

QUESTION & ANSWER SERIES

MEXICO: TREATMENT OF HOMOSEXUALS

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I. Summary

Despite deep-seated problems with prejudice and discrimination, the past two years have seen progress in the treatment of homosexuals in Mexico.¹ In the first half of this decade, more than two dozen male homosexuals were murdered. Most were transvestites. Most of the murders occurred in the southeastern state of Chiapas. Other murders occurred in Mexico City, Guadalajara, and the states of Nayarit and Chihuahua. In virtually all cases, there was evidence of police involvement, complicity, or indifference. Since mid-1995, however, the situation has improved. In the wake of protests from human rights organizations, increased international exposure, and changes in local government, there have been no further reports that homosexuals have been murdered with the apparent complicity or tolerance of government authorities.

It is, however, difficult to determine to what extent homosexuals are being subjected to non-lethal forms of violence, such as beating, torture, and rape. There have been few reports of such abuses in the mass media. Similarly, there have been few complaints filed with human rights organizations. There have been even fewer reports of abuses against lesbians. Given the stigma associated with homosexuality, the paucity of such reports may reflect a reluctance on the part of victims to call attention to themselves. Yet if such abuses were really widespread, examples would inevitably come to the attention of sympathetic media and human rights organizations, many of which maintain ties with homosexual groups. In the absence of more complete information, it is reasonable to conjecture that such abuses do occur, though there is little evidence that they are systematic.

By many other measures, the situation for homosexuals in Mexico is improving. Though generally small and short on funds, homosexual organizations are springing up in major urban centers, as are groups that promote education about links between sexual behavior and HIV/AIDS. Annual gay pride marches are held in Mexico City, Veracruz, and Tijuana. There is an annual lesbian-gay cultural festival in Mexico City. Some influential Mexican newspapers and periodicals are treating homosexuals in a sympathetic light, and insisting on the need to respect their human rights.

¹For purposes of this report, "homosexual" will include gay men, lesbian women, bisexual men and women, transvestites, and transgendered persons.

In midterm elections on July 6, 1997, a quarter of all Mexicans, and almost half of those who live in Mexico City, voted for candidates of the Party of the Democratic Revolution (*Partido de la Revolucionario Democratica*, PRD), a relatively new party that, as part of a broader platform of inclusion and tolerance, favors respect for the rights of homosexuals. Among those elected to the Chamber of Deputies from the PRD party list for central Mexico (encompassing the Federal District and surrounding states) was Patria Jiménez, a lesbian activist who led this year's gay pride parade in Tijuana. She is Mexico's first openly homosexual legislator.

There remain some areas of concern, however. Though confirmed reports of murders of homosexuals have declined sharply, and though criminal investigations have been launched, few if any of those responsible for past crimes have been convicted. Admittedly, impunity is a problem throughout the Mexican criminal justice system, and does not involve only discrimination against homosexuals. Yet it does leave homosexuals exposed to the possibility of further abuse.

On the political front, the center-right National Action Party (*Partido de Accion Nacional*, PAN), which has been winning an increasing number of state and local elections, opposes homosexuality on moral grounds. That stance echoes the Catholic Church's posture that homosexual behavior is sinful. Some PAN mayors have adopted ordinances or policies reflecting that point of view. In some instances, they have raided and closed gay bars, or detained transvestites, usually on charges of prostitution. But they have also insisted that homosexuals have rights as human beings, and should in no case be subjected to hatred or physical violence.

Fearful of the response of the Catholic Church and conservative segments of society, the federal government has until recently avoided some of the most practical and effective, but politically controversial, means of containing the spread of the HIV virus and AIDS. Chief among those is promoting the use of condoms. Another is to develop an educational campaign aimed specifically at adolescents.

Yet some advances are being made here too. At the beginning of August, the federal government launched a nationwide campaign to promote the use of condoms. It also recently made a policy decision to provide advanced treatments for HIV/AIDS in the federal social security health insurance system. Should that decision be implemented—which has yet to happen—it would make advanced treatment available to a substantial portion of the population.

But either way, it will still exclude such treatment from the majority that is not covered by public or private insurance.

At a cultural level, *machismo* continues to exert a strong influence on public attitudes toward homosexuals. Because it exalts an exaggerated sense of maleness, *machismo* fosters particular contempt of men who willingly assume female characteristics, whether in the form of dress or sexual role. Such attitudes have in the past contributed to the violence directed at transvestites.

Despite these problems, many prominent Mexican homosexuals are optimistic about recent trends and prospects. Though worried about the lack of an effective campaign to prevent the spread of the HIV virus, writer Carlos Monsiváis says “it isn’t easy to be homosexual in Mexico, but in the cities you can live a homosexual life without great problems.”² According to Pedro Preciado, who has long led the struggle for gay rights in conservative Guadalajara, “slowly but steadily, respect for homosexual rights is building across Mexico.”³

II. Cultural Background

The dominant cultural attitude towards homosexuality has changed little since the time of the Aztec empire. The Aztecs executed males who engaged in anal sex, reserving the most brutal forms of execution for *cuiloni*, the passive, effeminate partners. These first had their colons ripped out through “the conduit that had been used for sex,” then were burned to death.⁴ Unlike many North American native peoples (including other mesoamerican cultures) who accepted cross-dressing *berdaches* provided they fully assumed women’s roles, the Aztecs also executed transvestites.⁵

The Aztec disdain for effeminate men was part of a broader set of attitudes toward gender that would contribute to what would become known as *machismo* (literally “male-ism”) under the Spaniards. As a warrior race that built an empire on the subjugation of neighboring peoples, the Aztecs venerated the aggressive male as superior to the passive female. Adolescent males were

²Monsiváis, Carlos. Telephone interview, 11 August 1997.

³Dillon, Sam. “Gay Rights, Prejudice and Politics in Mexico,” *New York Times*, 4 January 1997. Wockner, Rex. “Guadalajara Mayor Seemingly Bans Gays,” *International News* #156, 23 April 1997 - as reported on the World Wide Web (<http://www.qrd.org/qrd/www/world/wockner.html>).

⁴Novo, Salvador. *Las Locas, El Sexo, Los Burdeles* (Mexico City: Novaro, 1972), p. 12.

⁵Lumsden, Ian. *Homosexuality, Society, and the State in Mexico* (Toronto: Canadian Gay Archives, 1991), p. 15.

trained to be warriors in all-male schools, then sent into battle bearing phallic symbols. They derided their enemies as sexually impotent and feminine.⁶

Only heterosexual men were allowed to assert their sexual desire. Women had to observe tight restrictions on the “way they spoke, walked, used gestures, and language.”⁷ Female prostitution was tolerated, and married men, though required to be nominally faithful to their wives, were allowed to keep mistresses.

