

LGBTQ Politics

A Critical Reader

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Top Down, Bottom Up, or Meeting in the Middle? The U.S. Government in International LGBTQ Human Rights Advocacy

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The U.S. Government and SOGI Human Rights

In recent years, a category has been added to those already familiar to students and advocates of human rights: human rights jeopardy based on sexual orientation and gender identity (or SOGI) (Keating and Burack 2016). Officials and agencies of the U.S. government have responded to the integration of SOGI human rights by engaging in programs and projects designed to support and advocate for human rights for LGBTQ people abroad.¹ These programs and projects are executed in cooperation with local LGBTQ groups and activists, national and transnational LGBTQ rights organizations, and other entities, including faith groups, corporations, mainstream human rights organizations, foreign governments, the United Nations, and other civil society organizations (CSOs). In this arena, different LGBTQ organizations bring different goals, competencies, and constituencies to engagement with the U.S. government on SOGI human rights advocacy. But more importantly, the process of engagement between the U.S. government and these diverse groups and advocacy sectors makes it difficult for any one group or community to impose its goals or preferred social, legal, and political strategies on the others or to set human rights agendas.

The U.S. government was not an early adopter of SOGI human rights. However, under the Obama administration the United States has become arguably the "biggest player" in LGBTQ human rights in the world, and I have heard that phrase or some variation of it used to describe the United States by international human rights professionals.² Within the U.S. government, the main agency that has taken up the cause of SOGI human rights and integrated these rights into its mandate is the Department of State. And most U.S. government programming on SOGI/LGBTQ human rights is carried out by the State Department's Bureau of Democracy, Human Rights, and Labor (DRL), which also focuses on improving human rights for other "marginalized/vulnerable populations" or "populations at risk." Among these marginalized populations are groups such as women, youth, asylum seekers, disabled people, racial or ethnic minorities, religious minorities, and indigenous people (U.S. Department of State 2015).³

Created specifically to address violations of SOGI human rights abroad, the Global Equality Fund (GEF) was announced in Secretary of State Hillary Clinton's 2011 International Human Rights Day speech in Geneva, Switzerland, and implementation commenced in early 2012. The GEF is an umbrella fund that supports three kinds of assistance programs that perform different functions and, in some cases, serve different populations. These three categories of assistance are emergency support; long-term technical assistance and organizational capacity building; and small grants. The GEF is not the only U.S. government funding source that has been available to groups and individuals involved with SOGI human rights, and it is not the only initiative that currently exists to serve members of the LGBTQ community whose human rights are in jeopardy. However, with its three distinct categories of assistance and many partners and grantees around the world, the GEF is the best known of the SOGI human rights programs and initiatives of the U.S. government. It is also a set of programs with which many LGBTQ activists affiliated with the African LGBT organization I address below are familiar.

With regard to the Global Equality Fund and similar programs situated within the State Department, particular terms denote the relationship of the U.S. government to outside entities. For example, "implementing partners" are grantees who receive U.S. government funding. The difference between implementing partners and other "grantees" is that implementing partners are organizations that receive U.S. government funding and then subcontract services and resources to other grantees. "Partners" are organizations, including other governments, that provide resources to implementing partners and grantees (U.S. Department of State 2015).

The first category of assistance is the emergency support provided by Dignity for All. Dignity is a "rapid response" subprogram of GEF that provides emergency funds, advocacy support, and security assistance to LGBTQI individuals or groups under threat or attack due to their sexual orientation or gender identity (U.S. Department of State n.d.[a]). The State Department's implementing partner for the Dignity grants is a consortium of international organizations led by Freedom House, a U.S.-based nonprofit and "independent watchdog organization dedicated to the expansion of freedom around the world" ("About Us" n.d.). Freedom House and its consortium partners disburse emergency funds directly to LGBTQ organizations, human rights defenders, and vulnerable LGBT people for such forms of emergency assistance as security training, medical or legal assistance, trial monitoring, prison visits, and temporary relocation of threatened activists or organizations.

The second category of assistance in the GEF is for long-term capacity-building and technical-assistance grants that either directly fund programs of local, in-country LGBTQ organizations or fund grants to international groups to work with local organizations. Programs help enhance the capacity of pro-LGBTQ CSOs to

support their constituencies through, for example, supporting legal challenges and legal reforms, working to expand allies in civil society, and fostering the ability of CSOs to monitor, document, and respond to human rights violations.

