

Gay Rights

HAS THE MOVEMENT'S SUCCESS SPARKED A BACKLASH?

By some measures, the last 10 years could be considered the “Gay Rights” decade, with countries around the world addressing concerns of the lesbian, gay, bisexual, transgender (LGBT) community. Beginning with the Netherlands in 2001, gay marriage metamorphosed almost overnight from a largely ridiculed notion to a legal reality in at least 10 countries. Sixteen other nations recognized same-sex civil unions. Nevertheless, homosexual acts remain illegal in most of Africa and the Muslim world, with severe penalties for anyone found guilty of the crime. If Uganda approves a proposal to criminalize repeated homosexual activity, it will join the five other countries (and parts of Somalia and Nigeria) where homosexual activity is punishable by death. In Russia and other Eastern European countries, gay and lesbian “pride parades” have sometimes met with violent responses, leading some observers to believe a backlash against rapid gay and lesbian advances may be developing in parts of the world.



Italy's first transgender member of parliament, Vladimiro Guadagno, participates in a sit-in at St. Peter's Square in Rome to protest the Vatican's opposition to a landmark 2008 U.N. declaration favoring the decriminalization of homosexuality. The Vatican fought the nonbinding measure, claiming it would encourage gay marriage.

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Gay Rights

BY REED KARAIM

THE ISSUES

The movie poster shows two shirtless young men in a passionate embrace. But the film is not “Brokeback Mountain,” the acclaimed Hollywood story featuring Jake Gyllenhaal and Heath Ledger as closeted, gay cowhands.

This film was produced, surprisingly, in Mumbai, India, home of the Bollywood extravaganza. Until last year, Bollywood films were long on exuberant singing and dancing, and virtually devoid of sex scenes. Even heterosexual kissing was primly avoided.

But after Delhi’s high court in 2009 overturned a 148-year-old colonial law criminalizing homosexual acts between consenting adults, Bollywood moved quickly to keep up with the times. Soon afterwards, “Dunno y — Na Jaane Kyun” changed all that with the first gay kiss in an Indian movie. Indeed, the film by director Sanjay Sharma was billed as India’s “Brokeback Mountain.” And as Indian bloggers made clear, it had its share of both defenders and critics.

“Dunno y” reflects what could, by one measure, be considered the culmination of the “Gay Rights” decade. In a relatively short time, countries around the world have addressed concerns of homosexual or bisexual individuals.

Beginning with the Netherlands in 2001, gay marriage morphed almost overnight from a largely ridiculed notion to a legal reality in at least 10 countries. Sixteen other nations recognized same-sex civil unions. And



AFP/Getty Images/Jewel Samad

Moses, a gay Ugandan seeking asylum in the United States, hides his identity out of fear for his safety as he tells a press conference in Washington, D.C., on Feb. 2, 2010, about being terrorized in his home country for being homosexual. The conference was held to kick off the American Prayer Hour, a multi-city event organized to “affirm inclusive values and call on all nations, including Uganda, to decriminalize the lives of gay, lesbian, bisexual and transgender people.”

anti-sodomy laws were struck down in nations as disparate as the United States and India. On every continent, lesbian, gay, bisexual and transgender (LGBT) people stepped out in “pride marches.” The trend continued, or even accelerated, in 2010. Argentina became the first Latin American country to legalize same-sex marriage. The United States is in the process of ending its “don’t ask, don’t tell” policy requiring gay military personnel to hide their sexual orientation, joining at least 36 countries that allow gays and lesbians to serve openly in the armed services.¹

Polls show growing U.S. support for same-sex marriage, and in a major policy shift on Feb. 23, the Obama administration decided it could no longer defend the Defense of Marriage Act, the 1996 law that bars federal recognition of same-sex marriages. President Barack Obama says the law is unconstitutional.²

But a happy Bollywood movie tells only part of the global story of gay rights. While it seems the best of times for the LGBT community in an increasing number of countries, large parts of the world continue to view same-sex relationships as unnatural, a sin and a threat to the traditional family.

Homosexual acts remain illegal and severely punished in most of Africa and the Muslim world. Uganda made international headlines last year when *Rolling Stone*, a local newspaper not connected to the U.S. publication, publicly identified 100 gays and called on the public to “hang them.”³ A member of the Ugandan parliament introduced a bill that

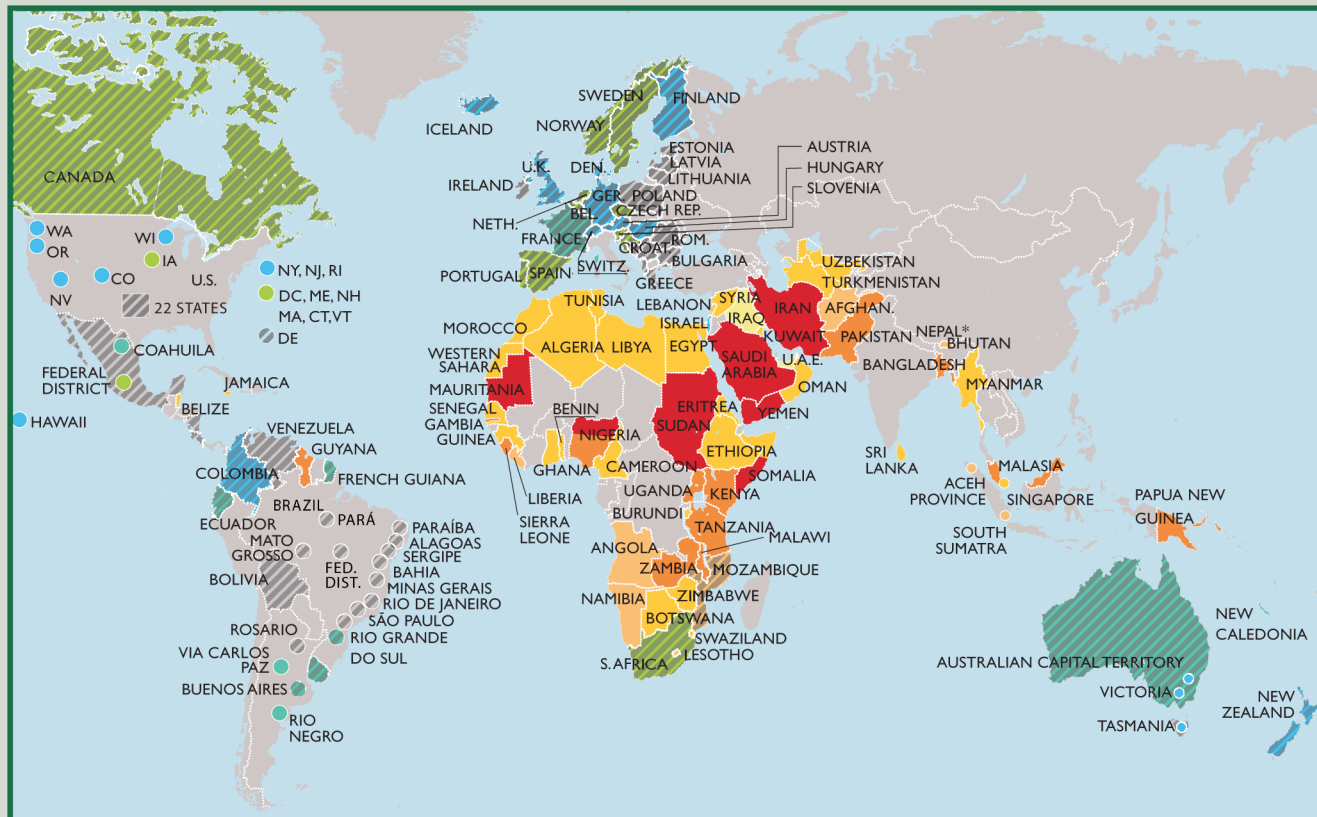
would impose the death penalty on anyone engaging in repeated homosexual activity.⁴ If approved, Uganda would join the five other countries and parts of Somalia and Nigeria where homosexual activity is punishable by death. (See map, p. 110.)

In the formerly communist states of Eastern Europe, gay-pride marches were met with outrage and violence, sometimes organized by far-right political groups.⁵ China, where homosexuality is not illegal, still stifles public gatherings or rallies for gays.⁶ And in the United States, a spate of gay teen suicides in 2010 at year’s end provided

Muslim and African Nations Have Toughest Anti-Gay Laws

Africa and the Middle East have the strictest laws governing homosexual behavior. At least five countries in those regions allow the death penalty for homosexual acts, and gays can be jailed in at least 75 countries, some for life. Australia, Canada, Europe and South Africa have the most liberal laws.