The Spanish conquest reinforced these attitudes with similar ones developed independently on the other side of the Atlantic, in a similar martial context. The Inquisition, born of the war to drive the Moors off the Iberian Peninsula, targeted nonconformists with a savagery comparable to that of the Aztecs. Since the Moors tolerated a greater degree of homosexual expression, anal sex came to be seen as a Moorish perversion that needed to be expunged from Spanish society. “Sodomites” were burned to death for their sins.⁸

Spanish *machismo* also reinforced Aztec attitudes towards women. By the early 1800s, brothels were legalized, and by 1905, there were 12 officially registered prostitutes for every 100 residents of Mexico City.⁹ To this day, it is a widely accepted practice for men to have mistresses. With divorce frowned upon in this overwhelmingly Catholic society, prosperous men maintain *casas chica* (“little houses”) for the women who satisfy their sexual appetites. Underlying all of this is a sharp dichotomy between an idealized image of woman as virtuous and asexual mother (wife) and woman as sexual temptress (mistress, or prostitute). The former is embodied in the Virgin of Guadalupe, a brown-skinned idol created as an asexual substitute for Tonantzin, the native goddess of fertility. The latter is symbolized by *La Malinche*, the Tabascan native who became mistress to Spanish conqueror Hernan Cortés. Where the virgin became the virtuous symbol of Mexican nationalism, *La Malinche* has come to personify treachery, although from her point of view she was merely trying to overthrow the brutal Aztec overlords.¹⁰ So

⁶Lumsden, Ian. *Homosexuality, Society, and the State in Mexico* (Toronto: Canadian Gay Archives, 1991), p. 15.

⁷Tuñón Pablos, Julia. *Mujeres en México: Una Historia Olvidada* (Mexico City: Planeta, 1987), p. 25.

⁸Lumsden, Ian. *Homosexuality, Society, and the State in Mexico* (Toronto: Canadian Gay Archives, 1991), p. 16.

⁹Tuñón Pablos, Julia. *Mujeres en México: Una Historia Olvidada* (Mexico City: Planeta, 1987), p. 118.

¹⁰Lumsden, Ian. *Homosexuality, Society, and the State in Mexico* (Toronto: Canadian Gay Archives, 1991), p. 18-19.

deeply entrenched were these cultural attitudes that women were not granted the right to vote until 1953.¹¹

A corollary of these attitudes is that it is not homosexuality per se that offends cultural sensitivities, but male effeminacy. The partner who assumes the traditional dominant male role in an act of homosexual intercourse is generally perceived to retain his manhood in the process; it is only the partner who assumes the traditional female role who is perceived as degraded and truly “homosexual.”¹² That makes transvestites, with their outward display of femininity, especially vulnerable to hatred by those who continue to hold to the code of *machismo*. Yet, as described further on, political and social changes presently underway are reducing the influence of *machismo*, particularly in the cities where more than three of every four Mexicans now live.

III. Murders of (Mostly Transvestite) Homosexuals: 1990-1995

So great is the power of entrenched cultural prejudice that it can easily become a pretext for violence and murder, even when the group that is being attacked poses no objective threat to the established order other than to call into question the prejudice itself. Given a cultural context that assigns a lower social status to women, and associates female sexuality with prostitution and mistresses, nothing could be as offensive as a man who would voluntarily, or so it would appear, forfeit his maleness to adopt the likeness and sexual role of a woman. That is why transvestites are particularly vulnerable in a *machista* culture, and why, until recently, they have been subject to a serious risk of being attacked and even murdered, sometimes by the authorities charged with maintaining law and order, sometimes with their complicity.

In October 1990, Patrocinio González Garrido, governor of the state of Chiapas, promulgated a new “public health law” that prohibited cross-dressing in public. Transvestites in the capital city of Tuxtla Gutiérrez nonetheless defied the ban. Shortly thereafter, they began to be victims of what appeared to be systematic killings. Between June 1991 and January 1993, fifteen men were murdered in Tuxtla. Most of the killings were carried out with high-caliber weapons reserved by law for the exclusive use of the Mexican Army and the federal and state

¹¹Lumsden, Ian. *Homosexuality, Society, and the State in Mexico* (Toronto: Canadian Gay Archives, 1991), p. 18.

¹²Lumsden, Ian. *Homosexuality, Society, and the State in Mexico* (Toronto: Canadian Gay Archives, 1991), p. 21-22. Paternostro, Silvana. “The Men in Their Lives,” *Miami Herald Tropic* (Miami: 18 July 1993), p. 10: “Psychologists and anthropologists...say that in Latin male sexual culture, the active partner in a homosexual relationship is not considered homosexual. Sexual orientation is defined not by the choice of a same-sex partner, but by the role played in the homosexual act.”

judicial police.¹³ In August 1992, in the midst of the string of killings, Governor González Garrido further inflamed tensions by stating that “the gay community is unnatural, and violates all concepts of ethics, hygiene, and normality.”¹⁴

Neftalí Ramírez Ruiz, vice-president of the Gay Transvestite Group (*Grupo Gay Travesti*), was among those who pressed for an investigation of the murders. On February 6, 1993, he was himself gunned down from a moving vehicle on the main avenue of Tuxtla.¹⁵ Eyewitnesses identified the gunman as a member of the State Judicial Police.¹⁶ Responding to this latest murder, the Human Rights Department of the Archdiocese of Mexico City issued the following statement:

We have strong evidence that makes us believe this [anti-gay] campaign has been waged by various police agencies, with the possible involvement of the army. The assassinations almost all take the same form . . . The shootings are done with expert marksmanship and using high-caliber weapons, such as 9 millimeter (theoretically only issued to the army), 38 super and 45 caliber (issued to judicial police). At least one of the victims was administered a coup de grace.¹⁷

Yet another murder occurred in April 1994, when unknown assailants beat to death Raymundo Figueroa Pinto in his home in Comitán.¹⁸ Amnesty International reports that “to date nobody has been successfully prosecuted for any of the killings” in Chiapas:

There was evidence that the actual perpetrators of the crimes acted with the tolerance and complicity of the Mexican authorities. The systematic failure to bring those involved to justice has granted virtual impunity to the perpetrators. Indeed, four of the police officials allegedly involved in the killings have since been promoted. The investigations failed to carry out thorough, impartial or prompt inquiries and were riddled with irregularities, hampered by death threats to witnesses and to journalists reporting developments. Special Prosecutor Jorge

¹³“Psicosis en Chiapas por la cacería de homosexuales,” *Proceso* (Mexico City: No. 852, 1 March 1993), p. 26.

¹⁴“Psicosis en Chiapas por la cacería de homosexuales,” *Proceso* (Mexico City: No. 852, 1 March 1993), p. 25. Despite González Garrido’s poor record on this and other issues involving human rights, in January 1993 President Carlos Salinas named him Secretary of Government, the second most powerful federal post after the presidency.

¹⁵“Psicosis en Chiapas por la cacería de homosexuales,” *Proceso* (Mexico City: No. 852, 1 March 1993), p. 26.

¹⁶Inter-Church Committee on Human Rights in Latin America. *Violence Unveiled: Repression Against Lesbians and Gay Men in Latin America* (Toronto: April 1996), p. 11.

¹⁷Jardí, Teresa. Action Letter from the Department of Human Rights of the Archdiocese of Mexico City, 13 February 1993.

¹⁸“Killings of Gay Men in Chiapas: the Impunity Continues,” *Amnesty International* (London: AMR 41/07/94, October 1994), p. 4, 8.

