

## WOMENSST 394R: Sexual and Reproductive Rights in Latin America.

Fall 2014

Cora Fernández Anderson



Class: Tuesday and Thursdays 10:00 to 11:15

Room: Bartlett 205

Office Hours: Wednesdays 9 to 12 or by appointment.

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Since the 1990s Latin America has witnessed increasing societal and political debates over sexual and reproductive rights. Issues such as contraceptives, abortion, gay marriage, transgender rights, sexual education and assisted reproductive technology have risen to the top of some countries' agendas after decades of silence, taboos, and restrictive or non-existent legislation. The course aims to provide a survey of sexual and reproductive rights in Latin America assessing the state of the regions as a whole, while at the same time highlighting the disparities that exist within it. The course analyzes the multiple factors behind the current policies focusing particularly on the role of women and gay rights movements in advancing more liberal legislation. In addition, we will look at the role of the Catholic Church in these debates and their struggles to prevent any legislative change that goes against their doctrine from happening. Among the cases we will explore are Argentina's gay marriage and gender identity legislation, Uruguay's decriminalization of abortion, Costa Rica's ban on IVF technologies and Peru's coercive sterilization program of indigenous populations.

**Goals:**

- Learn key concepts in the field of sexual and reproductive rights.
- Acquire knowledge of the general status of sexual and reproductive rights in Latin America.
- Gain an understanding of the theories that explain the different sexual and reproductive rights policies throughout the region.
- Gain skills in comparative analysis and policy making

**Readings**

There are no required books. All readings will be available through the class website in moodle.

**Requirements****Attendance and Participation:**

Your attendance and participation are essential for making this class a success. All students should come to class on time having done the readings and ready to participate in the class discussion and activities. You are allowed no more than 4 absences during the semester. If you exceed this number you will receive an F in the class unless there are documented extenuating circumstances (15% of grade).

**Country reports (2):**

Each student should choose one country of interest to examine throughout the semester. You are required to submit two country reports (5 pages) that examine one area of your country's sexual and reproductive rights based on prompts that I will provide as the semester progresses. There will be five opportunities/topics from which to choose which 2 assignments you would like to complete. This assignment is meant to add concrete examples that will enrich our classroom discussion of the various themes. You will be required to present your findings to the class. (30%).

**Response papers (2)**

You are required to write two response papers (2-3 pages) to class readings (15%).

**Final take home exam**

You will be required to respond to essay questions while having access to all course materials. The prompt will be distributed at the beginning of the exam period (December 8 at 9 AM) and the exam will be due at the end of it (December 13 at noon) print in my office. (40% of grade)

**Class policies:**

- You can contact me through email and expect a response within 48 hours.
- You are responsible for citing your sources thoroughly, and all plagiarism will be handled according to college policy.
- All assignments are due print in class on the specified date. All late papers will be marked down unless there is a justified and documented extreme circumstance. Misrepresenting your state of health to the professor to obtain an extension is a violation of the honor code.

- Students who need test or classroom accommodations due to a disability must be registered in advance with Disability Services and have a letter from that office confirming the needed accommodation. Please let me know as soon as possible.

### **Tentative class schedule**

(I may introduce changes as the semester progresses which will be announced in class and through email)

#### **Class 1: September 2**

Introduction to the class. No assigned readings.

#### **Class 2: September 4**

Sexual and reproductive rights. What are they? Status in Latin America.

- Emma Richardson, Anne Emanuelle Birn. 2011. "Sexual and reproductive health and rights in Latin America: an analysis of trends, commitments and achievements." *Reproductive Health Matters* 19 (38): 183-196.
- Karim Velasco. 2008. "Acknowledging sexual and reproductive rights in Latin American constitutions" <http://www.rhrealitycheck.org/blog/2008/06/10/acknowledging-sexual-and-reproductive-rights-latin-american-constitutions>

#### **Class 3: September 9**

From population control to reproductive rights.