Status of Lesbian and Gay Rights Around the World



Prosecution for same-sex acts

- Death Penalty
- Imprisonment — 1 month to 10 years
- Imprisonment, no set term
- Imprisonment — 11 years to life
- Unclear

Recognition of same-sex unions

- Allows marriage
- Treats about same as marriage
- Treats as inferior to marriage
- No specific legislation
- Prohibits discrimination

* Legislation is pending to legalize gay marriage in Nepal, following the Nov. 17, 2008, Supreme Court ruling that prohibiting same-sex marriage is unconstitutional.

Source: International Lesbian, Gay, Bisexual, Trans and Intersex Association, May 2010

evidence that, even in countries with “hate crime” laws and other legal protections for LGBT people, “coming out” remains an agonizing experience for many, often greeted with disapproval or cruelty.⁷

Within the scientific community the question of whether sexual orientation is inherent or learned — a debate often referred to as “nature vs. nurture” — is largely over. “The consistency of the genetic, prenatal and

brain findings has swung the pendulum toward a biological explanation,” writes David Myers, a psychology professor at Michigan’s Hope College, in his textbook *Exploring Psychology*. “Nature more than nurture, most

psychiatrists now believe, predisposes sexual orientation.”⁸

The evidence, however, has failed to convince the most fervent opponents of treating homosexual relationships as equal to heterosexual ones. In fact, the rhetoric seemed to grow even more heated on the most strident anti-gay edge of the debate as public animosity faded and legal rights were extended to gay couples. Gay-rights supporters speak of their battle as part of the broader movement to assure equal rights for all.

“I don’t like the phrase ‘LGBT rights’ because what we’re really talking about are fundamental human rights, like the right to privacy. When you talk about LGBT rights or gay rights, people immediately think you want something special. We don’t want anything special. We want to be treated like everyone else,” says Boris Dittrich, a former member of parliament in the Netherlands who initiated that country’s same-sex marriage and adoption bills. He now serves as advocacy director for the LGBT program at Human Rights Watch, an international organization dedicated to defending and protecting human rights.

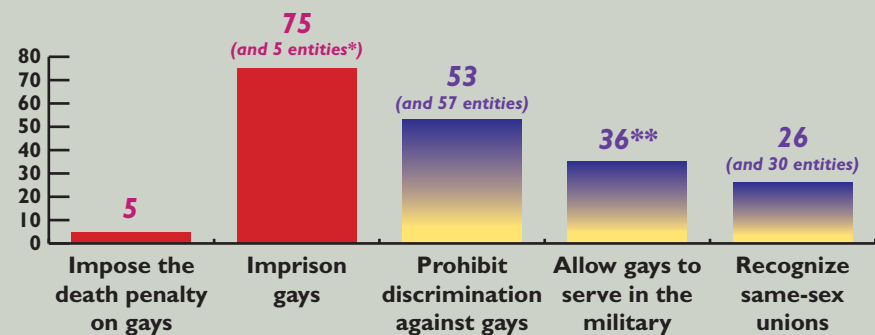
This perspective has gained strength in the American debate about same-sex marriage, even among conservatives. Theodore B. Olson, who served as solicitor general under President George W. Bush, argued in *Newsweek* last year that legalizing same-sex marriage would “be a recognition of basic American principles.” Marriage is an “expression of our desire to create a social partnership, to live and share life’s joys and burdens with the person we love,” and honoring these desires in all people strengthens society’s bonds, he concluded.⁹

Opponents of gay rights, not surprisingly, do not speak in unison. Some support civil unions and legal safeguards against discrimination for gays and lesbians but oppose same-sex marriage, believing it should be reserved

Gays Face Harsh Penalties in 75 Nations

Individuals engaging in homosexual behavior can face the death penalty in five countries and can be imprisoned in 75 others. However, more than 50 countries and 57 states, districts or other governmental entities have enacted anti-discrimination laws protecting gays. Three dozen countries allow gays to serve openly in the military, and 26 nations recognize same-sex unions.

Number of countries that:



* Includes part of a federation state, a district or any other administrative or territorial unit.

** Includes Israel but does not include the United States, which is repealing its ban on gays in the military.

Sources: International Lesbian, Gay, Bisexual, Trans and Intersex Association, May 2010; “Report of the Comprehensive Review of the Issues Associated with a Repeal of Don’t Ask Don’t Tell,” Pentagon Working Group Study, Nov. 30, 2010

for heterosexual couples to promote the traditional family. Others do not accept the idea of natural differences in sexual orientation or gender identity.

Religious communities around the world take a range of positions on homosexuality, from acceptance to prohibition. Many Christians and Muslims believe gay sexual relations are proscribed by God but emphasize charity and forgiveness. The Catholic Church says homosexual acts are a sin but recognizes that homosexual orientation is strongly felt and may be innate in some people.

But the Catholic Church, with 1.2 billion faithful worldwide, adamantly opposes extending certain legal rights to same-sex couples, particularly the right to marry. Pope Benedict XVI has called same-sex marriage one of the “most insidious and dangerous challenges that today confront the common good.”¹⁰

Some American evangelical Christians take a harsher view of both homosexuality and the idea of gay rights. In a still widely disseminated 2002 essay against granting “rights” to gays, Scott Lively, president of the Springfield, Mass.-based group Abiding Truth Ministries, says the idea that homosexuals can be the subject of “discrimination” and that those who support their cause are “tolerant” distorts both words. He discounts the possibility that homosexual preference could be innate and says that, even if it is, acting on that impulse is a choice equivalent to “pedophilia, sado-masochism, bestiality and many other forms of deviant behavior.”¹¹

The Southern Poverty Law Center, the Montgomery, Ala.,-based anti-bigotry advocacy group, calls Lively’s organization a hate group.¹² But the message of Lively and others who consider homosexuality deviant and

dangerous continues to find a receptive audience overseas, particularly in Africa, where he met with Ugandan political leaders shortly before they introduced their punitive legislation.¹³

But support for allowing gay marriage or equal partnerships can be found among Christian leaders and scholars, including in the Catholic Church. More than 140 German, Austrian and Swiss Catholic theologians signed a petition earlier this year calling for reforms

in some developing nations. Nepal's highest court has said gays should have the right to marry, and the Philippine Supreme Court recently ruled that an LGBT political party could field candidates for office. And there was the overturning by India's high court of a British-era anti-sodomy law, declaring it a vestige of colonialism that did not square with the country's constitution.

"People feel much freer in their

"In the last couple of years, Romanians realized what was happening in Holland, Sweden and Spain [countries where gay marriage is legal], and they became very concerned" about the trend spreading to Romania, says Peter Costea, a lawyer and president of the Alliance of Romania's Families, which worked for adoption of the new definition. "They decided that right now, they did not wish such an institution to be legalized in Romania."

Costea believes a backlash is growing against what many conservative Europeans see as a gay-rights "agenda" that discounts the importance of the traditional family. But while resistance to same-sex marriage or civil unions remains strong in many parts of the world, far fewer countries are now willing to accept discrimination based on sexual orientation. For instance, Costea notes, it is illegal under Romanian law to discriminate against gays seeking housing or jobs.

As gay rights evolve across the globe, here are some of the questions being debated:

Are governments and society more receptive to gay rights?

LGBT activists seem generally optimistic that they are succeeding, albeit only incrementally in some places. "We are on a very positive trajectory," says Mark Bromley, chairman of the Washington, D.C.-based Council for Global Equality, founded to encourage a stronger American voice on LGBT human rights concerns. "There will be some plateaus and some inevitable backlash, and there is a gap between parts of the globe, but I think we've seen tremendous progress over all."

But opponents of gay-friendly initiatives see exactly the opposite. "We work with groups in more than 70 countries. We've been holding our world congresses since 1997, and in that time we've seen participants realize they represent a much larger voice in the world," says Larry Jacobs, managing director of



AFP/Getty Images/Ilmars Znotins

Waving banners and bibles, anti-gay activists hold a counter-protest during a 2009 Baltic Gay Pride rally in Riga, Latvia. The backlash against gay and lesbian rights in several former Soviet satellite states has been led by far-right parties that also have campaigned against other minorities. Government officials often cite the threat of violence from such groups to justify outlawing gay-pride parades and other events.

in the church, including acceptance of homosexual partners.¹⁴

Daniel Maguire, a professor of moral theology at Catholic Marquette University in Milwaukee, has argued that the love of some people for members of the same sex is a fact of God's creation and should be accepted. "Homosexuality is not a sin. Heterosexism (prejudice against people who are homosexual) is a sin," Maguire writes. "It is a serious sin because it violates justice, truth and love."¹⁵

Tolerance is also gaining support

in the church, including acceptance of homosexual partners. Their hands are untied," says Arvind Narrain, one of the lawyers who brought the case. "I never thought I'd see this in my lifetime, but we've seen how quickly things can change."