Gamboa Borraz, appointed in April 1994 to investigate the killings, resigned in June 1994 due to what he described as “a lack of cooperation from the authorities.”¹⁹

Meanwhile similar murders were taking place elsewhere in Mexico. On June 18, 1992, a young transvestite was beaten to death in Oaxaca; on August 9, 1992, two gay men were found tied up and shot to death in Guadalajara.²⁰

On July 13, 1992, the bodies of three gay professionals were found gagged, stabbed, and strangled in an apartment in Mexico City. Two of the victims were physicians—René de la Torre González and Francisco Estrada Valle. Estrada, a founder of AVE of Mexico (*Ayuda Voluntaria Educativa*, Volunteer Educational Assistance), appeared regularly on television as a spokesperson for the fight against AIDS. The third victim was a schoolteacher, Javier Rivero Meléndez. On the same day, police discovered the bodies of two other gay men in an apartment in another section of the city. Later in the week, a sixth gay man was found murdered in yet another apartment. Police described the victims as “people with strange habits” and “somasochists,” and tried to portray the murders as crimes of passion following orgies, or as “homosexual vendettas” by former lovers. The police later changed their story, suggesting the motive was money.²¹ According to the Human Rights Department of the Archdiocese of Mexico City, “The homicides in Mexico City also bore the professional stamp of police or military personnel.”²² In August 1994, the National Human Rights Commission, an agency of the federal government, issued a report condemning the handling of the case. It pointed to unexplained delays and failures to question obvious witnesses and pursue important leads, such as an assault and death threat received by Estrada only days before he was murdered.²³

The most recent murders occurred in 1995. Shortly before 2 am on June 27, after police tried without success to clear the area of prostitutes and transvestites, 15 to 20 men jumped out of a red van on Mexico City’s Calzada de Tlalpan. They savagely beat 19-year-old transvestite

¹⁹Amnesty International, *Breaking the Silence: Human Rights Violations Based on Sexual Orientation* (London: Amnesty International, 1997), p. 15-16.

²⁰International Gay & Lesbian Human Rights Commission. *Anti-Gay Violence Continues in Mexico: Gay Leader Assassinated*, Press Release (San Francisco: 17 February 1993).

²¹“Mexican Activists Demand Full Investigation of Murders of Gay Men,” *The Advocate* (25 August 1992), p. 29.

²²Jardí, Teresa. Action Letter from the Department of Human Rights of the Archdiocese of Mexico City (13 February 1993).

²³International Gay & Lesbian Human Rights Commission. Action Alert, September-October 1994.

Liborio Cruz (alias María Elena) with clubs, stones, and bottles, then ran over his unconscious body. He died shortly thereafter at the hospital.²⁴ Earlier that month, two homosexuals were attacked in Santiago Ixcuintla in the western coastal state of Nayarit. One of the two died as a result of the attack.²⁵ According to the Union for the Defense of the Rights of Homosexuals (*Unión en Defensa de los Derechos de los Homosexuales*), many transvestites were also murdered in Chihuahua between 1990 and 1995.²⁶

The 1995 Mexico City attack attracted a lot of critical attention in the capital city's newspapers, and caused domestic human rights groups to publish statements denouncing the government's failure to take adequate measures to protect the human rights of homosexuals. Since mid-1995, there have been no confirmed reports of murders of homosexuals in which the victims' sexual orientation was an identifiable motive.

IV. Other Forms of Mistreatment

In many regions of the country, municipal police forces routinely detain transvestites. When challenged, the authorities explain they are merely enforcing laws against prostitution, and trying to prevent the spread of sexually-transmitted diseases such as AIDS.²⁷ There is some basis for that claim, since in many if not most cases the transvestites are in fact prostitutes, or, as they prefer to be called, "sexual workers" (*trabajadores sexuales*). Also, because their trade is illegal, they are not subject to health inspections.

Yet arrests tend to be arbitrary, and without warrants. Too often, the police automatically associate transvestites with prostitution, even when the association is unfounded. Extortion is common. If bribes are not offered, police will often steal the "sexual workers'" earnings, arguing that they are illegal in the first place. Detainees who are unable to buy their way out are locked up and often subjected to humiliating treatments, including being made to strip naked to expose their male sexual organs.

²⁴"Atacaron a Grupo de homosexuales en la Calzada de Tlalpan; Uno Murió," *La Jornada* (Mexico City: 28 June 1995).

²⁵ "Exigen Esclarecer en Nayarit Asesinatos de Homosexuales," *La Jornada* (Mexico City: 10 June 1995).

²⁶ González Castro, Víctor. "Piden Investigar Homicidios de Homosexuales," *Diario de Chihuahua* (Chihuahua: 14 September 1995), p. 4-B.

²⁷ Trujillo Rodríguez, Eva. "Homosexuales demandan a Patricio," *Diario de Chihuahua* (Chihuahua: 4 March 1995). González Castro, Víctor. "Pide Cosyddhac respeto a homosexuales," *Diario de Chihuahua* (Chihuahua: 9 February 1995).

- At 1:30 am on January 27, 1996, officers of the State Judicial Police, the Public Security Police, and the Municipal Police detained leaders and members of the Gay Transvestite Cultural Circle (*Círculo Cultural Gay Travestí*) in Tuxtla Gutiérrez, Chiapas. They did not present a warrant for the arrests. According to the detainees, the police threatened and beat them, stole objects of value, made false charges, and extorted money from members of their families.²⁸
- At 1 am on September 14, 1996, two municipal police officers burst into a hotel room in Chihuahua, Chihuahua, where a transvestite “sexual worker” was taking care of a client. The officers told the prostitute to lend them the money he “stole” from his previous client, then stole the 250 pesos from his purse.²⁹

Because of widespread misconceptions about the spread of the HIV virus and AIDS, those who are infected are sometimes subject to discrimination and mistreatment both by the authorities and by landlords.

- At 10 pm on 3 October 1997, the director of the Santa Marta Acatitla penitentiary telephoned the family of a prisoner who was dying from AIDS. He told them he was about to release Victor, who was by now too ill to move, and if they didn’t come to claim him, he would simply be put out on the street. Shortly after midnight, Victor’s brother and sister-in-law arrived at the prison with a change of clothes. The prison director nonetheless had Victor placed naked in the ambulance.³⁰
- When Salvador Parra discovered he had AIDS in 1995, he and his family began to suffer systematic harrassment from their landlords in Mexico City’s Colonia Campestre Aragón. When Salvador began losing weight, his mother said he had a problem with his pancreas. But after an aunt of the landlords saw him leaving the infection ward one day, the word spread that he had AIDS. The landlord’s son broke into their apartment and stole the money he was saving for his burial. The landlord himself turned off the electricity, shut off the water, and cut the telephone wires. Salvador and his mother Rosa Ramírez Ortiz filed charges with the police and with the Human Rights Commission of the Federal District, all to no avail. By February 1997, they had been forced out of their home.³¹

V. Treatment of Lesbians

Just as the pattern of documented cases points to transvestites as the most likely targets of violence and other forms of abusive treatment, it suggests that lesbians are the least likely to encounter such problems. Directors of nongovernmental human rights organizations consulted

²⁸“Violaciones a derechos humanos del Círculo Cultural Gay Travestí en Tuxtla Gutiérrez, Chiapas,” *La Jornada* (Mexico City: 5 February 1996), p. 2.

