

Some notes from the ILGA-Europe Conference, Riga, Latvia, October 2014

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From the Vatican-led ‘anti-gender theory’ movement to Putin’s Russia anti-‘propaganda’ laws, the militant homophobia of evangelical fundamentalist movements or Uganda’s criminalization of homosexuality, we seem to be witnessing homophobia in particular and LGBTI-phobia in general as the focus of conservative and reactionary forces worldwide.

The most immediate and simple explanation for this intensified, more visible and outspoken phenomenon would be, of course, that some form of backlash was to be expected since LGBTI rights have significantly improved in some countries. It is well known that when minority rights are implemented and minorities become more visible, a period of opposition and increased violence – symbolic or otherwise – tends to occur. This is certainly true, but does not explain the *privileging* of homophobia in the backlash against human rights today.

A more classic, systemic and critical explanation is that the gender and sexual orders are fundamental principles for the social division of labor and for the division of social labor, the public and private spheres, production and reproduction, and so on. This is certainly true, but too general to explain specific contemporary developments.

A third, very common explanation, tends to resort to the example of previous experiences and see in the current ones a repetition of History. For instance, the belief that periods of economic and social crisis – or periods of geopolitical re-composition, with perceived threats to the nation-states – lead to a resetting of

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<sup>1</sup> This text elaborates, with changes made possible by hindsight, some of the remarks made at the conference, where my role was that of host. Many other issues were discussed but the focus on the current backlash on LGBTI rights was widely present in workshops and conversations. It was also set by Jordi Vaquer’s remarkable keynote address. His views and mine greatly coincide and his conference was a source of inspiration for this summary.

priorities (relegating things such as human rights to the backstage) or, even worse, that they generate scapegoats. This is also partly true – or, better, it is possible – but it should not lead to the conclusion that a hierarchy of priorities is acceptable or unavoidable.

True: LGBTI rights have improved in many countries and LGBTI minorities have become more visible - we now ‘exist’, we are visible, we are heard, we cannot be ignored or wished away; social and cultural systems continue in general to promote essentialistic notions of gender, gender binarism, patriarchy, gender asymmetry, and heterosexism, at all levels of social life (work, family, education, etc.) in spite of significant progress in the status of women; and we are indeed going through a major re-composition of the global economy and geopolitics.

However, we must acknowledge that the way that these recurrences or developments are taking place is different from previous situations, is specific to the current situation, and is related to LGBTI issues. We need to look into the current situation with a finer lens or perspective if we want to set an agenda for sustainable change.

My working hypothesis is three-fold:

First: LGBTI people are being constructed as the new *enemy within* (and without...). Societies construct collective identities through mechanisms that are simultaneously cultural and legal. On the cultural side, *identities* are constructed alongside with *difference*, with the creation of an Other, whether of an inferiorized kind (difference *as* inequality) or, in more democratic situations, an equal Other but on another side of a border. On the legal side, they are constructed and maintained by the state apparatus, that controls a bordered territory, with a population that is taught a common language, ‘values’ and so forth, and that reproduces itself as if it were an extended family (therefore the importance of gender and heterosexist ideologies and laws). The enemy within is a category of people that is perceived as a threat to the collective identity and the nation-state.

Typically, those enemies have been 'foreigners', especially ethnic and racial ones, cultural or religious minorities. Women, because they are half of the population and, as a category, a 'natural', legitimate part of the collective, have been mostly *controlled* (their behavior seen as potentially threatening) rather than outcast, in order to be the reproducers of the collective identity order – although they have also been treated as potential enemies in some critical junctures.

LGBTI persons did not exist as a socially and culturally recognized category until recently – they were seen as individual perpetrators of crimes or of sins, or as sick people. Our claims to equal treatment, to the recognition of our dignity as persons with specific sexual identities, fuels moral panic about the continuation of the heterosexual family on the basis of the representations of the nation.

Second: The attacks on the imagined LGBTI person encapsulate attacks on the transformations of the gender order. This follows from the last sentence in the paragraph above. I think it is consensual to say that the longer struggle for women's rights and gender equality (albeit within a binary and heterosexual model) has led to a *relative* diminishing of anti-feminist backlash – in the sense that greater social shame is attributed to blatant sexism, similarly to what has happened with racism.

Not quite the same has happened with LGBTI-phobia, because it benefits from a wider cultural basis of acceptance and, therefore, a wider field for conservative and reactionary recruitment. But my point is that lesbian, gay, bisexual or transgender identities encapsulate the previous (historically) concerns with gender inequality and they challenge the stability of gender as binary and the imagined correspondence between femininity/masculinity and heterosexuality. Attacks on LGBTI rights are – and to use an expression that is very common in the grammatically dubious academic jargon – *always already* attacks on gender equality and feminism. If this is maybe not so obvious in the Russian case or in some other Eastern European, as well as some African cases, it is quite blatant in the cases of some Muslim contexts and, most of all, in the case

of the Vatican-inspired 'anti-gender theory' movement or in the attitudes of Evangelical and neo-Pentecostal Christian movements.

Third: Attacks against LGBTI human rights are attacks against *all* human rights and their universality precisely because LGBTI human rights are most obviously *personality rights*, related to personal identity and human dignity, and therefore impossible to relativize.

