

# Salzburg Global LGBT Forum Strengthening Communities: LGBT Rights & Social Cohesion

Tuesday, June 16, 2015

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M.V. Lee Badgett leads a panel alongside Angeline Jackson, Phil Crehan and Fumino Sugiyama

## Counting the cost of social discrimination

### How can we best use economic arguments to advance LGBT rights?

**What is the cost of discrimination? Can we measure this? If so, how can we best use this information to advance LGBT rights?**

Thus were the questions facing the international cohort of Fellows on the second day of the Global LGBT Forum.

Opening the panel, US economist M.V. Lee Badgett explained the thinking behind her World Bank-backed study of the cost of LGBT discrimination in India. This study was an opportunity to ask: what are the costs of homo- and transphobia? Cost was defined as harm to individuals and the larger economy.

The greatest costs can be found in the workplace, with LGBT people leaving employment following harassment, facing underemployment or being excluded from the workplace entirely because of discrimination, and thus not contributing to the economy.

Costs can also be found in education and health too. Education becomes harder because of bullying; access to healthcare is more difficult because of stigma – both situations limit economic opportunities.

Studies in Japan found that 48% of

LGBT people felt discriminated against in the workplace, with 51% stating that they changed jobs as a consequence. Enforced gender-binary uniforms in high schools across the country leads to many trans students dropping out of school early, hindering future employment opportunities.

More open and inclusive countries have more successful economies. This “macro” economic-led argument, another panelist argued, can be effective when speaking with governments which would otherwise be hostile to the expansion of LGBT rights, using a human rights-based argument alone.

Having more rights leads to having a greater opportunity to live, study and work freely and ultimately have greater capacity to contribute to the economy and society. However, it is not only laws that need to change to enable this, but also societal attitudes. “Discrimination and violence starts within the family and communities,” pointed out one Fellow.

But should we be using this economic, utilitarian argument to advance LGBT rights? Does it not suggest that in order have rights you need to be able to

contribute to the economy and society, creating a hierarchy of rights? “It is immoral to quantify the cost of our suffering... People should have rights because they are born with them – not because it is less costly to society for them to have them,” argued one Fellow.

Certainly, dignity shouldn't be based on “usefulness” to economy, commerce, society, families, but activists do need to tailor argument to different audiences.

“We should have the principles,” argued a Fellow, “but we mustn't lose pragmatism.”

Whether a human rights-based or economic argument is used, or a combination of both [see Fellows' opinions on back page], one thing remains the same: data can be key to formulating persuasive arguments. In some countries, such as Jamaica, data collected on sexual minorities focuses primarily on gay men and trans women, rendering the difficulties faced by lesbians almost invisible.

If your government is not yet collecting useful data, “Collect your own data,” urged Global LGBT Forum chair, Klaus Mueller.

# Snacking at the Knowledge Cafe

## Fellows share expertise on strategies for social inclusion

**Led by expert facilitators, the Fellows spent Monday afternoon taking part in a “knowledge cafe,” visiting three tables out of a possible seven on topics pertaining to strategies needed for enhancing social cohesion.**

Topics covered:

1. Best practice and making change: working with the authorities and mobilizing communities in Nepal;
2. Enhancing young LGBT leaders’ self-empowerment;
3. LGBT human rights and conservative Christian groups;
4. The life of LGBT Muslims in Tajikistan;
5. The do’s and don’ts for effective campaigning and advocacy: a case study of the marriage equality bill in Argentina;
6. Reading between the lines: battling discriminatory laws; and
7. Unleashing power: upturning oppression in LGBT movements

Below are summaries from some of the seven tables. If you were a table facilitator, please send your notes to Salzburg Global Editor, Louise Hallman: [lhallman@salzburgglobal.org](mailto:lhallman@salzburgglobal.org)

### Unleashing Power: Upturning Oppression in LGBT Movements

Victor Yang, Community Organizer, USA

In this session, we worked together to brainstorm instances from our own work of historical – or aspirational – movements that upturned traditional hierarchies of power to bring power to the people, especially those who

have historically been silenced or disenfranchised in society (e.g., LGBT or queer folk in any country). The activity was based on the following exercise.