²⁹Letter to the municipal president (mayor) of Chihuahua from the Union for the Defense of the Rights of Homosexuals (*Unión en Defensa de los Derechos de los Homosexuales*), (Chihuahua: 19 September 1996).

³⁰“Desnudo, fue sacado un reo con sida del penal de Santa Martha,” *La Jornada* (Mexico City: 6 October 1997).

³¹Rubio, Lilia. *Letra S* supplement to *La Jornada*, 6 February 1997, reprinted in the 7 February 1997 daily information service (via internet) of the Miguel Agustín Pro Human Rights Center.

for this report said they seldom if ever encounter any sign of physical abuse directed at lesbians. According to María Teresa Guerrero, director of the Chihuahua-based Commission for Solidarity and Defense of Human Rights (*Comisión de Solidaridad y Defensa de los Derechos Humanos, A.C., COSYDDHAC*), “in Mexico, when people use the word ‘homosexual,’ they mean only men.” “Lesbians are far less visible, hence have far fewer problems.”³² Mariclaire Acosta, president of the Mexican Commission for the Defense and Promotion of Human Rights (*Comisión Mexicana de Defensa y Promoción de los Derechos Humanos, CMDPDH*) says that while her organization has received complaints of abuses directed at male homosexuals, it has received none of abuses directed at lesbians. “There is discrimination against lesbians in Mexico, but abuses are not very public—if they occur, it’s within the realm of private life, and they don’t generally endanger the persons’ lives or security.”³³

Lesbian and feminist advocate Claudia Hinojosa says the major problems faced by lesbians are constraints on freedom of expression. Lesbian mothers fear that if they become too open about their sexuality, they will lose custody of their children (as described in the next section). Working lesbians fear getting fired, and it is not uncommon for women who publicly reveal their homosexual orientation to get laid off, ostensibly for other reasons. Being in the closet has other hazards, as when the police extort money from lesbians in exchange for not disclosing their secret. There are also many reports of verbal abuse from men, who will typically say “your problem is that you haven’t slept with a real man.”³⁴

Even so, attitudes towards lesbians tend to be milder than towards other homosexuals. It is probably no coincidence that lesbians have been the first to make inroads in the political system. Patria Jiménez, a PRD member of the Chamber of Deputies, is the first person to have been elected to Congress as an openly homosexual candidate.

VI. Homosexuality in Mexican Law

There are few explicit references to homosexuality in Mexican legal codes. Article 201 of the federal penal code provides for a prison sentence of three to eight years for anyone “who

³² Guerrero, María Teresa. Telephone interview, 5 November 1997.

³³ Acosta, Mariclaire. Telephone interview, 13 November 1997.

³⁴ Hinojosa, Claudia. Center for Women’s Global Leadership, Rutgers University, Telephone interview, 13 November 1997.

corrupts or contributes to the corruption of a minor under 16 years of age,” then specifies the forms of corruption as “exhibitionism, lewd or sexual acts,” or inducing minors “to beg, become inebriated, take narcotics, engage in prostitution or homosexuality, join a criminal organization, or commit a crime of any kind.” Where “repeated acts of corruption cause minors or the mentally handicapped...to habitually engage in prostitution or homosexual practices,” the penalty is raised to five to ten years of imprisonment. Most Mexican states make no mention of homosexuality in their penal codes. As mentioned earlier, the state of Chiapas prohibits cross-dressing in public. Two other states—Jalisco and Chihuahua—repeat the federal reference to homosexual corruption of minors.

The lack of explicit prohibitions on homosexual behavior does not, however, mean that such behavior is legally condoned, especially in public settings. Laws and ordinances at the federal, state, and municipal level prohibit or penalize what are vaguely described as offenses against morality and decency. The aforementioned Article 201 is in a section of the penal code entitled “Transgressions Against Morality and Public Decency.” In practice, such transgressions are often interpreted to include homosexual behavior, but not comparable heterosexual behavior, reflecting the influence of *machismo*. Article 262 of the same code absolves an adult male of responsibility for seducing a female minor if she cannot prove she is “chaste and honest.”³⁵

The same double standards extend to the federal civil code. Article 444 (iii), for example, specifies that divorced parents with “depraved habits” that could affect the morals of their children lose any claim to custody. Those habits have been interpreted to mean adultery on the part of the mother and homosexuality on the part of the father.³⁶ According to Claudia Hinojosa, a lesbian and feminist activist, lesbian mothers also live in constant fear that the courts will turn over custody of their children to their former husbands if they are too open about their sexuality.³⁷

Similar language appears in state and municipal statutes. In Guadalajara, for instance, the Police and Good Government Ordinance passed by the city council on December 5, 1996,

³⁵Lumsden, Ian. *Homosexuality, Society, and the State in Mexico* (Toronto: Canadian Gay Archives, 1991), p. 52.

³⁶Lumsden, Ian. *Homosexuality, Society, and the State in Mexico* (Toronto: Canadian Gay Archives, 1991), p. 49.

³⁷Hinojosa, Claudia. Center for Women’s Global Leadership, Rutgers University, Telephone interview, 13 November 1997.

prohibits “public practices that imply the development of an abnormal sexual life.”³⁸ Though National Action Party (PAN) mayor César Coll Carabias told the *New York Times* the phrase is aimed at bestiality, not homosexuality, that is not what the text actually says, nor does his explanation square with an earlier statement: “And what do I say to homosexuals? Well, the great majority of us are normal people. Homosexuality occurs in people who are not normal...like the deaf or the blind, they are not normal people.”³⁹

The imprecise language of Mexican legislation on “morals” make the boundaries of what constitutes acceptable behavior among consenting adults virtually impossible to determine. It also makes it easier for the police to harass homosexuals and to extort money from them.

- On December 1, 1995, the captain on Mexicana flight 972 ordered six security guards at Guadalajara International Airport to evict two San Francisco-bound lesbians who had been holding hands, on the grounds that they were engaging in immoral behavior.⁴⁰

Morals charges have occasionally been leveled against those who criticize the authorities. The arrest, beating, and imprisonment of two men renowned for their AIDS-prevention work among male prostitutes in Mexico City is a case in point. Worth noting is the application of Article 201:

- On June 13, 1992, Gerardo Rubén Ortega Zurita criticized the Mexican government in a television interview for its treatment of gay issues. Three days later, he was arrested with an associate, José Cruz Reyes Potenciano, by Federal District Judicial Police. The two men were charged with the rape of a minor, even though a forensic examination of the alleged victim found no evidence of rape, and medical examinations of the defendants documented injuries consistent with their accounts of beatings by the police. Despite this evidence, both men were sentenced to 13 years and nine months’ imprisonment. In June 1993, Amnesty International classified the two men as possible prisoners of conscience.⁴¹ They were released in July 1993, cleared of all charges.⁴²

³⁸Dillon, Sam. “Gay Rights, Prejudice and Politics in Mexico,” *New York Times* (New York: 4 January 1997). Wockner, Rex. “Guadalajara Mayor Seemingly Bans Gays,” *International News* (#156, 23 April 1997) - as reported on the World Wide Web (<http://www.qrd.org/qrd/www/world/wockner.html>).