- Michelle Goldberg. *The Means of Reproduction*. Chapter 4.
- Elizabeth Hartman. *Reproductive rights and wrongs: The global politics of population control*. Chapters 6 and 16. Pages 93-113 and 305-310.

#### **Class 4: September 11**

Cairo and Beijing Conferences.

- Cairo and Beijing declarations.
- Selections of Beijing plus 15 Latin America.

#### **Class 5: September 16**

Sexual rights. Global and regional status.

- UN. 2012. "Born free and equal. Sexual orientation and gender identity in international human rights law"
- Adriana Piatti-Crocker. 2013. "Diffusion of same sex policies in Latin America" In Jason Pierceson, Adriana Piatti Crocker and Shawn Schulenberg, eds, *Same Sex Marriage in Latin America. Promise and Resistance* (United Kingdom: Lexington Books).

- NYT debate. Why is Latin America so progressive on gay rights?  
<http://www.nytimes.com/roomfordebate/2014/01/29/why-is-latin-america-so-progressive-on-gay-rights>

Recommended/optional:

- Roger Raupp Rios. 2006. "Developing Sexual Rights: Challenges and Trends in Latin America" *IDS Bulletin* 37 (5)
- IPPF. 2014. Sexual Rights: An IPPF Declaration. <http://www.ippf.org/resource/Sexual-Rights-IPPF-declaration>

### **Class 6: September 18**

Overview of Latin America's history and normative traditions.

- Michael Conniff. "Latin America since Independence. An Overview." In Jan Knippers Black ed, *Latin America. Its problems and its promise*. Pages 86-100.
- Mala Htun. *Sex and the State*. Chapter 2. Four Normative Traditions.

### **Class 7: September 23**

The Catholic Church in Latin America. Organizing against sexual and reproductive rights.

- Primary sources: excerpts from Church's documents on sexual and reproductive rights.
- Marysa Navarro and Maria Consuelo Mejia. 2010. "The Latin American Network of Catolicas por el Derecho a Decidir" In Elizabeth Maier and Nathalie Lebon, ed, *Women's Activism in Latin America and the Caribbean*, (New Jersey: Rutgers the State University)
- Bonnie Shepard. 2006. *Running the obstacle course to sexual and reproductive health*. Chapter 1.

Recommended/optional:

- Evelyn P. Stevens. "Marianismo: The other face of machismo." In *Confronting change, challenging tradition: women in Latin American history*. Pages 3-17.
- Marysa Navarro. 2002. "Against Marianismo" In Montoya, Frazier and Hurtig, eds *Gender's Place. Feminist Anthropologies of Latin America* (New York:Palgrave)

### **Class 8: September 25**

Social movements. What are women's movements? Whose interests do they represent?

- Sidney Tarrow. 1998. *Power in Movement*. Introduction. Pages 1-9.
- Maxine Molineux. 2001. *Women's Movements in International Perspective*. Chapter 6: "Analyzing Women's movements".

### **Class 9: September 30**

Social movements. What are LGBT movements? Whose interests do they represent?

- Alumine Moreno. 2010. "The Gay Pride March? They are not talking about me" In Corrales and Pecheny eds. *The Politics of Sexuality in Latin America* (Pittsburgh, PA: University of Pittsburgh Press)
- Trina Grillo. 1995. "Anti-essentialism and Intersectionality: Tools to dismantle the Master's House" *Berkeley Women's Law Journal* 10.

### **Class 10: October 2**

Latin American feminisms

- Sonia Alvarez. 1999. "Advocating feminism: The Latin American feminist NGO boom" *International Feminist Journal of Politics* 1 (2)
- Jane Jaquette. "Women and Latin American Politics. Participation, citizenship and democracy." In *Latin America, its problems and its promise*. Pages 190-206

Recommended/optional

- Elisabeth Jay Friedman. 2010. "Seeking Rights from the Left: Gender and Sexuality in Latin America" In Amrita Basu, ed *Women's Movements in the Global Era. The Power of Local Feminisms* (Boulder, CO: Westview Press).

