LGBT rights a global struggle with ups and downs

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Abstract: This paper facilitates an analysis of the ongoing debate on gender equality in contemporary world, specifically in government and how they anticipate on call for action. Globally the call for action in favor of LGBT rights has been strong in past several years, however while having major successes in the ‘western’ world, the rest of the world is becoming increasingly hostile towards LGBT rights. The paper uses Russia and Uganda as examples and tries to define the underlying reason behind these policies and the effects, furthermore, it will demonstrate that LGBT rights is used by politicians to agitate. The analysis in this paper is based upon investigating politics, social sentiment, and research of various papers and journals that already wrote on this topic elaborately. This paper includes personal opinions as well as statistics. Possible solutions given in this paper are solely based on the author’s opinion and peer-evaluation with other people and readings or articles.

Because of Who I am
Although the situation of lesbian, gay, bisexual, trans and intersex (LGBTI) people has improved in recent years in some European countries, prejudice, discrimination, and hate-motivated violence persist, even in countries where same-sex relationships has been? opened to all couples irrespective of their gender and sexual orientation. Continuously more people in the world hide their sexual
orientation and gender identity, including from colleagues, friends, schoolmates and family members. According to a recent survey across European Union member states, almost 70% percent of LGBTI people respondents had always or often disguised their sexual orientation or gender identity at school. Often because of the fear of violence anywhere, on the street, in bars and clubs, even at home from family members. Violence based on perceived sexual orientation or gender identity is widespread, although the extent cannot be known, for most crimes or offences are not reported (FRA, 2013). According to FRA (European Union Agency for Fundamental Rights) one out of every four LGBTI individuals has been attacked or threatened with violence in their lifetime. Unfortunately only a few member states collect data on homophobic hate crimes. According to the European organization of security and co-operation only 13 members state collect data on homophobic hate crimes. Hate-motivated violence has a particular detrimental, long-term, impact on victims. It also creates a broader climate of fear among LGBTI individuals, groups and communities and, especially when states fail to bring perpetrators to justice, a pervasive mistrust in authorities. In order to effectively tackle hate crimes on the grounds of sexual orientation and gender identity, authorities need to make improvements in several areas. Currently there are gaps in legislation in many EU countries, while investigations and prosecutions of crimes with a hate motive are often flawed. There is little support for victims, who in turn may be unwilling to report the crimes to the police, and impunity prevails for the attackers.

**Why the hate motive matters**

Hate crimes are criminal offences in most countries around the world. Hate crimes target persons or properties because of their real or perceived association with a group defined by a protected characteristic such as ethnic origin, religion, sexual orientation or gender identity (Us-legal, 2014). The discriminatory nature of the motive that sets hate crimes apart from other criminal acts, which is why it is crucial that the investigations aims at clarifying the circumstances surrounding the
perpetration of a crime. That is not always motive, is not self-evident of when a person may have been targeted on multiple grounds. The European Court of Human Rights notes that the failure to take all reasonable steps to unmask this motive amounts to a failure to distinguish between situations which are fundamentally different and so it is a violation of the prohibition of discrimination (European Union agency for Fundamental Rights, 2013).

Ensuring that the hate motive is identified also makes it possible to collect statistics and develop effective strategies to combat and prevent future hate-crimes. More effective strategies, coupled with denunciations of hate crimes by public officials, help build confidence in targeted groups in the ability and willingness of the state to protect their rights. This in turn promotes reporting of crimes to police by marginalized individuals or members of group and communities, and facilitates more successful investigations and prosecutions.