³⁹Wockner, Rex. “New Guadalajara Mayor Defames Gays,” *Wockner Mexico News* (18 April 1995) - as reported on the World Wide Web (<http://www.qrd.org/qrd/www/world/wockner.html>).

⁴⁰International Gay and Lesbian Human Rights Commission, Emergency Response Network (San Francisco: Vol 5, No 3, May 1996).

⁴¹Amnesty International. *Mexico: Human Rights Violations Against Gay Activists* (London: AMR 41/03/93).

⁴²Amnesty International. *Breaking the Silence: Human Rights Violations Based on Sexual Orientation* (London: 1997), p. 42.

VII. Sexual Orientation and Politics

Mexico now has three major political parties, each of which governs a large number of municipalities, which are the entities that ordinarily enforce the laws on public morality.

The Institutional Revolutionary Party (PRI), which until a decade ago governed almost every municipality in the country, has never taken a formal position on homosexuality. Most PRI mayors and governors have treated the issue the way they have most other issues of public morality: as something to be left to the discretion of consenting adults. Ever since the triumph of the Liberals under President Benito Juárez in the 1860s and the Revolution of 1910-1920, there has been a strong separation of church and state in Mexico. With morality generally considered the province of the Church, the PRI, which considers itself the party of the Revolution, has generally been reluctant to be seen as carrying out the will of the Catholic Church. Yet it has also been mindful of not offending Catholic moral sensibilities.

Though the federal government has tended to stay clear of morals issues, some local administrations have either engaged in, or tolerated, persecution of homosexuals. Between 1990 and 1995, over two dozen homosexuals, most of them transvestites, were murdered in Chiapas, the Federal District, Guadalajara, Nayarit, and Chihuahua (see section on **murders of homosexuals 1990-1995**). In most cases, the police were suspected of being involved in the murders. In all instances, the PRI was in control of the state and municipal governments. In Chiapas, PRI Governor Patrocinio González Garrido actually carried out a campaign against transvestites, inaugurated with a law banning cross-dressing in public. Since 1995, however, there have been no confirmed reports of killings of homosexuals in Mexico, in which the motive has been linked to the victims' sexual orientation.⁴³

The political party that now governs the most Mexicans at the municipal level is the center-right National Action Party (PAN). Cities under PAN administration include Guadalajara, Monterrey, Tijuana, Ciudad Juárez, León, Puebla, Cuernavaca, Mérida, Morelia, Oaxaca, and

⁴³Several gay and lesbian rights groups wrote a letter to the editor of *La Jornada* published on 22 May 1996, denouncing the murder of Juan Carlos Escandón Guillén, president of a homosexual organization in Chiapas, after he sought refuge in the Federal District. Yet in an article entitled "Carece Chiapas de prevención y control de VIH/SIDA" ("Chiapas lacks prevention and control for HIV/AIDS") published in the same newspaper on 25 October 1997, Escandón, described as president of *Proyecto Sida Chiapas* (Project AIDS Chiapas), denounced the "deficient and inhuman" treatment of AIDS patients. The Fray Bartolomé Human Rights Center, based in Chiapas, was able to locate him in the state capital of Tuxtla Gutiérrez in November 1997 (e-mail message, 7 November 1997).

Tuxtla Gutiérrez. On social issues, the PAN tends to associate closely with the Catholic Church. Accordingly, many of its leaders have taken public stands variously describing homosexuality as abnormal, as a sickness, or as a moral weakness.

After Luis Quirós Echegaray, the PAN mayor of León, barred the holding of a transvestite dance in April 1996, Vicente Fox, PAN governor of Guanajuato, defended the action: "It's the municipality's decision, and it seems to me they did the right thing. Degenerate acts aren't good for society, and the State has no reason to promote them...As citizens, they [homosexuals] merit my full respect. No one is going to hurt them, or bother them...But in my opinion it's a degenerate act, going against nature."⁴⁴

Around the same time, José Guadalupe Martín Rábago, Roman Catholic Bishop of León, Guanajuato, was reported to have said that "Medically speaking, homosexuality is a moral illness and as such goes against God's purpose in creating man and woman to be joined as a couple. But that doesn't mean that persons affected by that orientation do not merit respect as human beings. Even the worst of criminals still have those rights. It is necessary to balance individual and social rights to create a morally healthy environment, which allows homosexuals to live and to develop as human beings."⁴⁵

Consistent with Governor Fox's assertions, there have been no reports of killings of homosexuals under PAN administrations. Some PAN mayors, however, have launched campaigns targeted at homosexual behavior. In León, Mayor Quirós banned a transvestite dance. In Tuxtla Gutiérrez (see preceding section), the police have tried to sweep transvestites off the streets. In Guadalajara, Mexico's second-largest city, the city council has, as described in the preceding section, prohibited "public practices that imply the development of an abnormal sexual life."⁴⁶ In Monterrey, Mexico's third-largest city, police closed four of the five gay bars shortly after the inauguration of a PAN mayor. Yet that action galvanized an effective resistance by the city's gay community, which opened new bars, and launched the city's first gay organization and

⁴⁴Monsiváis, Carlos. "Por mi madre, bohemios," *La Jornada* (Mexico City: 3 June 1996), citing Pablo César Carrillo in *A.M. de León*, April 1996.

⁴⁵Monsiváis, Carlos. "Por mi madre, bohemios," *La Jornada* (Mexico City: 3 June 1996), citing Claudia Guerrero in *A.M. de León*, 29 April 1996.

⁴⁶Dillon, Sam. "Gay Rights, Prejudice and Politics in Mexico," *New York Times* (New York: 4 January 1997). Wockner, Rex. "Guadalajara Mayor Seemingly Bans Gays," *International News* (No. 156, 23 April 1997) - as reported on the World Wide Web (<http://www.qrd.org/qrd/www/world/wockner.html>).

gay newspaper.⁴⁷ Because PAN officeholders have remained respectful of human life, their attempts to legislate morality have only helped consolidate a gay rights movement.