The third category of assistance under the GEF consists of small grants of under twenty-five thousand dollars disbursed to local organizations through U.S. embassies for high-impact programs. "Embassy engagement" has been one prong of official U.S. government support for LGBTQ human rights in recent years, and U.S. embassy officials work with LGBTQ advocates and grassroots organizations to support vulnerable populations. Because working closely with local groups and advocates can enable U.S. embassy personnel to acquire knowledge of the needs of local LGBTQ groups and advocates, the Global Equality Fund confers discretion to disburse small grants to those groups and advocates for purposes such as creating educational curricula and training materials and developing civil society networks. Every U.S. embassy has a Human Rights Officer whose responsibility it is to investigate allegations of human rights violations where they serve, and to represent human rights as they have been defined by the Universal Declaration of Human Rights and other treaties and declarations. At the 2015 conference I discuss below, U.S. State Department officials encouraged the human rights advocates in attendance to contact U.S. Embassy Human Rights Officers for assistance with SOGI human rights violations.

In this chapter, I provide a brief overview of major U.S. government SOGI human rights programs that constitute a global arena for cooperation among the U.S. government, local in-country LGBTQ groups, and other human rights organizations. Examining these programs and actors in a particular context, I argue that it is misleading to conceptualize the terms of these programs as being dictated by funders and imposed upon LGBTQ groups abroad. LGBTQ groups often rely on the resources and advocacy of nonindigenous groups, the U.S. government, other governments, and/or human rights organizations and foundations for their fixed costs, programming and legal defense expenses, and many other costs. Additionally, U.S. government officials and agencies formulate policies and design and execute human rights programs upon which many LGBTQI organizations rely. A feature of U.S. government human rights programming and advocacy is that policy constraints set some boundaries to the agendas that can be advanced by U.S. government programs. However, as I hope to show, even the existence of these funding relations and constraints does not ineluctably set the terms of U.S. government engagement with independent, indigenous LGBT groups in a way that places the United States or its representatives in control of human rights agendas. U.S. government SOGI human rights interventions with organizations in the Global South do raise important questions for theories and practices of democracy. As I suggest below, however, these concerns do not conclusively demonstrate that SOGI human rights interventions on the part of the U.S. government are parlous for democracy.

In this analysis I focus on the relationship between State Department officials in the Bureau of Democracy, Human Rights, and Labor and an African LGBTI human rights organization I will call the African Sexual Orientation and Gender Identity Human Rights Organization, or ASOGIHRO—which conveniently can be pronounced “A SOGI HeRO”—for short. Because some ASOGIHRO subscribers and conferees would be likely to suffer negative consequences if their affiliation or participation became public, ASOGIHRO does not advertise its conference online or publish lists of attendees. For that reason, I have given the organization a pseudonym, and in what follows I don’t divulge information that would identify the group or the location of its biennial meeting. I learned about the organization, its work, and its relationship with the U.S. State Department when I met the organization’s executive officer in Washington, DC, in 2014. In 2015, I was permitted to register for the conference myself and once there, I attended sessions, collected literature from the wide variety of groups whose members represented their organizations at the meeting, and spoke informally with activists and funders, including responding to inquiries about my research. All other information in this chapter is drawn from my field notes for the 2015 meeting, conference literature (2013 and 2015), a 2014 interview and follow-up questions with DRL’s director of global programming, and other sources as indicated. By attending the conference and collecting data about the organization and its partnership with the State Department, I hoped to accomplish two tasks relevant to this chapter. The first task was to gain first-hand knowledge of how the U.S. government engages in SOGI human rights advocacy with indigenous LGBTQ groups. And the second was to use my own observations and information collected from the 2015 meeting to verify information about U.S. government SOGI human rights advocacy provided by a State Department official, government documents, and other sources and, thus, to enhance the reliability of this account.

The 2013 Conference

ASOGIHRO is a pseudonym for an indigenous regional LGBTQ advocacy organization that functions as an umbrella group to support civil society activism on sexuality, sexual health, and SOGI human rights in Africa. Besides a commitment to human rights, the organization’s vision encompasses such values as gender equality, human dignity, and social justice. ASOGIHRO does not list on its website names of individuals who are connected with the group, a decision that is probably a response to threats that have confronted LGBTQ activists in some African countries in recent years. As an umbrella organization, ASOGIHRO is a grantor that provides resources to sexual-minority groups; it is also a grantee of the U.S. government, and of other human rights and social-justice CSOs.