I opened with a case instance of the Philadelphia chapter of the AIDS Coalition to Unleash Power (ACT UP). The Philly group was the singular case among the 113 chapters across the world to fully represent the interests of people with AIDS: unlike other “gay” groups that were predominantly male and white in America, it campaigned by and for the interests of African-Americans, low-income communities, drug users, sex workers, prisoners, and the homeless. Ultimately it achieved, with very little money and on an all-volunteer membership, huge wins that contributed to the reform of health care systems in America, the care of the homeless and incarcerated, and the plummeting of drug costs in sub-Saharan Africa from \$10,000 per patient per year to less than \$100.

With each group, we then turned to brainstorm other instances in our respective fields of work in which power pyramids were overturned and power was unleashed within and from people of the most disenfranchised and affected communities of the LGBT movement worldwide. We shared about:

- the HIV movement in Uganda;
- advocacy on behalf of sex workers in India (an organization called VAMP);
- fight against the anti-gay law in India, or in Ethiopia;
- helping families in China work through the coming out process of their children;

- representation of lesbian and queer women in the LGBT movement.

From these cases, we developed some key lessons that, even in the wild differences between country & issue contexts, can travel across borders of countries and movements,

First, **leadership by and for people who are affected** is always crucial. There is no other way.

**MEDIA:** In many countries, direct advocacy to the government is not feasible or possible. Instead, we identified many instances in which **influencing the media** through more institutionalized or popular channels (e.g., social media) is critical to **change the public opinion and narrative**. We elaborated on several avenues:

- the importance of **support groups** for people to introduce their own stories, so that this information and power demands flow up from CBOs to NGOs to the Ministry of Health of our countries;
- the uplifting of **role models**, e.g., via the **presentation of stories of everyday people** that the public can relate to, rather than high-profile activists or politicians.

**EDUCATION** is an intersecting piece of media tactic and strategy:

- training the media to be **sensitive about certain terms** such as lesbian, trans, etc.;
- the championing of **education to be the first point of advocacy** (e.g. the example of introducing sex education in private schools in India);
- when the government fails to introduce such measures (e.g., health



Victor Yang and Danish Sheikh lead knowledge cafe discussions in Parker Hall



Manisha Dhakal (center) with Ying Xin and Wei Wei



Mariano Ruiz presents the IDAHOT summary

or sex education), we can **take direct action to set up our own initiatives** through informal channels that are just as if not more powerful for social change.

**ART** also was emphasized as a crucial way in which stories can be amplified and heard, such that movements can translate via visual media, film, books, music, etc.

### Reading Between the Lines: Battling Discriminatory Laws

Danish Sheikh, Advocate & Researcher, Alternative Law Forum, India

We discussed four strategic points taking off from the current environment in India where there are increasing legal protections in place for the transgender community even as the law remains homophobic. The discussion proceeded down four tracks:

- 1. Making the law irrelevant:** The fact remains that homosexuality is a criminal offence in the country. Having said that, we've been making efforts at rendering the law irrelevant, a strategy that's involved factors like reading the judgment restrictively and asking the executive to not enforce the law against LGBT persons. This then is less about legal protection and more about taking a framework that is inherently discriminatory and attempting to turn it around.
- 2. Fracturing the law:** By this, I mean the way in which we've been aided by having an extremely supportive transgender rights judgment just 4 months in the wake of the re-criminalization. The dissonance this creates in the law has given us

valuable ammunition to take the decriminalization fight forward.

- 3. Expanding the possibilities of transgender law:** What comes closest to the theme you've suggested on the face of it is the way we've dealt with transgender rights in the country. The transgender rights judgment threw up a range of opportunities in terms of gender recognition that we've been attempting to leverage through interactions with individuals transpersons and policy makers, in trying to make the laws as inclusive as possible using the broad principles articulated.
- 4. Locating LGBT rights in a broader anti-discrimination framework:** Finally, we've been trying to locate the entire debate in a broader framework of anti-discrimination, saying that it may not be enough to think of LGBT rights in a silo, without also thinking of, say, Dalits, persons with disability, religious minorities, and how their concerns intersect with those of LGBT individuals, particularly when persons occupy a multiplicity of identities. This framework allows us to advocate for LGBT rights in new and varied spaces, and adds momentum to the movement.