But in parts of socially conservative Eastern Europe, changes have gone in the other direction. Romania and other countries in the region have legally defined marriage as a union between a man and woman. Romania also prohibits recognition of same-sex marriages or civil unions that were entered into legally abroad.

the Illinois-based World Congress of Families, which insists heterosexual marriage is fundamental to society and is threatened by same-sex marriage and other social changes.

Government policies in most of the world's industrialized democracies have become far more supportive of equal treatment of gays and lesbians than would have been imaginable only a generation ago. More than 50 countries and 57 states, districts or other governmental entities have enacted anti-discrimination laws protecting gays, and 26 countries and 30 government entities recognize same-sex unions. Meanwhile, 36 countries now allow homosexuals to openly serve in the military, and the United States is in the process of repealing its ban on gays in the services.¹⁶ (*See graph, p. 117.*) Same-sex consensual sexual acts also have been decriminalized throughout these countries.

In some Western European nations the question of equal treatment under the law for same-sex couples seems largely settled. In the Netherlands, for instance, Jan Willem Duyvendak, a sociologist at the University of Amsterdam who studies the gay-rights movement, says, "The opening up of marriage to gay people will never be reversed. Even the political parties that were originally against it now support it."

Indeed, in countries where homosexuality still faces disapproval, governments have decriminalized sex between same-sex partners. In Russia, for example, authorities have refused to allow gay-pride marches and other gatherings, and public antipathy toward homosexuals remains strong, but homosexual acts have been legal since 1993.

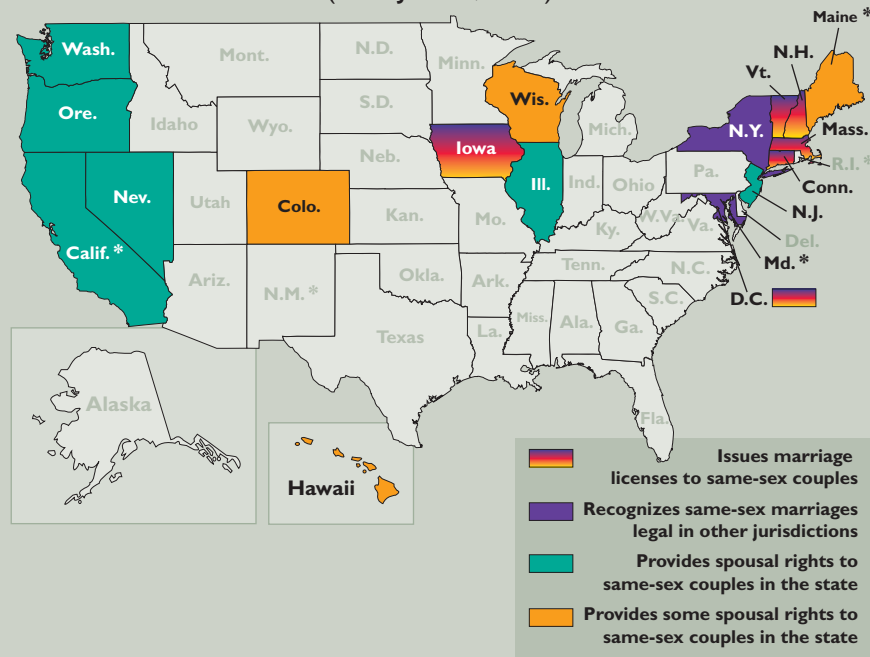
Still, in many countries — especially in Eastern Europe — majority sentiment appears to be against taking further steps, particularly when it comes to legalizing same-sex marriage. In addition to Romania, three other countries — Bulgaria, Estonia and Lithuania — have taken legal steps to reserve marriage for heterosexuals.¹⁷

Five U.S. States Allow Same-Sex Marriage

Five states and the District of Columbia issue marriage licenses to same-sex couples. Twelve other states give some spousal rights to same-sex couples or recognize marriages initiated in other jurisdictions.

States That Recognize Same-sex Marriage

(as of Jan. 31, 2011)



* **California:** Marriages that took place between June 16 and Nov. 4, 2008, continue to be defined as marriages. An Oct. 12, 2009, law recognizes out-of-jurisdiction same-sex marriages that occurred in the June-November 2008 time frame as marriages in California, and all other out-of-jurisdiction same-sex marriages as domestic partnerships.

* **Maine:** Marriage equality legislation enacted May 6, 2009; repealed by a ballot measure in November 2009.

* **Maryland:** Provides certain benefits to statutorily defined domestic partners. In 2010, attorney general said the state can recognize out-of-jurisdiction marriages.

* **New Mexico:** In January 2011, attorney general issued an advisory opinion saying the state can recognize out-of-jurisdiction same-sex marriages.

* **Rhode Island:** Provides certain benefits to statutorily defined domestic partners. In February 2007 attorney general issued an opinion saying the state can recognize out-of-jurisdiction marriages. However, in December 2007 state Supreme Court refused to grant a divorce to a same-sex couple legally married in Massachusetts.

Source: "Marriage Equality & Other Relationship Recognition Laws," Human Rights Campaign, Jan. 31, 2011

Sexual Orientation: Is It Due to Nature or Nurture?

For scientists, the debate is largely over.

Is human sexual orientation predetermined at birth or something that is learned? That question is not only part of the scientific inquiry into the nature of human sexual relationships but, to many, central to the political debate over gay rights.

If it's an innate characteristic like left-handedness or red hair, then arguments that homosexuality is "unnatural" or against God's plan become much harder to justify, as does treating sexual relationships — and the idea of love — between adults of the same gender differently than heterosexual relationships.

Since the "nature vs. nurture" question concerning sexual orientation is so fraught, some people will never accept the answer unless it coincides with their political or religious beliefs. But within the scientific community, a consensus has emerged.

"Most of today's psychologists view sexual orientation as neither willfully chosen nor willfully changed," writes David Myers, a psychology professor at Hope College in Michigan in his textbook *Psychology*. "Sexual orientation is in some ways like handedness. Most people are one way, some the other. A very few are truly ambidextrous. Regardless, the way one is endures."¹

A wide range of research has found biological connections to sexual orientation. Identical twins are more likely to share a homosexual orientation than fraternal twins. Another study found that a certain cell cluster in the hypothalamus of the brain is reliably larger in heterosexual men than in women or homosexual men. Hormonal activity in the womb also seems to have an effect on sexual orientation.²

Several organizations, mostly religion-based, claim "corrective therapy" can reorient gays and lesbians toward heterosexuality. But studies by researchers have found that same-sex attractions typically persist, as do those of heterosexuals, who are no more capable of changing their sexual orientation.³

Since the days of the ancient Greeks, whenever philosophers have argued against homosexual love, some have argued that it is against the natural order, in part because it was found nowhere else in the animal kingdom.

Scientists now know this is incorrect. Some birds, sheep, monkeys and more than 450 other species of animals have at least occasional same-gender sex.⁴ In some cases, animals form long-lasting same-sex relationships, even raising young together. Studies have found that roughly 8 percent of male sheep are sexually attracted only to other males — an example of an animal subpopulation that seems exclusively homosexual.⁵

In his book *The Science of Sexual Attraction*, noted neurobiologist Simon LeVay examines same-sex animal behavior. "The bonobo monkeys are interesting, because they're fairly close to us (genetically)," he says, "and they're polymorphously perverse — they use sex for many interactions that aren't tied to procreation. As far as we know, you don't really have gay or straight . . . bonobos."

LeVay discovered the difference in the hypothalamus between gay and straight men and published his results in *Science* in 1991. He initially found the results — some of the earliest evidence indicating biological differences between gay and straight men — startling.

The research briefly made him a scientific celebrity. "I was really shocked when I came in the day after it was published," he says, "and saw satellite trucks waiting outside the office."

Twenty years later, in the middle of a tour promoting *The Science of Sexual Attraction* — LeVay says the reaction has been far more muted. "There was no sense of shock with my book coming out as there was when my research came out," he says. "I think a lot of people have come to accept that biology is relevant to sexual orientation."

— Reed Karaim

¹ David Myers, *Psychology* (2010), p. 472.