In early 2013, the executive officer of ASOGIHRO visited Washington, DC, to meet with U.S. government officials, including Patricia Davis (DRL director

of Global Programs) and Jesse Bernstein (then senior program officer and team leader for Marginalized Populations).⁴ In addition to conversations regarding the GEF, ASOGIHRO’s representatives invited Davis and Bernstein to attend ASOGIHRO’s 2013 conference. That meeting brought together activists and members of LGBTQ groups from across Africa and members of the international human rights community, African and non-African. The majority of attendees were citizens of African nations; a smaller number of attendees were academics at African universities or representatives of funding organizations. Davis and Bernstein attended as representatives of the State Department—the first instance of U.S. government participation in the conference—and the two were the only government representatives of a foreign state present.

The conference opened with a preconference for donors from a number of organizations: Dutch and Norwegian CSOs, George Soros’s Open Society Foundations, the McArthur Foundation, the American Jewish World Service, the Ford Foundation, and Benetech. Of these, Benetech might be less familiar than many large human rights groups. Benetech is a nonprofit umbrella enterprise that, among other activities, hosts a human rights program, the Human Rights Data Analysis Group, and includes Martus: secure software for creating databases for human rights groups and reports that protects the identity of witnesses to human rights abuses. Benetech analysts have provided data analysis and expert testimony in many cases of human rights violations in Latin America, Asia, Africa, Eastern Europe, and the Middle East for such clients as the UN Office of the High Commissioner for Human Rights (Benetech 2013).

A key goal for the ASOGIHRO preconference was determining which “priority populations” donors would serve among the groups of particular interest to the conference organizers: lesbians, gay men, bisexuals, transgender people, men who have sex with men, refugees, and sex workers. With regard to these groups, U.S. policies prohibit international organizations that receive U.S. funding from using those funds to advocate for sex workers’ rights or for decriminalization of sex work, although U.S. agencies can fund programs for sex workers on the basis of issues such as sex trafficking, anti-LGBTQ bias, or health (HIV/AIDS, for example). These policies include the Trafficking Victims Protection Reauthorization Act and the United States Leadership against HIV/AIDS, Tuberculosis, and Malaria Act (known as the Global AIDS Act), both passed into law in 2003. The prohibition on U.S. government funds being applied to sex workers’ rights advocacy is unpopular in the human rights community because it is widely understood to burden and complicate transnational responsiveness to sex trafficking and to sexual health threats (Ditmore and Allman 2013).⁵

A significant session at the 2013 ASOGIHRO conference, scheduled for the afternoon of the conference’s second day, was “Donor Speed Dating,” so denoted in the conference program.⁶ Conference organizers placed conferees in about a dozen circles of approximately fifteen participants each so that conferees could

talk directly with donors about sources of funds and assistance and how to access them. Donors—representatives of human rights organizations and the U.S. State Department—were timed as they circulated from one group to the next, speaking to each group for seven minutes. The DRL's Davis and Bernstein described to conferees the three ways in which the Bureau of Democracy, Human Rights, and Labor could render financial support for LGBTQ people and groups by way of the GEF and took questions. Many activists followed up with private or small-group meetings with Davis, Bernstein, or both about how to access U.S. assistance.

In describing the conference, Davis reported that many, perhaps most, of the activists in attendance had never met with U.S. government representatives and that these activists responded positively to the message that LGBT Africans and human rights advocates would be eligible to receive U.S. human rights assistance. The human rights activists Davis described as having been "very welcoming" to the U.S. delegation and other funders in 2013 were also welcoming in 2015.

The 2015 Conference

For the 2015 meeting, attendance had increased enough that plenary sessions were held in a large tent rather than an indoor space as they had been in 2013.⁷ ASOGIHRO's executive officer, whom I met in Washington, DC, in 2014, invited me to the 2015 meeting; thus, I was able to attend, observe events, and meet some African human rights activists, U.S. government grantees, and U.S. government implementing partners. The U.S. delegation attending the conference expanded between 2013 and 2015 to five members: Bernstein, Davis, and Emily Renard from the State Department and Vy Lam and Todd Larson from the U.S. Agency for International Development (USAID). USAID is the U.S. government agency whose mandate is international economic development, poverty relief, and humanitarian assistance. However, under the Obama administration, the State Department and USAID were engaged in efforts to integrate SOGI human rights into development programs; the LGBT Global Development Partnership, of the Center for Transformational Partnerships of USAID's Global Development Lab, has been one such initiative.