This question of relativism calls for a short detour. In the social sciences, in global politics and social movements, there was and is a long debate about universalism versus relativism in human rights. The relativists' contention has been that human rights were a Western invention that cannot be imposed on other cultures. Unfortunately my own discipline, social anthropology, supported this view until quite late. But that support, and the above mentioned relativistic attitude, are based on a fundamentally flawed notion of relativism, that associated it with ethics. Relativism is, rather, a *methodological* tool, not a moral or ethical stand. I can and should resort to relativism in order to understand, say, how a neo-Nazi group functions – I would have to understand how their practices and values fit together in the context of... neo-nazism. That does not, of course, amount to accepting their views as being as valid as any other. But let's say, for the sake of argument, that some universal human rights might clash with the respect for cultural difference (which, as in the case of the rights of indigenous peoples, for instance, is a fact). Then we have to accommodate and negotiate. As sociologist Boaventura Sousa Santos has said, we need to choose those formulations of human rights that can ensure that people and groups have the right to be equal when difference makes them inferior and the right to be different when equality de-characterizes them (1997:30).<sup>2</sup>

LGBTI rights are essentially rights of personality, related to one's inner identity, and their guarantee is crucial for that person's human dignity. They cut across cultural differences and that is also why their cosmopolitanism and global nature comes as a threat to extreme nationalists. In the case of Russia, for instance, LGBTI persons have become the 'enemy within', the scapegoat against

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<sup>2</sup> Sousa Santos, B., 1997, "Por uma concepção multicultural dos direitos humanos", *Revista Crítica de Ciências Sociais*, 48: 11-32.

whom 'traditional values' and 'the nation' are defended, and they are seen as symbols of Western penetration (thus replacing the old and neat dichotomy between East and West during the Cold War). In some African – and also Muslim – cases, it also represents 'the West', with the extra notion that homosexuality is supposedly a colonial legacy (when, in fact, colonial legislations were extremely homophobic and repressed traditional local types of same-sex relationships and transgenderism).

So, how can we build movement strategies that take into consideration this new form of militant and church- and state-sponsored LGBTI-phobia, while simultaneously fostering sustainable change – that is, avoiding going back wherever rights were achieved, and promoting change where they have not yet been achieved?

First: We need to win over the sympathy and acceptance of the *mainstream* society. We can do this, and have increasingly done so, by showing that we share a same basic *grammar of values* – those contained in the several international statements on Human Rights. We must avoid that the idiom of *values* is taken away from us in the name of *traditional* values, and be able to show that human rights' values do not need to be qualified (as in 'traditional'); that, in fact, adding an adjective is often a way of showing opposition to human rights' values. We are not destroying the past, we are fulfilling a promise, that of universal human rights – and the 'past' that our opponents refer to is constructed in the present, as a reaction to it, and often refers to situations of *less* human rights.

We will win when we become part of the *culture*. That is, when people, the common folk, will automatically think of the world as a place made of diverse human potential in terms of gender and sexuality - women and men, heterosexual and homosexual or bisexual, cis- and transgender, and so forth. This is not 'sell-out' or giving up to the dominant ideology, as some more radicalized segments of the movement tend to say in countries where equal marriage was or is on the agenda.

Second: We need to at least be aware – not to mention saying it explicitly or taking it seriously – of the fact that LGBTI rights are always related to gender issues. Sexual orientation and gender identity (not to mention sexual/gender definition in the intersex case) show with incredible clarity the constructed and unequal nature of gender itself, of which the oppression of women is the major instance and that of LGBTI people another. This means *alliance*. Alliance with movements and causes that relate to gender in general (homophobic political militancy in many countries goes hand in hand with anti-abortion rights struggles, for instance), but also with concerns with scapegoating, definition of identity and otherness, opposition to cosmopolitanism, globalization, circulation of people, etc. – as in the case of migrations, multiculturalism, racism, ethnic minorities, Islamophobia and anti-Semitism, and so on.

Of course, we do have specific issues, and often different causes and agendas do clash, because all of the categories of discrimination are transversal (racist gay men, homophobic migrant women, and so on, would be ‘good’ examples). We have to show to our potential allies that there is a new specificity and sophistication in the current LGBTI-phobic arguments: they are no longer based on ‘ignorance’ or on a resistance of the past against the present and the future; they are using the social scientific, critical and progressive theoretical developments for their own benefit, as when they resort to relativism and constructionism to say that theories of gender are just another worldview, constructed for the benefit of their supporters (us...) or when they define that which is inequality as being mere cultural difference and specificity.

Third: That is why universality is so important. We need to support the notion that LGBTI rights are *universal*, and more so because they are personality rights and therefore cut across cultural and social difference and inequality. We did not ask for it, but the ironic outcome of the current backlash is that we became the *symbol* for the universality of human rights. This said, we need to work with international institutions that promote human rights and come out as leaders of human rights. We should be defenders of the commonwealth, not just defenders of a community.

And doing so also means being able to understand two things. First, that there is no one way of being L, G, B, T or I - cultural, age, gender, and other differences within should be accounted for and cherished. Second, that we should be aware and tackle our internal hierarchies and asymmetries - which simply reflect those of the wider society, thus avoiding the figure of a hegemonic LGBTI person, that most probably would be male and culturally Western.

Universal human rights' defenders: it seems as if this could be the next step in the evolution of the LGBTI movement, one that started as a sexual liberation counter-culture, then became a community and identity building movement, and yet later a civil rights one. At least that was the notion that ILGA-Europe's conference inspired in me.

Lisboa, October 2014.