² *Ibid.*

³ *Ibid.*

⁴ Jon Mooallem, "Can animals be gay?" *The New York Times Magazine*, March 31, 2010, www.nytimes.com/2010/04/04/magazine/04animals-t.html.

⁵ John Cloud, "Yep, they're gay," *Time*, Jan. 26, 2007, www.time.com/time/magazine/article/0,9171,1582336,00.html.

Reflecting much of the opinion across Eastern Europe, Costea of the Alliance of Romania's Families says, "Romania is a deeply religious country, mainly an orthodox one with a fairly substantial evangelical minority. The church has retained a fairly firm position with respect to marriage, and it's a position shared by the overwhelming majority of the Romanian people."

At least one LGBT rights activist, however, believes anti-gay opinion is tempering in parts of Eastern Europe. Greg Czarnecki — a board member for the Brussels-based International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) in Europe — lives in socially conservative, predominantly Catholic Poland. In recent years, Polish governments have drafted a bill to punish teachers who "pro-

moted" homosexuality. European officials criticized the measures as homophobic, and recently Czarnecki sees the tone changing.¹⁸ "The Democratic-left alliance now supports a form of civil partnership for gays," he says, "and the conservatives have tempered some of their rhetoric, too."

But social attitudes rarely change as fast as government policy. "Most people aren't actively, violently against

gay people. They just kind of say, 'Okay, if you're gay, just don't talk about it,' he says. "That's a very Polish way to look at an issue. If there's an uncomfortable situation, we try to find a way around it. With the younger people, I see a real hunger to join the West, and I think there's definitely a more cosmopolitan, tolerant attitude."

Focusing on Europe, however, can create a false impression. In other parts of the world — especially in Africa and the Middle East — signs that policies or attitudes are becoming more supportive of the LGBT community are difficult to find. The proposed death-penalty legislation in Uganda has gotten the most attention, but several other African nations are considering or have adopted similar measures. LGBT activists also worry about violent public sentiment worked up by politicians and the media elsewhere in Africa.

"Genocide is brewing in Uganda, and the influence of this bill is spilling over to other countries like Zambia, Democratic Republic of Congo, and Malawi, where similar bills are being proposed," says Valentine Kalende, a Ugandan LGBT activist who was identified in the *Rolling Stone* article. "It seems like the whole world is focusing on Uganda, and ignoring what's happening to LGBT people in other African countries."

On the other side, Theresa Okafor, the CEO of Life League, a Nigerian organization that believes homosexuality is unnatural, does not think gays and lesbians should be executed; she believes counseling or therapy is in order. But she rejects the notion they are victims of prejudice in Africa. "I have heard accusations that they are being discriminated against," she says, "but this is completely false because if you think deeply about it, it is not the person that is being despised, it is the conduct."

But why does Africa seem to be growing more intolerant toward gays? That topic is hotly debated. Some blame

it on the recent rise in Christian and Muslim fundamentalism in the region, while some say it is a reaction against Western influence and an expression of traditional attitudes, although others say that misrepresents the diversity of views in the African past. Some political observers say authoritarian regimes are scapegoating gays in order to redirect public ire.

"By and large, these are countries with very difficult economic and political problems, with political leaders who are not popular who can score easy victories by targeting the gays," says the Council for Global Equality's Bromley.

Meanwhile, in the Middle East there are few signs of a thaw in government policies. Homosexual acts remain illegal in most of the region and are often punished severely. Iran presents a particularly harsh case study. Human Rights Watch has documented a series of allegations of rape, torture and executions of sexual minorities by Iran's police and paramilitary forces.¹⁹

"Executions take place in Iran," says Human Rights Watch's Dittrich. "It's one of very few places where that happens." Four other countries and two regions — all Muslim countries — allow executions for consensual same-sex acts, according to the organization: Saudi Arabia, Yemen, Sudan, Mauritania and the ultra-conservative parts of Somalia and Nigeria.

But elsewhere in the developing world, change is happening with surprising swiftness. Marcelo Ferreyra, Buenos Aires-based program coordinator for Latin America and the Caribbean with the International Gay and Lesbian Human Rights Commission (IGLHRC), which works for LGBT rights worldwide, notes that Argentina's legalization of same-sex marriage is part of a broader trend in the region.

"Two or three years ago, Uruguay was the first country in Latin America to recognize civil unions. Mexico City allows same-sex marriages.

Colombia is going through a recognition process for same-sex couples. There's a lot happening in Brazil," says Ferreyra. "This is not just coming from Argentina."

In Asia, the picture is as complex as it is in Europe. Gay-rights advocates have won important victories in Nepal, India and, to a lesser degree, the predominantly Catholic Philippines. In China, however, which has one-fifth of the world's population, the situation seems largely static. Laws criminalizing homosexuality were taken off the books in the 1997, but no law bars discrimination on the basis of sexual preference, and the government continues to block gay public gatherings and websites.²⁰

In Indonesia, observers see an example of another phenomenon: a backlash against the increasing visibility of the LGBT community.

Does a backlash threaten advances made by gays?

During a regional gay-rights conference in Surabaya, Indonesia, last year, Grace Poore, IGLHRC coordinator for Asia and the Pacific Islands, got a first-hand look at how some political and religious groups are responding to the gay-rights movement.

As the conference was about to begin, protesters from hardline Islamic groups arrived at the hotel, demanding that the conference be shut down and the attendees leave the country. Conference members were told to stay in their rooms as the protesters moved through the halls. Eventually, after hearing that a larger group of protesters was on the way and that the police could not guarantee members' safety, organizers decided to cancel the conference.

"We were basically under siege in the hotel," Poore says. "We were forced to leave. We were threatened with violence. I think it's the only time I have been afraid. It was such a situation of anarchy, and the police were saying they would not protect us."

Indonesia has the world's largest Muslim population, but it is a secular state, and homosexual acts are not illegal. But conservative Muslim groups have been increasingly strident in their opposition to equal treatment of LGBT relationships. To Poore it's an example of a counteroffensive being mounted in many countries.

European countries the reaction against gay and lesbian rights has been led by the rise of far-right parties that also have campaigned against other minorities, including Roma (Gypsies) and Jews. The threat of violence from such groups has been cited by government officials to justify outlawing gay-pride parades and other events.

But even in the most dangerous countries the backlash is not suppressing the LGBT movement, say some observers. "In virtually every country, there are brave individuals who are standing up and saying I'm gay or I'm lesbian, and I have rights, too. We're seeing this activism in virtually every corner of the world," says Bromley, of the Council for Global Equality.

Activist Kalende says this is true even in Uganda. "The LGBT movement in Uganda is more organized than before," she says. Kalende believes the movement's work with other concerned groups in Uganda and abroad has helped to prevent passage of the bill so far.

Despite violent incidents, the backlash against gay rights is not just about intimidation, hatred or prejudice. "We're not anti-homosexual; they're not the 'evil people' that need to be destroyed," says Jacobs, of the World Congress of Families. "What we're saying is that what's best for society is the natural family."

In some cases the backlash is coming from people who feel their own rights are being trampled by the movement to recognize gay rights. In Great Britain, Andrea Minichiello Williams is a lawyer and the founder of Christian Concern, which represents people who feel they've been treated unjustly because of their Christian beliefs. Her organization represents British citizens who've been reprimanded or fired because they refused to take certain actions regarding the treatment of gays and lesbians, such as presiding over a civil union ceremony or teaching about homosexuality, required under Britain's Equality Act of 2010.

Williams says many rank-and-file Britons who feel their beliefs aren't being respected could become more extreme if they're not listened to. "My sense is that the British people are longing to get their country back, their country founded on great Christian principles," she says.



AFP/Getty Images/Esdraas Ndikumana

Up to 20,000 people took to the streets in Burundi's capital city of Bujumbura on March 6, 2009, to protest the failure of the Senate to outlaw homosexuality. Anti-gay sentiment is on the rise in many African countries, where Christian and Muslim fundamentalism is growing, and homosexuality is seen as foreign to many African cultures.

"We're seeing religious backlash," particularly by hardliners, whether it's Islamic hardliners or Christian fundamentalists," she says. "Even in India, where Hindu has been considered very open, the Hindu right wing has suddenly claimed that homosexuality is anathema to Indian culture and Hindu beliefs. It's all part of this trend where religious conservatives and extremists, on their own or with the support of governments, are really pushing back in severe ways."²¹

The backlash has made it harder for LGBT people to publicly make their case and complicates the political landscape. For instance, in some Eastern

In some countries the backlash has resulted in hate crimes — even in countries without a hostile government and where the dominant religion, such as Catholicism, opposes homosexuality but does not condone violence against the LGBT community.

