation of and sense of entitlement to being in sexual control.

6 Conclusion

When we consider men’s sexual rights in relation to the impact of male gender socialisation on sexuality, we must also consider the privileges that accrue to men who conform to prevailing norms of masculinity and heterosexuality. This is not simply about balancing men’s sexual rights with their responsibilities. More fundamentally, it is about asking questions about autonomy and accountability, about what it means to recognise the gender constructs that shape men’s sexual attitudes and behaviours at the same time as holding men accountable for the choices and decisions that they do make within their sexual lives. If we are to avoid the trap of a gender essentialism, in which men are simply made by masculinity, it is imperative to be clear about the agency that men have, and that different men make very different choices about their sexual rights and the sexual rights of others. At the same time, it is important to refuse the abstraction of gender and sexuality from history and to recognise that the sexual lives of both women and men are now caught between the forces of social conservatism and religious fundamentalism on the one hand and, on the other, the pressures of commodification within sexual cultures under capitalism. Sexual pleasure, liberty and autonomy are too often crushed between this rock and a hard place.

The discourse of sexual rights is a powerful tool for women and men, of all genders and sexual identities, to deal with these pressures and forces. But it is a tool that people have different power to use. Men, especially men with the privilege that comes with conforming to norms of masculinity and heterosexuality, have a particular role to play in the social and sexual revolution that will secure sexual rights not simply for themselves but for all.

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