In November 2014, between the two ASOGIHRO meetings, the State Department and USAID hosted a Conference to Advance the Human Rights of and Inclusive Development for LGBTI Persons at the State Department in Washington, DC. The conference brought together U.S. officials, LGBTQI human rights activists from around the world, and representatives of foreign governments and human rights organizations. Among the outcomes of the conference was a "Joint Government and Multilateral Agency Communiqué" that affirmed general commitments to SOGI human rights as well as specific commitments to integrate SOGI into development assistance and to use diplomacy to advance the human rights of LGBTQ people. At the conference, some plenary sessions

were made up of U.S. and other government officials, representatives of human rights CSOs, and international LGBTQ human rights activists. Human rights advocates also met separately from government representatives, and the human rights defenders—the majority of whom were leaders and activists representing local or regional LGBTQ organizations outside the United States—produced a document entitled "Civil Society and Non-State Donor Recommendations." This document outlined priorities for SOGI human rights work and provided a detailed explication of policy recommendations, interorganization coordination protocols, and guidelines for designing, implementing, monitoring, and evaluating human rights efforts in cooperation with local advocates and advocacy organizations ("Civil Society and Non-State Donor Recommendations" 2014).

As in 2013, U.S. officials were the only government officials to attend the 2015 conference, although a representative of a Norwegian CSO that works closely with that state attended on behalf of the Norwegian government. In 2015, the donor preconference attracted representatives from organizations that grant funding for SOGI human rights, including Astraea, the Jewish World Service, Wellspring, and the Open Society Foundations. I did not attend the ASOGIHRO preconference, so my account begins with the conference proper. A plenary session on the first day of the ASOGIHRO meeting was entitled "We Don't Know the Answers (but We Have a Few Explanations)." This donor-led session was proposed by State's Bernstein and Davis and featured Davis and representatives of three CSOs that fund SOGI human rights-related projects and programs: U.S.-based Astraea and the American Jewish World Service, and the Deutsche Gesellschaft für Internationale Zusammenarbeit (German Society for International Cooperation). The idea of the panel was for funders to explain to human rights activists and representatives of LGBTQ organizations what specific conditions apply to funding from their organizations, to respond to questions about funding opportunities and constraints, and to suggest ways in which differently situated groups—such as those whose representatives were in attendance at the conference—could assist local and regional LGBTQ human rights organizations.

In 2015, as in 2013, activists and panelists discussed the specific constraint on U.S. government policies that, according to Davis, was a subject of difficult conversations in 2013: U.S. policies that prevent the funding of sex-worker-rights activism by agencies and officials. Davis explained that the constraint does not bar funding for assistance to sex workers as long as that assistance is not related to sex workers' rights or decriminalization of sex work. Although some activists who attended the session pushed back against the sex-worker-rights/decriminalization constraint, Davis noted that the prohibition affects all U.S. government assistance and requires congressional action to reverse. She also explained that the funds and assistance disbursed by the United States to support LGBT human rights originate either from U.S. tax revenue or from contributions of governments, foundations, or other funders. Whatever the source of these resources,

when they are managed and disbursed by a U.S. government agency, they are subject to internal government processes of accountability.

In her remarks, Davis set forth goals for cooperation between the U.S. government and grassroots LGBTQI activists: to listen to activists about their needs and issues; to travel to meet activists in locations around the world; to bring activists to meetings in donor countries; to deploy knowledgeable personnel to work closely with activists to meet their needs; to protect the safety and security of grantees and those who benefit from human rights interventions; and to work with grantee activists and organizations to adequately report what they accomplish with the GEF assistance they receive. Two questions addressed to Davis as the U.S. representative focused on the operational needs of organizations. The first criticized a typical model of assistance as geared to prioritizing—and funding—high-profile deliverables rather than meeting the fixed and ongoing costs of advocacy organizations. Davis responded that State Department human rights programs funded through the GEF can, in fact, be used to pay fixed costs such as rent, personnel, and equipment, so that human rights groups are able to function effectively over time. The second operational question concerned the difficulties activists often have with the reporting and administrative demands of managing grants from international funders. In her response, Davis outlined a practice by which the State Department funds a grant to a larger organization as an implementing partner, and the implementing partner then subgrants to the smaller group and agrees to take on the task of administering the grant. This practice provides a cooperative path to funding small LGBT human rights organizations while shifting administrative tasks to groups with more infrastructure and expertise in grant administration.

A key piece of information about U.S. government resources and assistance dedicated to LGBTQ human rights was revealed in the “We Don’t Know the Answers” plenary session: under normal circumstances, implementing partners and grantees who receive congressionally appropriated foreign assistance are required to “mark” or “brand” all products of U.S. government assistance at public meetings, on organizations’ websites, and on all other materials that might be produced from that assistance (U.S. Department of State n.d.b). However, DRL has received an exemption to this branding requirement because of the sensitive nature of many of its human rights programs and because association with the United States could place many human rights defenders at risk. This exemption is explained in grant agreements that grantees (and implementing partners) sign when they receive aid. The exemption means that grantees are free to reveal their cooperation with the United States, but they are not required to publicize a grantee-grantor relationship with the U.S. government that may leave them open to charges of colluding either with the United States or in Western cultural imperialism. And many are likely to deny such a relationship if denial is in the interest of an LGBTQ organization or the activists affiliated with it.