Making love a crime In Russia
The ferocious row over the Kremlin’s notorious anti-gay law in the run-up to the Sochi Olympics has sparked a bout of Russia bashing that is not only often unfair, but also counterproductive in my opinion. Russia’s anti-gay law (Elder, 2013), approved by Vladimir Putin last summer, bans the promotion of homosexuality to minors. It is an unnecessary, clumsy piece of legislation, in many respects similar to the Thatcher-era section 28 (Dunt, 2012) which banned local authority from promoting homosexuality. It criminalized educational campaigners and protesters in support of LGBT rights where there was a possibility that young people might witness it. Although it’s ostensibly aimed at protecting minors its remit is so sweeping it would criminalize nearly all LGBT free expression and protest. From my personal point of view it is aimed at boosting support for Putin’s Russia conservative heartland (Leslie, 2014). But why? He has defended his action saying that the low birthrate and the integrity of families is in decline at the same time he does not believe that same-sex marriage can be stable. While same-sex relationships demonstrate higher levels of
satisfaction, sexual fullfilment and hapiness (Solomon, 2009), and perhaps more important divorce rate studies have not been conclusive, simply because there are many different report claiming either, lower (ACT news, 2014), higher (Bailey, 2013), equal (Mundell, 2014) rates of divorce. The political bias on this topic has to be noted, for some reports have recently been used to convince the Supreme court in USA that gay marriage was not a good practise because of higher divorce rates. Nonetheless, the claims of Putin can be refuted if you base it on false or incomplete facts/studies. However, Putin’s quest to boost forming a unity against the ‘West’ is certainly beneficially to his followers, which is not entirely surprising considering aggressive movements from both sides. However, while the ‘West’ and other opponents of the law may seem to demonstrate noble intentions, their criticism has far too often been both hysterical and extremely hypocritical, especially when it comes to US and European governments. Condemnation has also at times resembled in hate speech, think of for example Stephen fry (Fry, 2013) and Jay leno (Bacardi, 2013), who both compared the anti-gay law to Nazi prosecution of Jews. Both of them know how much influence they have on the audience in both the US and in Europe, honestly from my perspective all what they do is again create a negative image of Russian people, which consequently contributes in a wedge international relations and public opinion between Western nations and the Eastern nation, which in turn will only escalate the problem.

The international LGBT community has watched in horror as Russia’s brand of discriminatory propaganda legislation has taken root outside its borders. The flagship piece of that legislation the federal law banning ‘propaganda of nontraditional sexual relations to minors,’ has become a chief Russian export. Since the law went into effect, in June, 2013, legislators from Eastern Europe to Central Asia have begun to emulate the Russian Duma by introducing nearly identical versions of the law to their legislative bodies. Namely in Armenia, Belarus, Kazakhstan, Kyrgyzstan (Wilkinson, 2014), Latvia, Lithuania, Moldova, Ukraine, introduced a law at protecting
family values from promotion of nontraditional relations. Although the law did not pass yet in all countries the overall consensus and public opinion is in favor of supporting an anti-gay bill/law (Human rights first, 2014). And what does the media or the international community, when it comes to those (un)important countries? Exactly nothing, that leads me questioning the reasoning behind the international community and the media condemning Russia.

Personally I am appalled about laws like these and have no wish to defend Putin nor any of his supporters in favor of this law. Life in Russia for LGBT people is often deeply unpleasant, and they deserve the support of the international community. But a sense of perspective is in order, especially if critics want to claim high moral and ethical ground. Otherwise they play straight into the hands of the agenda of the Kremlin, whose explanatory reason is increasingly founded on its gleeful willingness to highlight western inconsistencies. The new legislation is certainly not, as US-based gay right activists have claimed, ‘one of the most draconian anti-gay laws on the planet’ (Aravosis, 2013) It is very easy to overlook some simple facts. Homosexuality in Russia, unlike more than 40 countries in the Commonwealth and 70 countries worldwide is not illegal. To date, over 12 months since the law came into force, dozens of people have been arrested and fined for ‘gay propaganda’. But, not a single person has been jailed (AP, 2013). Russian police do not have powers to detain people they suspect of simply being gay or lesbian, as previously claimed by others (Fierstein, 2013). However, wearing gay-clothing/pins, holding rainbow flags, reading gay-related issues under the age of 18, kissing in public will get you arrested. Now, most people know how such a law will work out in practice, even though the police is not allowed to arrest anyone on assumption the above mentioned criminal offences in Russia are interpreted in many ways. However the anti-gay law, or anti-propaganda law as many prefer, does not support hate crimes, unfortunately many believe it does and see it as a law that legitimizes violence against LGBT. Take for example the brutal murder of a 23-year old Russian in Volgograd (Barry, 2013), and the process
after the three men responsible were arrested and convicted (Novosti, 2014) However note that many incidents or assaults are not reported as homophobic hate crimes. Moreover the Russian state clearly does not speak in favor of LGBT rights and therefore proofing to be a negative example on its population. For that matter I can only conclude that Russia took the wrong turn here, in many respects. In respect to human rights of LGBT people and towards the international community. Russia could have been a beacon for orthodox-Slavic cultures around the world for they have a lot of power especially on the countries bordering theirs.