"We're facing some backlash in different ways," Ferreyra, of the International Gay and Lesbian Human Rights Commission, says about Latin America. "We are experiencing a high rate of hate crimes — in Honduras, where five LGBT activists were just murdered but also in Mexico and other places. You see it happen especially where LGBT people have become more visible."²²

In the United States, a backlash against court rulings in favor of same-sex marriage has been evident in several states. Voters in California overturned — through referendum — a state Supreme Court ruling in favor of same-sex marriage.²³ In Iowa, voters removed three state Supreme Court judges who voted to allow same-sex marriage.²⁴ “We’ve won every time it’s been put before the people of any state, including liberal states like California and Maine,” says Maggie Gallagher, chairman of the board of the U.S. National Organization for Marriage, which opposes same-sex marriages.

Todd Shepard, a historian at The Johns Hopkins University in Baltimore who studies the history of sexuality, believes it’s a mistake to assume the increasing freedom many LGBT people are experiencing represents an unstoppable historical current. “One of the things we want to do in America is make every story a progress story, where things are getting better and better,” he says. “But there have been plenty of other times where there were all sorts of freedoms, and then — there weren’t.”

However, sociologist Duyvendak of the Netherlands believes history has turned a corner. “There will be local fights and backlash in some areas, but I think the trends will continue. Even in the United States we still see progress, step-by-step. Now the army is open, and marriage will be the next thing. Things may go slow, but I’m really quite optimistic. I don’t think the gains that have been made will be reversed.”

Should the United Nations and other international bodies be promoting gay rights?

The United Nations does not mention same-sex relations in its main human rights treaties, although the documents do include declarations of the right of all people to be treated with dignity and respect regardless of circumstances. U.N. agencies also disseminate information on a variety of

19 Nations Allow Both Same-Sex Unions and Gays in Military

In 36 countries the military either allows gays to serve openly or does not ban homosexual conduct, and at least 26 countries recognize same-sex unions. Nineteen nations do both.

Gay Rights in Selected Countries

Country	Allows gays to serve in the military*	Recognizes same-sex unions	Country	Allows gays to serve in the military*	Recognizes same-sex unions
Albania	X		Iceland	X	X
Andorra		X	Ireland	X	
Argentina		X	Israel **	X	
Australia	X		Italy	X	
Austria	X	X	Latvia	X	
Azerbaijan	X		Lithuania	X	
Belgium	X	X	Luxembourg	X	X
Bosnia and Herzegovina	X		Netherlands	X	X
Canada	X	X	New Zealand	X	X
Colombia		X	Norway	X	X
Croatia	X		Portugal	X	X
Czech Republic	X	X	Romania	X	
Denmark	X	X	Slovakia	X	
Ecuador		X	Slovenia	X	X
Estonia	X		South Africa		X
Finland	X	X	South Korea	X	
France	X	X	Spain	X	X
Georgia	X		Sweden	X	X
Germany	X	X	Switzerland		X
Greece	X		Ukraine	X	
Hungary	X	X	United Kingdom	X	X
			Uruguay		X

* Among NATO and ISAF (International Security Assistance Force in Afghanistan) partner nations, and in Israel, which is not a member of either organization. Does not include the United States, which is in the process of repealing its ban on gays serving openly in the military.

** Israel allows a limited common-law marriage for same-sex couples.

Sources: “Report of the Comprehensive Review of the Issues Associated with a Repeal of Don’t Ask Don’t Tell,” Pentagon Working Group Study, Nov. 30, 2010; International Lesbian, Gay, Bisexual, Trans and Intersex Association

topics, including basic human rights and educational materials on sexual behavior, which includes information about homosexuality.

The European Union (EU), however, does prohibit discrimination based on sexual orientation, and the EU’s Fundamental Rights Agency monitors and recommends policies to end discrimination within member countries.

Not surprisingly, gay-rights supporters and opponents view the ac-

tivities of these international organizations very differently.

Human Rights Watch’s Dittrich helped develop the Yogyakarta Principles, which were drawn up in 2006 by a group of international experts to apply human rights to sexual orientation and gender identity.²⁵ The principles are not a legally binding treaty but represent a template for treatment of the LGBT community. While acknowledging legitimate differences in cultures, Dittrich

believes the responsibility of the U.N. and EU in this regard is clear.

“In many countries, they say the words ‘gay’ or ‘homosexual’ are from the West. They have this vision of the gay parades in New York or Amsterdam, and they say, ‘We don’t want that,’ and that stops the discussion,” Dittrich says. “But we’re not talking about people dancing in the streets, we’re talking about people being evicted or thrown into prison and being raped in prison without having access to lawyers. We are talking about fundamental human rights.”

But few critics of the U.N. and EU activity on behalf of LGBT rights advocate throwing people into prison on the basis of sexual orientation or denying them lawyers. However, they do object to what they say are the bureaucracies of these international bodies adopting “agendas” that promote homosexual relationships as equivalent to heterosexual relationships, a position that enforces an ideology deeply at odds with the religious and cultural convictions of many people.

For instance, says Brussels lawyer Jakob Cornides, the European Union’s Fundamental Rights Agency has pushed a “radical” gay-rights agenda that includes the false proposition that European nations must enact same-sex marriage laws to correspond to international law. “They’re not reacting to the number of cases or complaints,” he says. “They have their own agenda, and part of it is promotion of LGBT rights.”

But the Council for Global Equality’s Bromley says the agency’s work has been within the legal and human rights mainstream and does not require nations to adopt same-sex marriage. “They have an agenda that is far broader than LGBT concerns. It includes programs to respond to religious discrimination, racism and other forms of discrimination that are of equal concern across the EU region,” he says. “While they do not have a radical LGBT

agenda, they do have an important tolerance agenda that focuses on equality for all.”

Austin Ruse, president of the Catholic Family and Human Rights Institute, based in New York and founded to affect debate at the U.N., says his organization is fairly satisfied with the U.N. position “because all these agendas have been stopped. Sexual orientation and gender identity are not part of the human rights treaties, and they’re not going to be anytime soon.”

In December, 2008, Ruse’s group joined the Vatican in opposing a non-binding U.N. “declaration” — sponsored by France with broad support in Europe and Latin America — recommending that countries decriminalize homosexuality. It was the first time a measure specifically dealing with gay rights was discussed by the U.N. General Assembly. Proponents, who included representatives of 66 countries, said laws making it a crime to be gay conflicted with the Universal Declaration of Human Rights. But representatives from the Vatican and 60 nations opposed the declaration, saying it could lead to legalizing same-sex marriage.²⁶

Some critics say the U.N. still promotes policies at odds with the Universal Declaration of Human Rights, passed by the General Assembly in 1948. It proclaims that “Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and found a family,” and, “The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.”²⁷

To some social conservatives, the two provisions were intended to establish the primacy of the heterosexual marriage and traditional family. “Many of the foundational human rights documents being used today to undermine the family actually provide a remarkable defense of the natural family, marriage between a man and a woman,”

William Saunders Jr., senior vice president for legal affairs of Americans United for Life, wrote in *The Family in America, A Journal of Public Policy*.²⁸

U.N. officials have ignored the vision of human rights expressed in these documents because “they’ve been taken over by activists who focus 24/7 on issues that really only affect a small minority,” says Jacobs, of the World Congress of Families. “They’ve taken over the human rights committees in the U.N. — the Committee on the Rights of the Child, the Commission on the Status of Women — all these things have been taken over by NGOs [non-governmental organizations] that don’t really represent the values of the people of the world.”

Proponents of LGBT rights say their concerns warrant inclusion based on a basic concept of human rights. They note that the Universal Declaration of Human Rights says that “everyone is entitled to all the rights in this declaration without distinction of any kind,” including “race, colour, sex, language, religion . . . birth or other status.” The declaration also proclaims “no one shall be subjected to arbitrary interference with his privacy, family, (or) home.”²⁹

Gay-rights supporters say the U.N. and other international organizations must ensure that the rights expressed in these documents are applied to the LGBT community, which has suffered from discrimination and violent oppression throughout history. Current events provide regular evidence that the battle against both is far from over, they say.

For example, IGLHRC director of programs Jessica Stern points to what happened when a General Assembly committee recently was renewing a declaration condemning “extrajudicial, summary or arbitrary executions.” Benin, on behalf of several African nations, tried to strike “sexual orientation” from the list of discriminatory

Continued on p. 120

Chronology

1st-15th Centuries

Judeo-Christian tradition against homosexuality takes hold.