LGBTQ organizations do make use of the exemption to the State Department’s marking policy. For example, even though ASOGIHRO is both a grantee of and an implementing partner with the U.S. government, no information about its relationship with the United States appears on its website or in other materials. As I have researched U.S. government interventions on behalf of LGBTQ human rights, I have discovered that many such in-country advocacy groups have ties with the U.S. State Department that they do not reveal to the public. For example, at a recent LGBTQ human rights conference in a European city, I met one such DRL GEF grantee who leads a Middle Eastern LGBTQ human rights organization. The activist’s organization serves as a network hub for and regional partner with other Middle Eastern LGBTQ organizations and does not advertise its relationship with the U.S. State Department.

The second day of the conference included sessions of “Activist-Donor Speed Dating.” The conference program promised activists “open engagement” with funders in the “Speed Dating” sessions and, indeed, the discussion was lively and informative in the sessions I attended. Organized differently than it was in the 2013 program, this version of “speed dating” featured two sets of four concurrent sessions. Each one of the first set of sessions concentrated on a region of Africa: North, South, East, and West. Representatives from the State Department, USAID, and other funding organizations spread out and formed a funder panel for each session. These regional sessions were followed by a brief break, after which a new set of topical sessions convened.

The topical session of “Activist-Donor Speed Dating” I attended focused on Sexual Health, and the U.S. government panelist for that session was the State Department’s Jesse Bernstein. Bernstein offered the session attendees a quick yet detailed overview of the three types of assistance that make up the Global Equality Fund and represent opportunities for funding and assistance for LGBTQ human rights advocacy. He gave group members examples from funded projects that would be relevant to sexual health advocacy. One activist in this session asked how difficult or bureaucratic the process of applying for GEF funding is, and Bernstein outlined a revised and streamlined grant process designed to be more proposer friendly than previous processes. In this process advocates respond to a solicitation for proposals for particular programs by submitting a two-page statement of interest (SOI) without a budget. Donor representatives review the SOIs and request full formal proposals from activists or organizations for projects that are deemed competitive. At the formal proposal stage, potential grantees can receive further guidance from State Department personnel to complete the proposal, and DRL sometimes encourages activists from smaller organizations to seek partnership with more experienced LGBTQ organizations such as ASOGIHRO.

SOGI human rights advocates attended the ASOGIHRO 2015 biennial meeting from across the continent of Africa. Although I do not have a comprehensive

list of national delegations, I know that activists from the following countries attended: Algeria, Angola, Botswana, Burundi, Cameroon, Democratic Republic of Congo, Egypt, Ethiopia, Ghana, Kenya, Liberia, Mozambique, Nigeria, South Africa, South Sudan, Tanzania, Uganda, Zambia, and Zimbabwe. In this chapter, I focus on the discourse and mechanisms of U.S. government advocacy on behalf of LGBTQ human rights, and on the reception of that advocacy by a subset of LGBTQ human rights activists. However, taken as a whole, the conference incorporated presentations and discussions on a variety of topics germane to the concerns of LGBTQ people in different legal, social, and cultural positions in African nations, including the benefits and limitations of litigation; navigating conflict in and among LGBTQ human rights organizations; the role of young people in the movement; promoting transgender rights and awareness; migration, asylum seeking, and refugees; the role of art in the movement; addressing public health concerns of LGBTQ people (including HIV/AIDS); international advocacy; employment and entrepreneurship for LGBTQ people discriminated against in labor markets; building movement sustainability; and LGBTQ people and religion. Funders also attended these sessions throughout the course of the meeting, no doubt learning more about the pressures, challenges, programs, and successes of the LGBTQ movement on the continent.

SOGI human rights interventions of the U.S. government raise broader questions about the theory and practice of democracy. No doubt there are many such questions and implications, but here I will address three. The first is transparency, an issue that becomes salient when government officials don't disclose detailed, specific information regarding, for example, the recipients of U.S. government human rights assistance. A second question often raised by progressive critics of U.S. government interventions with and on behalf of gender and sexual minorities is that the terms of U.S. government assistance, or merely the inequalities that prevail between the United States and poorer nations, may impose a particular understanding of sexual or gendered identity on recipients of human rights aid (Zeidan 2013). Finally, an issue that is explicitly taken up in this volume is that LGBTQ politics have, over time, become shaped and determined more by "funding power" than by "people power," or that the movement—and its agendas and priorities—are imposed from the top down rather than being developed and effectuated from the bottom up.