**Hypocrisy of the Western world towards Russia on LGBT rights**

President Barrack Obama of the United States stated that ‘I have no patience,’ he said, ‘for countries that try to treat gays or lesbians or transgender persons in ways that intimidate them or are harmful to them’ if anything, that is a generous description of the environment Russia’s gays and lesbians face. The homosexual propaganda bill, passed in June, is dangerously open-ended, potentially treating any communication that does not portray homosexuality in a negative light as a punishable offense. (The Washington Post, 2013). Clearly Russia is taking steps to restrict the rights of the LGBT community, however Russia’s propaganda law is nothing in comparison to Nigeria’s recent anti-gay law stipulating jail sentences of up to 14 years for gay people (Bowcott, 2014). Or India for that matter, the world’s largest democracy, where the supreme court recently reinstated a colonial-era ban on gay sex (BBC, 2014), and what to think about Saudi Arabia whose habit of executing homosexuals (Chapman, 2013) has done little to break up what Barack Obama has called ‘the long history of friendship’ (CNN Politics, 2009). This Obama is the same Obama who has ‘no patience’ for Russia’s anti-gay propaganda law. Furthermore, the United States of all countries in the world still had 12 states with sodomy laws on the books at that time, and as of today still has 4 states with sodomy books or no same-sex marriage ruled by U.S. Court of Appeals for the sixth circuit (Denniston, 2014). Moreover, as described in the first chapter LGBT hate crimes and
violence is increasing in the ‘West’ having double standards is very hypocritical in my opinion (FRA, 2013). Let’s be honest, no country likes being lectured to, especially when that criticism is so often seen as disproportionate and ill-informed. Russians are no exception in this case, and the all too common anti Russia rhetoric coming from the ‘West’ over issues from gay rights to Syria and Pussy Riot has fostered a sense of national persecution. The worst about this in my opinion is that it allows Putin to position himself as Russia’s sole protector in the face of a vicious information war against the Motherland, no wonder that electoral ratings have shot up (Greene, 2014). I believe cooperation between Russia and the ‘West’ or at least with Europe can contribute to mutual benefits for gay rights. But if the ‘West’ wants to stand a chance the critics has to be measured, accurate, and above all consistent. There are enough reasons to disapprove of Putin’s regime without resorting to falsehood. Clearly the strategic, economic, and political interest are more important than gay-rights as priority, The anti-gay propaganda law in Russia has been used by the USA and allies to bash the country, yes indeed the law is horrendous and should have never been passed but the political abuse by the ‘West’ to take as advantage to incite outrage in the ‘West’ to demonize Russia is not the solution and merely counts as a political tool for further aggression against Russia, supported by the public over their outrage of this law.