### **Class 11: October 7**

Abortion. Regional status and the case of Uruguay.

- Guttmacher Institute. 2012 report. "Facts on Abortion and Unintended Pregnancy in Latin America and the Caribbean"
- Cora Fernández Anderson. 2012. *The Politics of Abortion in the Americas. Reproductive Health Reality Check*.
- Cora Fernández Anderson. 2012. *Abortion decriminalization in Uruguay. Lessons and Liabilities. Different Takes*.

Recommended/Optional:

- World Health Organization. "Unsafe abortion: the preventable pandemic"
- Martha Rosenberg. 2010. "A Decade After Cairo in Latin America: An Overview" In Mohan Rao and Sarah Sexton, eds, *Markets and Malthus. Population, Gender and Health in Neoliberal Times* (Los Angeles, CA: SAGE)
- Human Rights Watch. 2005. "Human Rights Law and Access to Abortion."

First Country Report Due: status of abortion.

### **Class 12: October 9**

Abortion. The case of Nicaragua:

- Karen Kampwirth. 2008. "Abortion, Antifeminism, and the Return of Daniel Ortega: In Nicaragua, Leftist Politics?" *Latin American Perspectives* 35.
- Watch documentary "Rosita."

Recommended:

- Daniel Helinger. 2011. Comparative Politics of Latin America. Democracy at last? Pages 325-28. The Nicaraguan Revolution.
- Molineux, Maxine. 2001. The Politics of Abortion in Nicaragua: Revolutionary pragmatism or feminism in the realm of necessity? In *Women's Movements in International Perspective*. Chapter 3. Pages 60-75

**October 14: Monday class schedule will be followed. No class.**

**Class 13: October 16**

Assisted Reproductive Technologies. The Case of Costa Rica.

- Martin Hevia and Carlos Herrera Vacaflor. "The Legal Status of In Vitro Fertilization in Latin America and the American Convention on Human Rights" Forthcoming in the *Suffolk Transnational Law Review*.
- Cooper, Cynthia L. 2004. "Costa Rican IVF ban faces human rights test." *Women's E-News* <http://www.womensenews.org/story/the-world/041228/costa-rican-ivf-ban-faces-human-rights-test>
- Interamerican Court Ruling on the Costa Rica case.

Second Country Report due: Assisted Reproductive Technologies.

**Class 14: October 21**

Assisted Reproductive Technologies. The case of Ecuador.

- Miriam Zoll. Cracked open.
- Elizabeth F. S. Roberts. 2006. "God's laboratory: religious rationalities and modernity in Ecuadorian in vitro fertilization" *Culture, Medicine and Psychiatry* 30, (4)

**Class 15: October 23**

Class exercise on policy making and state regulations on Assisted Reproduction Technologies.

**Class 16: October 28**

Forced sterilization. The case of Peru.

- UNFPA. 2010 "How Universal is Access to Reproductive Health? A Review of the Evidence." (read mainly sections on Latin America)
- Anna Britt Coe. 2004. "From Anti Natalist to Ultra Conservative: Restricting Reproductive choice in Peru" *Reproductive Health Matters* 12 (24)

**Class 17: October 30**

Forced sterilization. The case of Peru (II)

- Watch “A Woman's Womb” by Mathilde Damoiseil.

**Class 18: November 4**

Emergency contraception.

- Anibal Faundes et al. 2007. “Emergency Contraception under Attack in Latin America: Response of the Medical Establishment and Civil Society” *Reproductive Health Matters* 15 (29)
- Martin Hevia. 2012. “The Legal Status of Emergency Contraception in Latin America” *International Journal of Gynecology and Obstetrics* 116

Recommended/optional

- Claudia Diaz Olavarrieta et al. 2002. “Policy climate, scholarship and provision of emergency contraception at affiliates of the International Planned Parenthood Federation in Latin America and the Caribbean” *Contraception* 65.