SOGI Human Rights Advocacy and Democracy

Democratic theorists generally embrace the proposition that government transparency—sometimes called "publicity"—with regard to official acts and communications is crucial to an informed, deliberative, and participatory citizenry (Gutmann and Thompson 1998). Transparency has been understood as a good in and of itself as well as a necessary, though not a sufficient, condition

for holding policymakers and other government officials accountable (Naurin 2007).⁸ One U.S. LGBTQ activist who has called for more transparency from the State Department on the operation of the Global Equality Fund is Michael Petrelis, whose questions about U.S. government SOGI human rights advocacy exemplify concerns of many advocates of democratic accountability. Petrelis has used his blog, the Petrelis Files, to acquaint readers with his requests for information and his criticism of the State Department's failure to provide detailed information about the GEF and its grantees. Petrelis offers readers a request for information regarding the GEF that he sent to the State Department:

I wish to learn about the transparency of the Global Equality Fund and need to know where I can find a list of all donors, amounts contributed, expenses, and grants made to LGBT groups since the fund's inception. Where do I obtain this info on the web?

Looking around the State Department site and various government and independent watchdog sites, has not turned up a financial accounting for the public and taxpayers. As both a global gay advocate and transparency activist, I very much wish to see documentation about the money that has flowed in and out of the fund.

Underlining the inadequacy of the response he received to this request, Petrelis makes a classic case for transparency from public officials who oversee and administer the GEF. He emphasizes that "the question before us is how do we follow the money and learn who verifies that the contributions are reaching their intended beneficiaries." Petrelis shares the frustration of many citizens and activists who have tried unsuccessfully to extract information from their government in order to hold policymakers and other public officials accountable when he writes that "the GEF has to engage in respectful dialogue with transparency advocates and immediately release a financial accounting to the public" (Petrelis 2014).

As the circumstances of the ASOGIHRO conferences suggest, in the arena of human rights, an unresolved conflict can prevail between legitimate demands for transparency and the value of protecting the identities of members of marginalized groups. Even before conferees assembled for the 2015 meeting, we were all reminded of the grave conditions in which many LGBTQ individuals and activists live and work. An ASOGIHRO organizer emailed participants traveling to the conference with instructions not to inform anyone of the existence or purpose of the meeting once we arrived in the host country. Organizers arranged transportation from locations in a nearby city to the undisclosed location where the conference would be held. In situations where lives are endangered, DRL officials sacrifice transparency to shield those whose human rights are imperiled. One way to characterize this peril is to say that in the case of SOGI human

rights violations, people face double jeopardy: LGBTQ people and human rights defenders may suffer persecution for *being* LGBTQ or an advocate for LGBTQ people, but they may also suffer suspicion and persecution for cooperating—or being perceived to cooperate—with the U.S. government or Western moral degeneracy.

Second, critics of Western hegemony worry that a Western or U.S. understanding of relatively fixed LGBT identities can—or almost certainly does—produce a normalizing effect on local, non-Western human rights advocates and LGBTQ people that may not be a deliberate goal of those who would design and execute programs. This consequence of the power imbalance between Western/U.S. government officials and local, indigenous human rights advocates seeking resources is likely to be a *de facto* requirement that foreign citizens who engage in sexual relations or in forms of gender presentation or performance that are culturally nonnormative *identify* as gay, lesbian, bisexual, or transgender in order to gain access to resources or forms of protection that U.S. government agencies or entities offer to those whose human rights may be being violated on the basis of their nonconforming gender or sexuality. This anxiety about the imposition of forms of identity or identification is a subset of larger worries about Western cultural imperialism that are central to many personal worldviews, theoretical systems, and practical political programs. Indeed, anxieties about cultural and political imposition have shaped American and other Western feminist theories and practices, in the academy as well as in political organizations and electoral politics.