**Western hypocrisy continues in Africa**

Over the past decade there have been numerous attempts by various states throughout Africa to either criminalize consensual same-sex conduct, or to impose steeper penalties and broaden the scope of existing laws. Examples in Africa are South Sudan, Burundi, Nigeria, Liberia, and most recent Uganda. Discriminatory practices within certain religions and discrimination espoused in the name of religion means that LGBT people in some African countries often find themselves excluded, harassed and victimized from yet another angle. Everyone has the right to freedom of religion and conscience, including the freedom to manifest such religion or belief in ‘worship,
observance, practice and teaching’ However, there is limitation on this right when it jeopardizes the fundamental rights and freedom of others (Amnesty International , 2014). Some politicians, religious leaders, and other public figures frequently refer to Christianity and Islam as part of an authentic African identity that excludes the possibility of LGBT Africans. In many parts of sub-Saharan Africa, Amnesty international found that some discrimination is both justified in the name of religion, and religion itself is used a vehicle to discriminate. Many individuals, including LGBT individuals find deep personal meaning and strength in their religious faith. Therefore, when religious leaders promote discriminatory attitudes towards, or the rejection of, certain populations many members of society see this as legitimate and even a mandatory part of expressing their faith.

But what is the reality? Why do so many African countries have anti-gay laws and why do most countries become even stricter and impose new restrictions on LGBT people. The reason for most African countries having anti-gay laws is simply because of the colonial area, like India and other former British Empire colonies had anti-gay laws which were simply copy paste after independence by most nations (Amnesty International , 2014). However, the introduction of new laws and increasing hate crimes and LGBT related violence has a different reason. In April of this year Ugandan President Yoweri Museveni signed his countries controversial anti-gay bill into law, outlawing homosexuality and threatening offenders with up to 14 years in prison. Like President Putin, the Uganda’s president claims that the reason is because homosexual relationships are harmful and do not contribute to society. Furthermore, he claims it is a measure ‘provoked by arrogant and careless western groups that are fond of coming into our schools and recruiting young children into homosexuality’ however the truth from my perspective is different.

One of the first to investigate links between American conservatives and the African anti-gay movement was Kipya Kaoma, a Zambian clergyman living in Boston. Homosexuality was illegal in Uganda under the existing colonial laws, he explained, but nobody was ever arrested or
prosecuted based on those old laws. People turned a blind eye to it. Homosexuality was not a political issue. That changed in 2009, when a group of American evangelicals led by Pastor Scott Lively and Lou Engle, an ‘anti-gay movement’, held a series of talks in Uganda and several other African nation in person or using his widespread radio-program (Baptiste, 2014). Lou Engele senior leader of mega church and International House of Prayer and Pastor Lively warned audiences that the ‘evil institution’ of homosexuality sought to ‘prey upon’ and recruit Ugandan children in a bid to ‘defeat the marriage-based society’ (Martin, 2014). Pastor lively co-author of the book the ‘Pink Swastika’ and openly supporter of Putin’s anti-gay law extended rants about how gays had caused the Nazi holocaust and now sought the destruction of traditional African family life found an enormous audience among Ugandan officials, politicians and teachers. The almost unlimited finances they have from the mega church, is what is fueling into the problem. Clearly the influence from aggressive right wing conservative Christians in Uganda is apparent.

The process however did not start in 2009, earlier in history the first conservative Christians arrived in Uganda to convert and spread conservative Christian values. However, during that time evangelical Christianity was banned by Idi Amin. Following the ouster of Idi Amin, conservative Christian groups became very successful in Uganda. Uganda has proved to be a fertile soil for the most extreme version of Western Christianity, however it is complicated and controversial. Some people claim that it is because of elements within traditional African culture that responded strongly to the extreme moralism and apocalyptic rhetoric of Christianity evangelism. Another way of viewing the situation is that today’s missionaries are pursuing a kind of strategic ideological colonialism, taking advantage of the chaos and confusion that followed the collapse of so many Africa’s post-colonial regimes. In the case of Uganda, a nation with many different ethnic and linguistic groups, Christians from the United States have evidently supplied a social glue that became part of Ugandan identity, and have also provided many of the social services that longtime
president Yoweri Musevenis’s weak central government cannot manage (Ward, 1991). In the years after the fall of Idi Amin, it were Christian who provided relief to the most deprived of people, providing food, education and healthcare. These undisputed good works were part of a larger strategy to fuel an evangelical revival in the developing world, which from my point and probably also the Christian point of view worked brilliantly, even though my connotation of brilliant would not be as positive. This produced an odd situation where African nationalism and anti-Western resentment coexist with the widespread acceptance of religious dogma transplanted and nurtured previously only by white outsiders but nowadays carried forward by the native population and by ‘Western conservatives’ (Baptiste, 2014), people against this form of evangelization are often bashed and victimized like Mr. Kato (Gettleman, 2011). The fact of the matter is that African people, and people like him in heavily evangelized African nations seem to lose the cultural wars at home to the extreme conservative religious groups.