50-58

Apostle Paul denounces homosexuality, forming foundation for subsequent religious and legal rulings.

313-380

Roman Empire converts to Christianity; adopts its views on homosexuality.

1480s

Homosexuals are persecuted during Spanish Inquisition.

19th Century

Homosexuality is defined, defended and viewed as scandalous.

1867

German intellectual Karl Heinrich Ulrichs becomes first modern openly gay activist.

1900s-1950s

Homosexuality remains largely hidden, but research illuminates its prevalence.

1924

First U.S. gay-rights organization, Society for Human Rights, is founded in Chicago, but soon disbands.

1930s-40s

Nazis imprison, murder gays.

1948-52

Pioneering sex researcher Alfred Kinsey reveals unexpectedly high prevalence of male homosexuality.

1960s-1970s

Gay-rights movement emerges.

1967

England and Wales decriminalize sex between male adults, except in armed forces and merchant marines.

1969

Police raid Stonewall Inn, a gay bar in New York City, triggering riots and launching modern gay-rights movement.

1974

Netherlands allows gays to serve openly in the military.

1980s-1990s

Rising gay activism results in policy changes but prompts conservative backlash.

1983

U.S. Rep. Gerry Studds, D-Mass., becomes the first openly gay member of Congress. . . . The Rev. Jerry Falwell describes AIDS, a new disease that has appeared among homosexual men, as a "gay plague."

1989

Denmark is first to grant same-sex couples rights similar to marriage.

1993

"Don't ask, don't tell" law allows gays and lesbians to serve in the U.S. military, but only if they hide their sexual orientation.

1996

U.S. adopts Defense of Marriage Act (DOMA), which allows states and the federal government not to recognize same-sex marriages legal in another state.

1997

World Congress of Families holds its first international gathering devoted to defending the heterosexual, or as the Congress terms it, "natural" family.

2000s Worldwide gay-rights movement builds despite growing resistance.

2001

Denmark becomes first to allow same-sex marriage.

2008

Nepal legalizes same-sex marriage. For the first time, U.N. General Assembly discusses gay rights, debating a nonbinding resolution to recommend that countries decriminalize homosexuality.

2009

India's high court overturns British-era anti-sodomy law.

2010

U.S. Congress votes to allow gays to serve openly in the military, but it does not take effect immediately. . . . Romania, Estonia and Bulgaria take legal steps to define marriage as between a man and a woman. . . . Uganda and other African nations consider stronger sanctions — including the death penalty — for homosexual acts.

2011

Ugandan gay activist David Kato is murdered in January, after he is identified by a newspaper that urged Ugandans to kill gays. . . . British government lifts ban on same-sex civil union ceremonies in churches. . . . Obama administration stops defending DOMA in court.

Continued from p. 118

grounds on which these killings often take place — a list that has been in the declaration for the past 10 years.

But the amendment to eliminate the reference passed, with 79 votes in favor, 70 against, 17 nations abstaining and 26 not present.³⁰ Only after lobbying by the United States and other nations did sexual orientation go back into the resolution.

“We were forced to mobilize the vote, and in the end we picked up three African votes,” Stern says. “But the fact is, it’s still the only explicit LGBT resolution passed at the U.N., and what is it about? It’s about killing, and we had to fight for it. It really underscores the fragility of the whole human rights framework.” ■

BACKGROUND

Ancient Practice

Those who oppose granting same-sex relationships equal legal and social footing with heterosexual relationships often refer to being gay or lesbian as a “lifestyle choice.” If so, it’s a lifestyle that has survived since the beginnings of recorded civilization, often in the face of sanctions that included torture and death.

“If you just take a look at homosexual love, it crosses all cultures, it goes through all time. You can always find people who are having sex with mem-

bers of their own sex and falling in love with them,” says John G. Younger, a gay-studies scholar and professor of the classics at the University of Kansas. “What society does with it is the question.”

Some cultures viewed same-sex behavior benignly, as just another aspect of human sexuality. Some have accepted it under certain conditions, for example, as part of rites of passage or initiation rituals. Others have viewed it as contrary to God’s natural order but have largely tried to ignore it. Some have punished it severely.

Most of the attitudes that existed in the past can still be found today.

From ancient Greece to the early dynasties in China, historical documents make clear that homosexual behavior has been around since humanity

Gays in the Military Create Few Problems Abroad

Transition has been much less wrenching than the debate.

At least 36 nations already allowed gays and lesbians to serve openly in their armed forces before the U.S. Congress in December voted to have the United States join them. Those nations included most of America’s NATO allies, plus Israel and South Korea, countries where hostile neighbors make maintaining military capability a priority.¹

During America’s heated debate over whether to end “don’t ask, don’t tell” — the controversial U.S. policy that required gays to keep their sexual orientation hidden — opponents claimed that allowing gays to serve openly would undermine American military readiness and lead to dissent in the ranks. Congress was being “asked to impose a risky military social experiment that has not been duplicated anywhere else in the world,” said Elaine Donnelly, president of the Center for Military Readiness, which opposed ending the policy.²

The record, however, indicates little risk. Several key U.S. allies now have more than a decade of experience with openly homosexual sailors and soldiers in uniform. Despite dire predictions by some foreign officers that would be echoed years later in the United States, the transition seems to be much less wrenching than the debate.

“It was a nonevent,” retired Maj. Gen Simon Willis, the former head of personnel for the Australian Defense Force, told the Brookings Institution, “and it continues to be a nonevent.”³

In Great Britain, a review after the policy was instituted found that only three service members, out of more than

250,000, had resigned because of the change. In addition, discussions with foreign military personnel in several nations conducted by a special Pentagon Working Group and the Rand Corporation think tank found no evidence that the shift had undermined training or morale.⁴

The study said none of the nations directly assessed the effects of the policy on combat effectiveness. “However, most of these nations have been engaged in combat operations in the years since changing their policy. Uniformly, these nations reported that they were aware of no units that had a degradation of cohesion or combat effectiveness, and that the presence of gay men and lesbians in combat units had not been raised as an issue by any of their units deployed in Iraq or Afghanistan.”⁵

In Canada, the United Kingdom and Australia, the military expected “noticeable numbers” of gays and lesbians to come out following the change, “but in fact very few did so.” Officials in Canada and the U.K. also said recruitment did not suffer, nor did retention of personnel.⁶

Most nations instituted the policy relatively quickly, usually after amending their training methods in order to emphasize respect for people of different sexual orientation.

A survey of American military personnel conducted by the Pentagon Working Group as part of its study found that 70-78 percent expected the change to either improve or make little difference in the ability of their unit to work together or get along socially.⁷

Aubrey Sarvis, executive director of the Servicemember's Legal Defense Network, which is dedicated to allowing gays to serve in the military, says he suspects most Americans believe that gays could serve openly as soon as President Barack Obama signed the law repealing "don't ask, don't tell." But the law requires the president, the Defense secretary and the joint chiefs of staff to certify that the military is ready for the change and then includes a 60-day transition period before open service becomes the rule.

The administration has not yet issued the certification, and groups that fought for the repeal are watching the process closely. "I don't see any foot-dragging at the Pentagon, but I think it's clear they want to have a sizeable number of the force receiving training around open service before certification can take place," says Sarvis.

Still, Sarvis expects the process to proceed quickly from here. "Moving to open service really isn't that complicated, for two reasons," he says. "One, gays and lesbians are already serving side by side with their straight counterparts, and many of them know who the gays and lesbians are, even if they haven't come out. We're talking about a lot of young people, and they have pretty good radars. Second, the education and training around open service isn't that complicated either. How many different ways do you have to say: 'Treat your fellow soldier with the respect and dignity you expect to receive?'"

— **Reed Karaim**



Getty Images/Scott Barbour

Members of the British Royal Navy march during the Euro Pride parade in London, England, on July 1, 2006. The U.K. is one of 36 nations — including most of America's NATO allies — that allow gays and lesbians to serve openly in their armed forces.

¹ "Report of the Comprehensive Review of the Issues Associated with the Repeal of 'Don't Ask, Don't Tell,'" Pentagon Working Group Study, Nov. 30, 2010, p. 89, [www.defense.gov/home/features/2010/0610_gatesdadt/DADTRreport_FINAL_20101130\(secure-hires\).pdf](http://www.defense.gov/home/features/2010/0610_gatesdadt/DADTRreport_FINAL_20101130(secure-hires).pdf).