For these critics, the ASOGIHRO conferences provide an informative example of the operation of U.S. government outreach to those whose human rights are imperiled on the basis of sexuality or gender identity/expression. The conferences are organized by an African LGBTQ organization on behalf of a consortium of African groups, and the U.S. representatives and other funders who attend are guests of the conference organizers. Thus, donors, including U.S. government officials, are in no position to screen possible recipients for their adherence to particular sexual or gender identifications that fit a model preferred by or familiar to Western or U.S. elites. In addition, ASOGIHRO, and the other groups whose members attended the 2015 conference or provided materials there self-consciously employ identifiers such as LGBT, LGBTI, MSM (men who have sex with men), WSW (women who have sex with women), transgender, transwoman, and transman to identify themselves and the objects of their activism.⁹

The empirical question of whether, or under what conditions, U.S. government acts or actors impose particular conceptions or terms related to gender and sexuality on people around the world can be investigated in part by gathering information about the ways in which State Department SOGI human rights programs are designed and administered. In the case of the GEF, as well as other initiatives that are not related to immigration, U.S. agencies and representatives

do not screen individual recipients of U.S. human rights resources and assistance for particular configurations of identity. Rather, organizations—often groups in-country and close to LGBTQ people who are served by initiatives like the GEF—serve imperiled individuals and groups without regard for the nuances of how such individuals (or groups) identify themselves or the language they use to do so.

Clearly, men who have sex with men, women who have sex with women, and people who do not identify as conventionally gendered in their own social or cultural context may name themselves using different terms that may signify different cultural meanings or create different group boundaries (Wilson 2004). These cultural differences are important for outsiders to understand for the sake of cultural competency, as well as for pragmatic purposes related to joint efforts on behalf of human rights. However, I observed nothing at ASOGIHRO to suggest that LGBTQ activists understood these categories of sexual and gender identity to have been imposed on them by outsiders. To the contrary, activists who spoke publicly in conference sessions documented and repudiated the powerful homophobic attributions aimed at them in their own social contexts while identifying themselves and their activism in the terms familiar from SOGI/LGBTQ activism in the United States (see Bosia and Weiss 2013).

Finally, a concern of proponents of democracy about funding and assistance relationships between the U.S. government and local, in-country LGBTQ organizations is that, as a global hegemon, the United States undermines democracy by using its funding and other forms of leverage to impose its will and interests on communities and to degrade their capacity for grassroots activism and democratic decision making. Here again, the ASOGIHRO, its now long-standing relationship with DRL and implementing partners, and its biennial activist conferences shed valuable light on the processes of negotiation through which LGBTQ activist agendas and programs are developed, funded, and executed. At the ASOGIHRO conferences, as well as similar venues throughout the world, U.S. government officials and grassroots human rights advocates meet or renew their acquaintance, share information about the challenges confronting activists, discuss the exigencies activists bring to the table and how their work fits into existing assistance programs, and communicate additional needs that assistance programs might meet. In the 2015 session, “We Don’t Know the Answers,” one of two applause lines was Davis’s plea to the assembled activists to “help me help you” by working with DRL officials to report not only immediate “outputs” associated with assistance but also longer-term “outcomes” that can justify aid and contribute to internal State Department accountability for continued assistance.

As Paisley Currah has pointed out, skeptics of state action on the queer-theoretical Left often tend to “overemphasize a unity of intention on the part of state actors and to imagine the ‘the state’ as far more monolithic than it is” (Currah 2013). There are many examples of the significance of this internal

multiplicity of "the state," including many accounts of the U.S. government simultaneously pursuing and executing contradictory goals and policies. A benign example of such internal multiplicity and contradictoriness of U.S. government policy can be seen in the differences in the grant-making processes of two agencies, USAID and the State Department. USAID has a complex and directive solicitation process (USAID 2013, 2015). By contrast, in its human rights programs, the State Department sets general priorities to serve multiple populations and to be responsive to a wide variety of needs and situations. So, for example, in July 2015, DRL established two priority themes for the year's funding solicitations. These priorities, "friends and allies" and "protecting and promoting the rights of transgender persons," emerged directly from the report drafted by activists and nonstate donors who attended the November 2014 Conference to Advance the Human Rights of and Inclusive Development for LGBTI Persons.

Conclusion

SOGI human rights interventions involving the U.S. State Department and LGBTQ/human rights organizations abroad are devised and executed neither from the top down nor from the bottom up. Both of these metaphors fail to capture the complexity of the negotiations that produce the human rights agenda and the particular projects to which the funding and assistance of the U.S. government, other governments, and CSOs are applied at a particular moment. Neither do these metaphors adequately account for the ways in which exogenous factors (such as U.S. presidential administrations, foreign policy events, executive branch agency norms and agendas) influence current configurations of policy, programming, networks, and forms of solidarity that, together, make up the complex set of conditions for human rights advocacy. Instead, the landscape of U.S. participation in international LGBTQ human rights programming and advocacy is constructed through ongoing negotiation among groups and among human rights advocates.