Mexico's newest major political party, the Party of the Democratic Revolution (PRD), is also the first to question *machismo*, and, not coincidentally, to defend (though by no means champion) the rights of homosexuals. Addressing a gathering of newly elected PRD public officials in January, party president Andrés Manuel López Obrador cautioned them not only against corruption but against *machismo*:

Share the emotion of public service with your wives and children. Don't be like the men of the PRI, who once in power show off a new woman and are the worst example for family unity. Look at the Salinas de Gortari brothers, one recently married in Dublin with one of his aides, and the other photographed on his yachts with his lovers. This is not priggishness. We're talking about the moral degradation of public functionaries.⁴⁸

The PRD is also contributing to efforts to secure respect for the rights of homosexuals. From the outset of his 1988 presidential campaign, Cuauhtémoc Cárdenas welcomed support from homosexuals, as part of his strategy of building diverse coalitions of citizens' groups dedicated to reform. The PRI took advantage of this to embarrass him during a 1994 presidential campaign appearance in Veracruz. The state's undersecretary of internal affairs hired a group of transvestites to burst into a campaign dinner at a hotel in the capital city of Xalapa, wave PRD placards, and hug and kiss the candidate. Made to seem spontaneous, the incident was soon splashed over the front pages of newspapers and on national television.⁴⁹

Despite this incident, in 1997 the PRD placed Patria Jiménez, Mexico's best-known lesbian activist, high enough on the party list for proportional representation seats in the Chamber of Deputies to guarantee her election. Throughout the campaign, Jiménez emphasized her sexual orientation, leading the gay pride parade in Tijuana and using posters with the slogan "Safe Sex,

⁴⁷Wockner, Rex. "Gays Organize in Baja and Monterrey," *Wockner Mexico News* (22 February 1995) - as reported on the World Wide Web (<http://www.qrd.org/qrd/www/world/wockner.html>).

⁴⁸Dillon, Sam. "Mexico City Journal; How to Scandalize a Politician: Bare a Love Affair," *New York Times* (New York: 22 January 1997), p. A4.

⁴⁹Ravelo, Ricardo and Vera, Rodrigo. "El gobierno veracruzano 'pago a los travestis, porros y teporochos que hostilizaron a Cuauhtémoc,'" *Proceso* (Mexico City: No. 883, 4 October 1993), p. 6-7.

Safe Vote—Make the future yours!” On September 1, she took office as the first openly homosexual Mexican legislator in the nation’s history.⁵⁰

VIII. Homosexual Organizing

Mexico’s first homosexual organizations were formed in Mexico City in the late 1970s, with ties to the extreme left. Initially, the largest and most influential group was the Homosexual Front for Revolutionary Action (*Frente Homosexual de Acción Revolucionaria*, FHAR). Almost all of its members were male, and espoused socialist or anarchist views. Oikabeth, on the other hand, was exclusively lesbian and socialist. A third organization, the Lambda Group for Homosexual Liberation (*Grupo Lambda de Liberación Homosexual*, GLLH) was more evenly balanced between men and women. It eventually displaced FHAR as the leading homosexual group.⁵¹

Through ties with the Trotskyite Revolutionary Workers’ Party (*Partido Revolucionario de los Trabajadores*, PRT), the Lambda Group first introduced gay rights into the platform of the political left. In the 1982 national elections, the PRT ran the nation’s first homosexual candidates for public office—Claudia Hinojosa and Max Mejía in Mexico City, and Lupita García de Alba and Pedro Preciado in Guadalajara.

Yet the movement was hurt by two factors. The most important, according to Claudia Hinojosa, was the onset of a protracted economic crisis that brought an end to a period of rising social expectations, and caused homosexuals to refocus their energies on trying to hold on to their jobs.⁵² Another problem was the identification of homosexual rights with left-socialism, which alienated the nascent movement from most of its potential supporters, who were middle-class. Lacking broad-based support, the initial organizing efforts gradually disintegrated.⁵³

By the 1990s, their place had been taken by a wide range of new organizations whose focus was on education, culture, and support for victims of AIDS, rather than on politics. Sun Collective (*Colectivo Sol*), led by Juan Jacobo Hernández, has established the most

⁵⁰Wockner, Rex. *Lesbian Elected to Mexican Congress* (31 July 1997) - as reported on the World Wide Web (<http://www.qrd.org/qrd/www/world/wockner.html>).

⁵¹Lumsden, Ian. *Homosexuality, Society, and the State in Mexico* (Toronto: Canadian Gay Archives, 1991), p. 61-62.

⁵²Hinojosa, Claudia. Center for Women’s Global Leadership, Rutgers University, Telephone interview (13 November 1997).

⁵³Lumsden, Ian. *Homosexuality, Society, and the State in Mexico* (Toronto: Canadian Gay Archives, 1991), 63-64.

comprehensive gay and lesbian archive in Latin America. The Nancy Cárdenas Lesbian Documentation Center and Historical Archive (*Centro de Documentación y Archivo Histórico Lésbico “Nancy Cárdenas”*), focuses on lesbian topics. Sister Juana’s Closet (*El Clóset de Sor Juana*—named after Juana Inés de la Cruz, a Carmelite nun and renowned Mexican poet—and coordinated by Patria Jiménez, PRD member of Congress) is a lesbian rights group, as is the Lesbian Mothers’ Group (*Grupo de Madres Lesbianas*). The Gay Cyclists’ Group (*Grupo Ciclista Gay*) organizes Sunday bicycle outings. The Gay Diversions Group (*Grupo Palomilla Gay*) holds workshops for gay youth, sponsors cultural events, and publishes the monthly *Registro Gay* (“Gay Register”). The Gay Guerrillas (*Guerrilla Gay*) sponsor cultural events and roundtables on gay rights. *Unigay* sponsors conferences on homosexual rights. The Center for Humanist Sex Training and Support (*Centro de Capacitación y Apoyo Sexológico Humanista*) sponsors workshops on homosexuality and self-esteem. The Church of the Metropolitan Community (*Iglesia de la Comunidad Metropolitana*, ICM), provides spiritual counseling and information on AIDS and gay rights to the homosexual communities in Mexico City and nearby Cuernavaca. The Gay Cultural Circle (*Círculo Cultural Gay*), led by José María Covarrubias, organizes an annual series of debates, films, theatrical performances, and displays of art prior to Gay Pride Day, in the Chopo University Museum (*Museo Universitario del Chopo*).⁵⁴ Alliance (*Alianza*) is a coalition of gay executives and professionals founded in 1996 to provide legal support to, and share business skills with, other homosexuals. According to co-founder Gerardo Treviño, “many people don’t envision gays and lesbians in positions of leadership and responsibility, yet here we are and we intend to make our work and our presence known.”⁵⁵

The number of gay bars in Mexico City has risen from a handful in the late 1970s to some two dozen. Borrowing on the popularity of hooded and masked wrestlers, a new hero known as Super Gay has emerged. Wearing a black body-suit with a pink triangle on the chest and a pink cape, Super Gay leads marches, intercedes with authorities, and stages media events. “I will try

⁵⁴“Para servirle a usted: directorio de organizaciones Lésbico-Gay,” *La Jornada* (Mexico City: 5 September 1996), *Letra S* monthly supplement.