² Elaine Donnelly, "At Issue: Should the U.S. follow the example of nations that allow gays to serve openly in the military?" *CQ Researcher*, Sept. 18, 2009, p. 781.

³ Charles McLean and Peter Singer, "What Our Allies Can Tell Us About the End of Don't Ask, Don't Tell," *The Brookings Institution*, June 7, 2010, www.brookings.edu/opinions/2010/0607_dont_ask_dont_tell_singer.aspx.

⁴ "Report of the Comprehensive Review of the Issues Associated with the Repeal of 'Don't Ask, Don't Tell,'" *op. cit.*

⁵ *Ibid.*, p. 92.

⁶ *Ibid.*, p. 91.

⁷ *Ibid.*, p. 64.

began recording its own existence. Some of the most esteemed literature from the pre-Christian era in Greece celebrates same-sex love. Sappho's poems to young women on the island of Lesbos spawned the words "lesbian" and "Sapphic."

Some Greek philosophers considered sex between adolescent boys and older men, who also served as their intellectual and societal mentors, as the highest form of love. But other Greeks believed it represented a distortion of the natural business of sex, which was procreation.

In China, court historians recorded the homosexual affairs and infatuations of many Han Dynasty emperors, who ruled for roughly 400 years from the 2nd century B.C. ³¹ In the 18th cen-

tury several Manchu emperors openly engaged in sex with both men and women. ³² Although these choices were often considered unwise, they weren't considered unnatural. The Arab world in the first millennium also took a more benign view of homosexual relations than many later cultures.

Men and women engaging in homosexual behavior in ancient times did not necessarily think of themselves as gay or lesbian in the modern sense, say scholars. Most historians of human sexuality believe the idea of sexual preference as a defining part of one's identity did not become a popular concept until much later. This was true, they say, even after Christian disapproval of homosexuality took hold in Western culture.

"People thought of sex acts primarily as sinful acts available to everyone, rather than identity," says Shepard, the Johns Hopkins University historian.

The triumph of Judeo-Christian beliefs, particularly the adoption of Christianity by the Roman Empire in the 4th century, ushered in a long period in which homosexuality was considered a sin, generally outlawed and sometimes punished by torture or death. The roots of the Judeo-Christian attitude toward gays can be found in Chapters 18 and 20 of the Old Testament book of "Leviticus," which prohibit same-sex relations. Chapter 18, verse 22, is the most succinct: "You shall not lie with a male as with a woman. It is an abomination." Chapter 20, verse 13, adds that the two men "shall surely be put to death." ³³

But Leviticus spends more time condemning incest, adultery and consorting with evil spirits than it does on male homosexuality (female homosexuality isn't mentioned). It also establishes dietary and hygiene rules to which Christianity does not generally adhere. Nonetheless, it's hard to overstate the impact Leviticus has had on the Christian world's view of homosexuality. "The authors of Leviticus wrote two dozen words which sealed the fate of men who loved men for more than 14 centuries," wrote pioneering gay studies scholar Louis Crompton in his sweeping *Homosexuality and Civilization*.³⁴

The Apostle Paul harshly condemned homosexuality in his epistles to the Romans and Corinthians. It was also defined as unnatural and morally wrong by Saint Thomas Aquinas, a 13th-century Italian priest and philosopher whose writings still form the underpinnings of Catholic philosophy.³⁵ In the Middle Ages and through the Renaissance, the Catholic Church and civil governments generally proscribed homosexual acts, whether by gays or heterosexuals.

The penalties were often severe, including branding, castration and death, but punishments varied from one city or country to another and from one generation to the next. The situation was far more complex than a simple reading of the laws would indicate, say historians.

"Michelangelo had male lovers; Leonardo da Vinci had lovers. Nobody cared, mostly because the people they were having sex with were young men from the lower classes," says Younger, who edited the encyclopedia *Sex in the Ancient World*. "If they had been doing it with the sons of nobles, it would have been different. The act might be illegal, but the law is applied in different ways."

For instance, during a 100-year period in Florence, a principal Renaissance city, the uncertainty surrounding how seriously to punish homosexuals is recorded in Crompton's history. The laws were changed, on the average, "more than

once a decade and contain such elaborately graded punishments that they resemble a kind of commercial tariff," Crompton wrote.³⁶ Records indicate 4,062 accusations of sodomy were lodged in just 24 years, at a time when the city had less than 50,000 occupants.³⁷

On the other hand, officers of the Spanish Inquisition — which executed about 100 men for sexual relations with other males — were far less troubled by ambiguity, according to Crompton. Harsh punishments, primarily torture, were also common.³⁸

In the ensuing centuries punishments for homosexual behavior became less severe across most of Europe, and some authorities showed far less zeal in pursuing men suspected of same-sex relations. Female homosexual behavior was of even less concern.

In Asia, Africa and elsewhere the view of same-sex behavior and of minorities that crossed traditional gender identities — such as the Hijras, men who have dressed like women for centuries in India — varied widely during this period. Heterosexual relationships, whether polygamous or monogamous, remained the dominant form of sexual pairing everywhere, however.

In the West, the most significant change in ideas about same-sex behavior since Christianity began occurred in 19th-century Germany, where the modern notion of a "homosexual" was born.

Modern Movement

Karl Heinrich Ulrichs, a 19th-century German intellectual, is considered by many historians and LGBT activists as the father of the modern homosexual-rights movement. But his journey was an intensely personal one that began as an examination of his own sexual attraction to men. Eventually he concluded that "sexual orientation was a stable, inherent human characteristic and homosexuality a valid and natural form of sexual expression," wrote Francis

Mark Mondimore, author of *A Natural History of Homosexuality*. Mondimore is an associate professor at The Johns Hopkins University medical school in Baltimore, Md.³⁹

Ulrichs was considered a pioneer because he publicly acknowledged his sexual orientation and began crusading for his ideas, even arguing against anti-sodomy laws before a congress of German jurists. Although he had barely begun to speak before he was shouted down, today the International Lesbian and Gay Law Association presents an annual award in his memory.⁴⁰

The word "homosexual" first appeared in an 1869 political pamphlet by Karl Maria Kertbeny, a German journalist and crusader who also opposed having anti-sodomy statutes included in the unified German state's proposed constitution. The word "heterosexuality" came to be used in its modern sense slightly later. Taken together, these words would eventually help to create an idea of human sexuality built around two opposite poles of attraction, with humans' sexual compass needle more or less pointing one way or the other. They would also help to tie sexuality more closely to a person's sense of identity.

The notion of sexuality as identity would flower in the 20th century. "There's this idea that there's something in you that's really you, and that sexuality is one of the key aspects of who you are as an individual," says Shepard of The Johns Hopkins University. "Sexuality, or sex, goes from being something you do to this key measure by which people can know something about you. It becomes revelatory."

The idea that sexual orientation is largely innate is widely accepted within the scientific community now but continues to be debated by the public. (See sidebar, p. 114.) It was viewed even more skeptically through most of the 20th century. The American Psychiatric Association classified homosexuality as a mental disorder until 1973, and pop

culture often referred to it as a disease, or an aberrant, repulsive act.

A sense of shared identity began to strengthen in homosexual subcultures, which flourished at various times and places in several countries. For instance, in Berlin in the 1920s and in Paris in the '20s and '30s attitudes toward homosexuality were relaxed, and gays and lesbians lived fairly openly.

"We're always trying to build this story where things are headed in one direction, but even if you just look at the 20th century and the West, we've really gone back and forth," Shepard says. "The fact is, there were lots of moments and places in time when people had good things happening to them and were living their lives without too much trouble."

But those periods also can end abruptly, Shepard adds, such as during the Nazi persecution of homosexuals in the 1930s. And in the United States and many European nations "the 1950s and '60s were a pretty dramatic period of repression," Shepard says. France, for example, passed its first anti-homosexual laws during that period.

Still, homosexual organizations were slowly raising their profile, both in the United States and in Europe. In 1965, a group picketed in front of the White House against U.S. policies concerning homosexuality.

But in 1969 the modern gay-rights movement was suddenly and violently born. On June 28, police raided the Stonewall Inn, a gay bar in the Greenwich Village section of Manhattan. Police raids on gay bars were hardly rare at the time and had generally been greeted with submission. But this time the patrons, who were not charged, did not disperse. A crowd quickly gathered outside the bar, and a riot eventually broke out. It raged, off and on, for several days, gathering world attention. By the time it ended, gays and lesbians were demanding fair treatment and establishing a defiantly public gay culture that included annual parades and other events.