Although donors and implementing partners fund recipients and provide a variety of kinds of assistance to grantee individuals and organizations, donors and grantees negotiate programming and projects, including the uses of funds and other terms of assistance. These negotiations do not take place in a single venue or at a single stage in a funding process. Instead, it is common for priorities and requests to originate with activists in a variety of formal and informal venues. And after priorities have been set by funders and proposals have been solicited, activists deliver brief SOIs that outline operational needs or program concepts. As Davis put it in the "We Don't Know the Answers" plenary session, at this stage State Department human rights officials are in effect enjoining LGBTQ activists to "tell us what great ideas you have."

One feature of ongoing human rights work, such as that which prevails in the domain of SOGI human rights, is that relationships form not only among activists but also among human rights advocates and funders. In the close quarters of the 2015 ASOGIHRO conference, it was virtually impossible to avoid overhearing conversations that took place among activists and funders during each day and into each night. Throughout the conference, I saw many reunions between activists, as well as between activists and representatives of funding organizations who have developed relationships over time that are based on human rights advocacy. Such phenomena are not the usual domain of political science. However, a complete account of U.S. government SOGI human rights advocacy should take into account not only the policy mechanisms and political environments for human rights interventions but also the relational dimensions of interventions, policies, and practices.

NOTES

- 1 Especially in international human rights law, "sexual orientation and gender identity" (abbreviated as SOGI) is a common term. A variation is SOGIE, for "sexual orientation and gender identity or expression," which I encountered for the first time in a presentation at the 2015 ASOGIHRO conference.
- 2 Sweden is the largest contributor to the Global Equality Fund pioneered and administered by the United States, and as of July 2016, the other partner governments are Chile, Croatia, Denmark, Finland, France, Germany, Iceland, the Netherlands, Norway, and Uruguay.
- 3 Different State Department programs, and thus documents, employ slightly different lists of these groups that are relevant in particular contexts.
- 4 Information in this section is drawn from 2013 conference material, including the conference program; an interview with Patricia Davis conducted on April 15, 2014; and other sources as identified.
- 5 A specific element of these policies for many years was an "antiprostitution pledge" ruled unconstitutional by the Supreme Court in 2013 in *Agency for International Development v. Alliance for Open Society International*.
- 6 Both the 2013 and the 2015 biennial conferences were held in English, and the 2015 conference featured simultaneous translation for speakers of French, Portuguese, and an indigenous African language. The conference programs for both meetings were in English and French.
- 7 I was unable to obtain an accurate count of conference registrations, but some attendees estimated attendance at between 200 and 250.
- 8 The European Union has been a prolific site of scholarship and political debate about barriers to transparency and accountability.
- 9 Added to "LGBT" to denote intersex identity, "I" was occasionally used at the 2015 ASOGIHRO meeting. However, I didn't hear any discussion at the meeting of human rights struggles specifically related to intersex conditions or identification.

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Pink Links

Visualizing the Global LGBTQ Network

CHRISTINA KIEL AND MEGAN E. OSTERBUR

The form of a network can have important implications for issue framing, for the network's ability to generate change in policy and/or society, and for expectations for the future of the movement. This chapter uses hyperlink analysis to visualize transnational LGBTQ networks on both regional and global levels. The methods employed here enable us to identify central actors within regional networks, and organizations that act as conduits among different regions. Examining all of the implications is beyond the scope of the chapter; here we provide an initial foray into the form the network takes and propose potential avenues for future research.

There are a number of studies of specific LGBTQ campaigns, e.g., Kollman (2007) on same-sex partnership recognition, Swiebel (2009) on activism at the United Nations, and Ayoub (2013) on European activism. These studies consider the goals and outcomes of campaigns, but spend little time describing the membership and structure of the larger issue network. Certain arguments relating to campaign success depend on the density and connectedness of a network; thus it is important to fill this lacuna in the literature. Elsewhere we argue that those groups that hold positions of power in a network—as measured by the number of connections or their placement as gatekeepers—will be able to affect how the larger network frames its issues (Kiel and Osterbur 2016). We identify such actors.

Organizations active in LGBTQ advocacy are aware of the need to understand who is part of the larger network. Most limit themselves to listing partner organizations on their website. Some are more analytical. For example, in 2008 the LGBT Movement Advancement Project (MAP) published a report cataloging "Major international advocacy organizations who work to secure the rights and welfare of lesbian, gay, bisexual, and transgender (LGBT) people around the globe" (MAP 2008). This particular mapping exercise includes a small sample of organizations (twenty-five), chosen by experts.

Research on transnational advocacy networks (TANs) points to additional ways of describing and evaluating the structure of advocacy networks. Rogers and Ben-David (2008) describe the networks surrounding the Israeli-Palestinian