### Best Practice and Making Change: Working with the Authorities and Mobilizing Communities in Nepal

Manisha Dhakal, Blue Diamond Society, Nepal

First I shared best practices in Nepal to change the law and how we mobilized the community, then we discussed other best practices and concerns. Important points are compiled here:

1. Working with religious leaders is very important as these leaders are very influential;
2. Religion is not an issue but how people interpret religion has a really large impact on our life;
3. I have share our best practices working with government and media, but it is still hard for other countries, so we have to do advocacy as per country context;
4. South Africa has example to do advocacy behind the scenes. Not necessary to come on front;
5. It is harder to change society and culture than government and policy makers;
6. Sensitization is equally important as advocacy;
7. Mainstreaming the LGBT issue really helps, but we need to strategize how we proceed for mainstreaming; how we do this, who should be on board, selecting allies, media engagement etc.;
8. We should not be limited on LGBT issue only. We need to speak others minorities issues as well; women, Dalits, disabled people etc.;
9. The media plays significant role to create awareness in society, but we need to be very careful to identify which media are our friends and who are not.
10. Engaging families is also very important. A P-FLAG organization based in Gwanjhau, China has great success of working with families. Their family members are superstars and it creates positive change in the society. They are running the program on their own with support of families; it helps for sustainability of the program.



## Hot Topic

### Should we use the economic argument to advance LGBT human rights?

“I do think economic argument has usefulness in certain situations. I think activists should judge for themselves what will work better in their country. The argument that exclusion of LGBT people is bad for the economy can create conversation amongst people who might not otherwise see them as rights... People who are concerned about the economy, whether the government officials or business people, often will see that it has some value... So if it works in a particular country, I think it can be a powerful argument.”

**M. V. Lee Badgett**, *professor of economics and director of the Center for Public Policy and Administration at the University of Massachusetts Amherst*

“I think it is a very crucial argument to make. I think pragmatism is as important as the principled approach. In fact what I want to challenge is why we are even uncomfortable making the economic argument in the first place. I think given that we know how effective it can be, we should definitely push it in as a strong term specific.”

**Danish Sheikh**, *Alternative Law Forum, Bangalore, India*

“There are many ways to approach this issue and all of them are correct. The most important thing is to include everything... I meet lot of people, from top to bottom, like politicians, lawyers, teacher, families, younger generation, older generation and try and connect them with each other and gather that power. It is important to remember to make friends and not enemies when fighting for the LGBT Human Rights.”

**Fumino Sugiyama**, *transgender activist in Japan and LGBT advisor for Shibuya district in Tokyo*

“For some persons and governments, the economic argument will resonate more and for some persons human rights argument will resonate more... It is like looking at change in the laws of a country. You don't want to work on changing the laws alone without changing the society's hearts and minds. So you try to bring legislative change as well societal change at the same time... We have to use and work both arguments, seeing ways in which both arguments can work together and separately in taking the movement forward.”

**Angeline Jackson**, *co-founder and executive director of Quality of Citizenship Jamaica*

“I think we should use whatever argument is in our resources in order to advance LGBT human rights... But we have to make sure we are bringing the change as quick as possible. Some

arguments slow us down and when it comes to LGBT rights we have to look at the wider picture. Are we also fighting for the artificial divide that exists in terms of economic, social, or political civil rights? We have to look at issues through interconnection of human rights, through solidarity with other groups within the human rights, because it will advance LGBT rights and human rights in general... And if we look beyond human rights and try and fight the issue of poverty, social exclusion, it will help fight for LGBT rights.”

**Vasilika Laci**, *program officer at Civil Rights Defenders*

“An economic argument can help to bolster the human rights arguments and mobilize greater investment to tackle discrimination against LGBT community. My premise is supported by new research in other rights areas. For example, the World Bank argues that domestic violence isn't just an egregious human rights abuse. It's also an economic drain. Globally, the loss of productivity resulting from domestic violence range from 1.2 of GDP in Brazil and Tanzania to 2 percent of GDP in Chile. These figures do not include costs associated with emotional wellbeing.”

**Rangita de Silva de Alwis**, *associate dean of the international programs at University of Pennsylvania Law School*

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