⁵⁵“Gay Entrepreneurs Organize to Offer Mutual Support,” *InterPress Service* (New York: 14 April 1996) - as reported in Human Rights Documentation Exchange. *Mexico NewsPak* (Austin, TX: Vol. 4, No. 6, 8-21 April 1996), p. 12.

to unite the gay community,” he told Inter-Press Service. “We must keep together in order to end homophobia. I will not rest in the fight to defend our community and the cause of justice.”⁵⁶

In Guadalajara, Mexico’s second-largest city, homosexuals began organizing in 1981. In response to growing public hostility as gays became more visible, they formed the Homosexual Pride Liberation Group (*Grupo de Orgullo Homosexual de Liberación*, GOHL), led by Pedro Preciado. After the 1982 election, the new PRI governor launched an anti-homosexual campaign, clearing the streets, closing all gay bars, and even raiding a private fiesta. Homosexuals responded with a campaign focused narrowly on police abuses, including extortion. Within months, the government reversed course. The gay bars reopened, police were instructed to stop harassing homosexuals, and the government agreed to open a community-run disco—Boops—whose profits enabled GOHL to fund a wide range of services to gays and lesbians. Another Guadalajara gay group, Pink Triangle (*Triángulo Rosa*), was less effective, and has since disbanded. In 1989, the election of conservative PRI mayor Gabriel Covarrubias set off a new wave of repression. Covarrubias again had the police clear homosexuals from the streets, and had all gay bars closed, including Boops. In 1991, the mayor was able to prevent the International Lesbian and Gay Association from holding its annual conference in Guadalajara (it met in Acapulco instead). But the repression has since subsided. Gay bars have reopened, and GOHL has been joined by a lesbian organization, *Grupo Lésbico Patlatonalli*.⁵⁷ Though the city elected a new PAN mayor and city council in 1995 that adopted an ordinance that prohibited “public practices that imply the development of an abnormal sexual life,” the new city government has refrained from enforcing the statute against homosexuals. According to GOHL leader Pedro Preciado, the PAN has shown more tolerance towards homosexuals than did the PRI, and he senses an improving situation nationwide: “Slowly but steadily, respect for homosexual rights is building across Mexico.”⁵⁸

In Monterrey, Mexico’s third-largest city, a new PAN administration closed four of five gay bars in 1995, at least two of which reopened soon thereafter. At about the same time,

⁵⁶Wockner, Rex. “It’s a bird, it’s a plane, it’s Super Gay,” *International News* (No. 153, 2 April 1997) - as reported on the World Wide Web (<http://www.qrd.org/qrd/www/world/wockner.html>).

⁵⁷Lumsden, Ian. *Homosexuality, Society, and the State in Mexico* (Toronto: Canadian Gay Archives, 1991), p. 80-83.

⁵⁸Dillon, Sam. “Gay Rights, Prejudice and Politics in Mexico,” *New York Times* (New York: 4 January 1997). Wockner, Rex. “Guadalajara Mayor Seemingly Bans Gays,” *International News* (No. 156, 23 April 1997) - as reported on the World Wide Web (<http://www.qrd.org/qrd/www/world/wockner.html>).

lesbians formed the *Colectivo Nancy Cárdenas*, named after a nationally-known theater director of the 1970s and 1980s. The group publishes the newspaper *Montegay*.⁵⁹

Tijuana, which straddles the U.S. border opposite San Diego, has a lively gay night life that blends U.S. and Mexican influences. Like Mexico City, it has an annual gay pride parade. Reflecting the cross-cultural fertilization from north of the border, its homosexual communities are well-organized and assertive. They are united in a coalition known by the acronym FIGHT, which stands for *Frente Internacional para las Garantías Humanas en Tijuana, A.C.*, which publishes the newspaper *Frontera Gay* (“Gay Border”). Members of the coalition include Tijuana AIDS Organization (*Organización Sida Tijuana, OST*), the “Monarch Triangle” Gay Discussion Group (*Grupo Gay de Conversación “Triángulo Monarca”*), the sex workers group Free Women’s Vanguard (*Vanguardia de Mujeres Libres María Magdalena*), Church of the Metropolitan Community (*Iglesia de la Comunidad Metropolitana, ICM/Tijuana*), and the Civic Culture Network (*Red de Cultura Civil*), a gay cultural organization.⁶⁰

Ensenada, 70 miles south of Tijuana, has *Grupo Hippocampo*, which stages a Miss Mexico Gay pageant at a disco. In La Paz, capital of Baja California Sur, gays organized Hands Together (*Manos Unidas*) in 1995.⁶¹

1995 also marked the founding of the Chihuahua-based Union for the Defense of the Rights of Homosexuals (*Unión en Defensa de los Derechos de los Homosexuales*). The group maintains ties with the Commission for Solidarity and Defense of Human Rights (*Comisión de Solidaridad y Defensa de los Derechos Humanos, Asociación Civil*), located in the same state.⁶²

The southern state of Oaxaca has two transvestite support organizations. *Grupo Unión* is located in the capital city of Oaxaca. The oddly-named Vigil of the True Fearless Danger Seekers (*Vela de las Auténticas Intrépidas Buscadoras de Peligro*) sponsors an annual (November 20) fiesta and gathering of transvestites from throughout southeastern Mexico in

⁵⁹Wockner, Rex. “Gays Organize in Baja and Monterrey,” *Wockner Mexico News* (22 February 1995) - as reported on the World Wide Web (<http://www.qrd.org/qrd/www/world/wockner.html>).

⁶⁰“Para servirle a usted: directorio de organizaciones Lésbico-Gay,” *La Jornada* (Mexico City: 5 September 1996), *Letra S* monthly supplement.

⁶¹Wockner, Rex. “Gays Organize in Baja and Monterrey,” *Wockner Mexico News* (22 February 1995) - as reported on the World Wide Web (<http://www.qrd.org/qrd/www/world/wockner.html>).

⁶²Trujillo Rodríguez, Eva. “Integran unión de homosexuales,” *Diario de Chihuahua*, (Chihuahua: 14 February 1995).

Juchitán. Despite the name, there is no danger involved, because Juchitán has been governed by sympathetic leftist parties for decades, and the city's officials and much of its non-homosexual population takes part in the festivities.⁶³

IX. Efforts at Prevention and Treatment of HIV and AIDS

According to Carlos Bonfil, who edits *Letra S*, a monthly newspaper supplement that specializes in public education on health, sexuality, and HIV/AIDS, only about one in four Mexicans who test positive for the HIV virus acknowledge being homosexual. The real figure, he says, is closer to 70%. The divergence occurs because most homosexuals do not wish to be identified as such in a social context that continues to stigmatize homosexuality. So they identify themselves as bisexual or heterosexual, creating a distorted picture of the patterns of risk. Because of this and fears of a conservative backlash, he argues, the government is reluctant to develop AIDS prevention campaigns targeted specifically at homosexuals. More specifically, he says there is a real need to focus on the baths, saunas, and dark orgy rooms at gay bars that are leading contributors to the spread of the HIV virus.⁶⁴

Mario Bronfman, Director of Health Policy and Planning for the National Institute of Public Health (*Instituto Nacional de Salud Pública*), and formerly Director of Research for the National Council for the Prevention and Control of AIDS (*Consejo Nacional para la Prevención y Control del Sida*, CONASIDA) offers a different perspective. He says that when the AIDS epidemic first emerged, the government's response was to focus on groups at risk. That led to protests from homosexuals who feared being doubly stigmatized. So federal public health agencies began focusing on *behaviors* that entail risk regardless of the group that is engaging in them.⁶⁵

The federal government has recently made two policy changes that could help prevent and control AIDS. The first was a decision to make advanced HIV/AIDS drug treatments, including the use of proteases, available for the large segment of the population (including union members, government employees, their families, and individuals who opt to make payments to

⁶³"Para servirle a usted: directorio de organizaciones Lésbico-Gay," *La Jornada* (Mexico City: 5 September 1996), *Letra S* monthly supplement.