I do not doubt the sincerity and enthusiasm of white-missionaries to help the people in African countries but their adventure in Africa is part of a worldwide right-wing Christian counterattack with all the negative effects as a consequence of this practice. At the same time the people of the country are brainwashed and coerced in believing and taking conservative teachings as the only truth. It is sad to conclude that conservative values are on the rise in Africa, in principle I am personally not against conservative values, because even I hold them high, e.g. family values.

The resiliency of conservatism cannot keep up with the rapidly changing world and the desire and fight for equality and rights are not necessarily against Christian values, however, people as described in my paper who preach hate, inequality and incite the masses to revolt and be intolerant clearly have no role in modern day society. Unfortunately, people like that are in power or hold powerful positions. Only with reason, education and good-will other will be convinced that the truth is completely different than what they are being told. I do not believe that there are people
on this planet that do not understand the basic concept of love. The people using anti-gay rhetoric clearly have a different agenda, most often personal interest. In the case of Russia it is President Putin, creating widespread support for his policies and making him sole protector of the Motherland against foreign influences, in Africa it is about the spread of right-wing Christianity with as ultimate goal to control and have power, for Christian values are in decline in the ‘West’. Fortunately In my personal opinion the law in Uganda was overruled by the constitutional court (Smith, 2014)The influence and persuasive measures from president Obama and the foreign press have been effective. The struggle is far from over, the central government has already declared that it would not stop fighting, and already seeks to reinstate the anti-gay bill (Aljazeera, 2014). Furthermore, conversativte religious groups trying to indoctrinate others, should seriously consider their humanity and message they spread. Moreover, the international community is not condemning nations for having anti-gay laws (except Russia), remember, India, Saudi Arabia, and even states within European Union and the United States of America. Besides the support, the international community has to realize that LGBT rights is not a political tool, to use when applicable and dismiss when other issues are more important.

Without the full international support and leading countries in equality rights it will be a long struggle to finally achieve LGBT equality in this world. My final thought as a gay man will be, it is not the question where the international community is in this struggle, it is where our sense of humanity is.

**Bibliography**


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Letter to country official

Dear Mr. President Barack Obama,

In light of recent development in the world regards to LGBT rights I would like to have your attention for 5 minutes. First of all I would like to congratulate your country for finally legalizing gay-marriage and institutionalizing anti-discriminatory laws against LGBT and women for that matter. I know the political environment in the USA is not comparable to Europe I do believe that Federal law could have done more to peacefully persuade the states earlier than 2014. However, recent development are certainly to be celebrated as a step in the right direction. However, I would also like to address you as a global activist, around the world the difference between the ‘West’ and the ‘East’ on the topic of LGBT are becoming ever more hostile, the victims of this political game are the people living in the countries without proper LGBT laws. As president of the USA you can make a clear statement to countries like, Saudi Arabia, India, and African countries on this matter. At this point you have condemned Russia numerous times, but where is your conviction on this topic when it are your allies or neutral powers on this planet. I urge you Mr. President, please do not use the LGBT struggle as an excuse to demonize a country, instead be sincere to every government on this planet who is failing to uphold the human rights for the LGBT community

I trust your commitment and your heart will lead you to take the right steps in the future.

Yours faithfully,

Hendrik-Jan Postma