Third Country Report Due: Contraception.

**Class 19: November 6**

Emergency Contraception. The Case of Chile.

- Virginia Guzman et al. 2010. “Democracy in the Country but not in the Home? Religion, Politics and Women’s Rights in Chile” *Third World Quarterly* 31 (6)
- Alejandra Brito Pena et al. 2012. “Ruling the Womb. The Sexual and Reproductive Struggle during the Bachelet Administration” *Latin American Perspectives* 39

**Class 20: Wednesday November 12**

Latin American LGBT movements.

- Javier Corrales and Mario Pecheny. 2010. “Introduction. The Comparative Politics of Sexuality in Latin America.” In Corrales and Pecheny eds. *The Politics of Sexuality in Latin America* (Pittsburgh, PA: University of Pittsburgh Press). Browse the appendix.
- Shawn Schulenberg. 2013. “The Lavender Tide? LGBT Rights and the Latin American Left Today” In Jason Pierceson, Adriana Piatti Crocker and Shawn Schulenberg, eds, *Same Sex Marriage in Latin America. Promise and Resistance* (United Kingdom: Lexington Books).

Recommended/optional:

- Omar Encarnacion. 2011. “Latin America’s Gay Rights Revolution.” *Journal of Democracy* 22 (2)

- Jim Wilets. 2010. "Divergence between LGBTBI Legal, Political and Social Progress in the Caribbean and Latin America" In Corrales and Pecheny eds. *The Politics of Sexuality in Latin America* (Pittsburgh, PA: University of Pittsburgh Press).

Fourth Country Report due: Same sex marriage.

### **Class 21: November 13**

Gay marriage. The Case of Argentina.

- German Lodola and Margarita Corral. 2013. "Support for same-sex marriage in Latin America" In Jason Pierceson, Adriana Piatti Crocker and Shawn Schulenberg, eds, *Same Sex Marriage in Latin America. Promise and Resistance* (United Kingdom: Lexington Books).
- Jordi Diez. 2011. "Argentina: A Queer Tango between the Lesbian and Gay Movement and the State" In Manon Trembla, David Paternotte and Carol Johnson, eds. *The Lesbian and Gay Movement and the State. Comparative Insights into a Transformed Relationship.* (Burlington, VT: Ashgate Publishing Company)

Recommended/optional

- Renata Hiller. 2010. "The Civil Union Law in Buenos Aires: Notes on the Arguments by the Opposition" In Corrales and Pecheny eds. *The Politics of Sexuality in Latin America* (Pittsburgh, PA: University of Pittsburgh Press).
- Stephen Brown. 2010. "Con Discriminacion y Represion No Hay Democracia" The Lesbian and Gay Movement in Argentina." In Corrales and Pecheny eds. *The Politics of Sexuality in Latin America* (Pittsburgh, PA: University of Pittsburgh Press).

### **Class 22: November 18**

Gender Identity. The case of Uruguay and Argentina.

- Josefina Fernandez. 2004. "Transvestism and Public Space" In Corrales and Pecheny eds. *The Politics of Sexuality in Latin America* (Pittsburgh, PA: University of Pittsburgh Press).
- Collection of newspaper articles on gender identity laws in Argentina and Uruguay.

### **Class 23: November 20**

- Class exercise on Gender Identity Laws

Fifth Country Report due: Gender Identity.

### **Class 24: November 25**

International Adoption. Regional status.

- Laura Briggs. 2012. *Somebody's children. The politics of transracial and transnational adoption.* Chapter 6.



**Thanksgiving break****Class 25: December 2**

International Adoption. The case of Guatemala.

- Class screening of documentary “Goodbye Baby” by film director Pat Goudvis.

**Class 26: December 4**

Conclusions.