⁶⁴Bonfil, Carlos. Telephone interview, 11 August 1997.

⁶⁵Bronfman, Mario. Telephone interview, 12 August 1997.

join the system) covered by the Mexican Social Security Institute (*Instituto Mexicano del Seguro Social*, IMSS) health insurance system.⁶⁶ Yet such treatments remain unavailable even in principle to the majority of the population that is not covered by either IMSS or private insurance. It is also unclear to what extent the government is actually making medicines available even to those who are covered by IMSS. In October 1997, the Front for Persons Affected by HIV/AIDS (*Frente de Personas Afectadas por el VIH/SIDA*, Frenpavih) appeared before the Health Commission of the Chamber of Deputies to complain that the IMSS is not in fact keeping its commitment to make the medicines available.⁶⁷

On the other hand, the very fact that such a group would be invited to address the Health Commission of the Chamber of Deputies is a reflection of the political change underway in Mexico. The Health Commission is presided by PRD deputy Santiago Padilla Arriaga, a physician who is concerned that “50 percent of Mexicans suffering from HIV/AIDS are not receiving the antiviral medications they need for lack of resources.” The Commission’s first secretary, PAN deputy Marco Antonio Adame Castillo, who is likewise a physician, adds that “the growth curve of AIDS in Mexico is the steepest in Latin America for lack of effective programs for prevention and care.” They are both committed to using the opposition’s newly acquired congressional strength to pressure the executive branch to launch a “frontal assault on AIDS in Mexico.”⁶⁸

The second policy change was a decision to promote the use of condoms. On August 1, 1997, the government inaugurated a nationwide campaign, using television spots and billboards. In place of the former emphasis on fidelity and abstinence, the new campaign is built around the message that “there are many ways to protect oneself from AIDS—using a condom is one of them.” The primary targets of the campaign, which has already drawn fire from conservatives, are adolescents.⁶⁹

In addition to government efforts, there are a range of not-for-profit organizations that are working to educate homosexuals and the public at large about the risks of sexually transmitted

⁶⁶Bonfil, Carlos. Telephone interview, 11 August 1997.

⁶⁷“Demandan ante Cámara tratamientos contra el sida,” *Reforma* (Mexico City: 9 October 1997), p. 2A.

⁶⁸Campa, Homero. “Por la falta de recursos y de programas efectivos, el sida está fuera de control en México: advierten los diputados Santiago Padilla y Marco Antonio Adame,” *Proceso* (Mexico City: No. 1098, 16 November 1997).

diseases, and that are seeking to improve the care of those who have already fallen sick. One of those is *Letra S* (“The Letter S”), a monthly supplement to the national newspaper *La Jornada*. The supplement’s name derives from the fact that in Spanish, virtually all of the key words relating to AIDS begin with the letter S—*salud* (health), *sexualidad* (sexuality), *Sida* (AIDS), *sangre* (blood), *semen*, *saliva*. *Letra S* publishes articles on public health issues related to HIV/AIDS, and provides contact information for other organizations working on the same issues, and for gay rights groups.⁷⁰

Mexico City has several organizations that address HIV/AIDS issues. One is the Mexican Association for HIV Assistance Services (*Asociación Mexicana de Servicios Asistenciales en VIH*, AMSAVIH), which provides medical care and organizes self-help groups. Another is Partners in Voluntary Educational Aid (*Compañeros en Ayuda Voluntaria Educativa*, AVE de México), which offers safe sex workshops and annual training programs on sexuality and AIDS, along with a bibliographical service and video library. The Francisco Estrada Valle Foundation (*Fundación Francisco Estrada Valle*) also offers workshops on sexuality and AIDS. The Mexican Foundation for the Fight Against AIDS (*Fundación Mexicana para la Lucha contra el Sida*) provides medical and psychological assistance to those with AIDS, and organizes self-help groups. At least two churches—the Mexican Anglican Church (*Iglesia Anglicana de México*) and the Church of the Metropolitan Community (*Iglesia de la Comunidad Metropolitana*, with branches in Cuernavaca and Tijuana)—provide information and spiritual assistance to persons with HIV/AIDS.⁷¹ The Chiapas AIDS Project (*Proyecto Sida Chiapas*) is based in Tuxtla Gutiérrez.⁷²

X. Conclusion

The influence of *machismo* continues to be strong in Mexico, and prejudices against homosexuals persist. According to David Fernández, the Jesuit priest who directs the Miguel Agustín Pro Human Rights Center in Mexico City,

⁶⁹Bronfman, Mario. telephone interview, 12 August 1997.

⁷⁰Bonfil, Carlos. Telephone interview, 11 August 1997.

⁷¹“Para servirle a usted: directorio de organizaciones Lésbico-Gay,” *La Jornada* (Mexico City: 5 September 1996), *Letra S* monthly supplement.

⁷²“Carece Chiapas de prevención y control de VIH/SIDA,” *La Jornada* (Mexico City: 25 October 1997).

Homosexuals who suffer persecution can move to a big city (Mexico City, Guadalajara, Monterrey) and live relatively undisturbed, provided they are discreet about their sexual preferences. There is no location in the country where you can be openly gay without being harassed. Ordinarily that does not involve a risk to one's life, but often involves astonishing degrees of hostility.⁷³

Carlos Monsiváis, a prominent Mexico City intellectual and writer who is openly gay, has a somewhat different perspective: "It isn't easy to be homosexual in Mexico, but in the cities you can live a homosexual life without great problems."⁷⁴

Víctor Clark Alfaro, director of the Binational Center for Human Rights, based in Tijuana, concurs. He says Tijuana is a "cosmopolitan" city that is heavily influenced by neighboring San Diego with its prominent gay subculture. Even among the transvestite male prostitutes whose rights his organization defends, he has heard no complaints of violence. Their biggest problem is extortion by the municipal police, who take advantage of the illegality of prostitution to steal their earnings.⁷⁵

Improvements are underway on the political front. The advent of multi-party democracy has improved conditions for homosexuals, particularly in urban areas now governed by opposition parties that have curbed violent abuses by the police. Economic integration with the United States and Canada has also brought increased attention to human rights by the international community.

The country has just elected its first openly homosexual member of Congress, a development unthinkable just a few years ago. A new campaign is underway to encourage the use of condoms as a means of preventing the spread of HIV/AIDS, and a policy decision has been made to provide advanced treatment to persons infected with the disease in the social security health insurance system. Full implementation will depend on the government's political will and allocation of sufficient resources.

⁷³Fernández, David. e-mail message, 18 November 1997.

⁷⁴Monsiváis, Carlos. Telephone interview, 11 August 1997.

⁷⁵Clark Alfaro, Victor, President, Binational Human Rights Commission. Telephone interview (Tijuana: 5 November 1997).

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