"Stonewall was enormously influential, basically all across Europe, from Argentina to Japan," says Shepard. "You had all these people making connections. The world is much more mobile, and you're getting this massive transfer of information."

AIDS (Acquired Immune Deficiency Syndrome) was originally viewed as a disease afflicting only gay men until researchers began finding cases among heterosexual women and realized it could be transmitted through blood, semen, vaginal fluid and breast



AFP/Getty Images/Janek Skarzynski

Thousands of gays, lesbians, bisexuals and supporters of equal rights for sexual minorities march in a gay-pride parade in Warsaw, Poland, on July 17, 2010, urging the government to legalize same-sex partnerships. The socially conservative, predominantly Catholic country has not legalized gay marriage and recently tried to punish teachers who "promote" homosexuality. But the measure was condemned as homophobic by European Union officials.

The gay-liberation movement would intersect with other social currents, such as the international youth movement seeking to overturn existing social norms and a burgeoning feminist movement. It would include an ethos of sexual freedom and experimentation that in the 1980s ran smack up against the AIDS epidemic and a growing emphasis on safe sexual practices.

Gay activists played a leading role in pressuring governments for more money for research and treatment.⁴¹

Political organizing eventually won greater legal and cultural recognition for LGBT relationships. The cause also expanded to embrace bisexuals and transgender people. Although the LGBT movement has had little or limited impact on policies or social attitudes

in some countries, it has encouraged LGBT people around the globe to speak up, often at personal risk. In the West, it has led to dramatic changes in laws and attitudes. Homosexuality has been generally decriminalized in most places except Africa and the Middle East, more and more nations accept civil unions or gay marriage, and gays have won elective office and serve openly in the military in three dozen countries.⁴² More significant, perhaps, are polls showing that the young are particularly unconcerned about sexual orientation.

All this has happened in about four decades. “In today’s world we get so caught up in what’s happening right now,” says Younger at the University of Kansas, “it’s easy to forget how much has changed in recent years.” ■

CURRENT SITUATION

Same-Sex Marriage

Amid the remnants of a worldwide recession, unprecedented immigration levels and a continuing conflict between Islamic fundamentalism and secular Western democracies, the debate over sexual rights often gets caught in the political and social crosswinds. And frequently, same-sex marriage seems to be at the center of the storm.

In Europe, for instance, Hungary has shown how shifts in larger political sentiments can affect the gay-rights debate. Since the 1990s, gay-rights activists have considered Hungary one of Eastern Europe’s more progressive countries. In 2010, it passed a law recognizing “registered partnerships,” which give gay couples most of the benefits of marriage.

But Hungary also was hit hard by the economic downturn, fueling frustration with failed economic policies seen as imported or imposed by the West as Hungary was integrated into the EU. That anger helped the far-right Jobbik Party, known for anti-gay rhetoric, win 16.7 percent of the vote in the last general election.⁴³

“I think it’s sort of a Euro-fatigue,” says Czarnecki, the LGBT activist in Poland. “I think overall people are a little disenchanted with the [economic and cultural] integration process.”

Particularly in rejecting the idea of same-sex marriage, Eastern Europeans seem to be staking out their national identity. “To Romanians, the only thing that saved them as a nation [during communism] was the family, marriage and their faith in God,” says Costea, whose Alliance of Romania’s Families worked to get the law to define marriage as between a man and a woman.

On the other side of Europe’s political spectrum, support for gay and lesbian rights has become a litmus test for cultural assimilation in some countries where LGBT rights have progressed the farthest, such as the Netherlands and Scandinavia. Norway, for example, now requires asylum seekers to watch a movie on gays and lesbians. “We want to show that homosexuality is normal and accepted,” said the movie’s director, Mari Finnestad. “If you want to live in Norway and be part of the Norwegian society, you have to accept that.”⁴⁴

Some observers believe that in such situations LGBT rights are being used as a way to define Muslim immigrants as outsiders — not really part of the nations they have joined. Randi Gressgård, a researcher at the Centre for Women’s and Gender Research at the University of Bergen, Norway, recently coauthored a paper examining the phenomenon: “Intolerable Citizens: Tolerance, Islam and Homosexuality.”⁴⁵ Ironically, she says, the concept of tolerance is being used to exclude people — “as a political strategy to create a division between

what are considered proper citizens, liberal and tolerant citizens, and improper or intolerant citizens.”

Gressgård points out that as anti-Muslim sentiment has grown in Europe, the cause of “homo-tolerance” has been embraced even by conservative parties that originally opposed same-sex marriage and a previously indifferent general public.⁴⁶ “People don’t care about gender and sexuality issues,” she says, “but when it comes to Muslims it’s suddenly really important. It’s not enough that they follow the laws, they have to embrace the social norm.”

Yet, a recent survey in the Netherlands found that most of the country’s minorities, including Muslims, feel that “gay people should be free to live their lives as they wished.”⁴⁷

Still, the perceived cultural split has led even some gays to join far-right political parties and anti-Muslim groups, says Gressgård, who believes the actions reflect a shift in strategies by far-right parties across much of Europe. France’s National Front Party, for example, has gained public support by changing its tune and supporting gay rights while focusing on Muslim immigration as a threat to national identity.⁴⁸

The Americas

Gay rights have been at the center of America’s culture war for at least two decades. Legislative proposals limiting gay rights, often used to whip up turnout among culturally conservative voters, have been a political staple during election years. They’ve also been convenient political sledgehammers to batter an opponent — such as the initial uproar over allowing gays to serve openly in the military that forced President Bill Clinton to accept the controversial “don’t ask, don’t tell” approach.⁴⁹

Thus, the most surprising thing about the December votes by the U.S. Con-

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Should same-sex couples be allowed to marry?



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“We do not want to marry! And we want that that be our own choice! We do not want the State to regulate our relations in any way, even forbidding marriage!” That statement — which is how the Colombian women’s community organization Mujeres al Borde qualifies its endorsement of same-sex marriage — summarizes my thoughts on equal marriage. We celebrate the progress toward equal rights that same-sex marriage indicates. But, we recognize that equal marriage is not the pinnacle of the fight for the rights of lesbian, gay and bisexual people, nor does it end discrimination on the basis of sexual orientation and gender identity.

In January a lesbian and bisexual organization in Argentina — where same-sex marriage was legalized in July 2010 — faced an unusual discrimination case. Members of the group were forbidden from entering a swimming pool because the women were wearing “non-feminine” swimwear (shorts and shirts). They were told they must “respect the family environment” and that the recent victory for the rights of same-sex couples to marry was merely “a left-wing issue!” Clearly, the legalization of same-sex marriage in Argentina had not really changed people’s prejudices.

Limiting marriage to heterosexual couples encourages homophobia, discrimination and exclusion. The specter of same-sex marriage is used by opponents of lesbian, gay, bisexual and transgender (LGBT) rights to further persecute us. It is invoked in countries that criminalize homosexuality to arrest people exercising their freedom of association rights or by legislatures seeking to blame systemic problems on vulnerable minorities. In countries where same-sex marriage is a viable goal or already a reality, leaders who still oppose allowing same-sex couples to marry play on this prejudice, painting same-sex couples as less important to society.

Consider South Africa, a country that legalized same-sex marriage in 2006. There lesbian activists fight to end “corrective rape” (when a man rapes a lesbian in order to “turn” her heterosexual) and have it recognized as a hate crime. Dozens of lesbians are raped and murdered there every week, even though the South African Constitution prohibits discrimination on the basis of sexual orientation.

The right to marry a person of the same sex is not the only right LGBT people still seek. In all countries, even those where marriage equality exists, we still have a long way to go to reach real equality as citizens.



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i oppose same-sex marriage but approve of “civil unions.” Civil unions can provide the protections and benefits same-sex couples seek and send the message that discrimination on the basis of sexual orientation is wrong, while leaving children’s rights unaffected.

Same-sex marriage presents a conflict between the claims of children and homosexual adults. Children’s claims relate to their biological origins, family structure and societal norms. Homosexual adults’ claims are to not be discriminated against in public recognition of their committed, intimate relationships and the benefits of such recognition. In that conflict I give children priority, since they are the most vulnerable.

In law, marriage confers two rights: to marry and create a family. Giving same-sex couples the latter right changes our societal norms regarding children’s human rights. It divests all children of the right to be reared in a natural family structure, with a mother and a father, who optimally should be the child’s biological parents. It also gives married, gay adults the right to use reproductive technologies to create families. Thus, a same-sex couple could potentially create a shared genetic child, contravening the child’s right to have natural, biological origins — unmanipulated by science.

Rather than being defined primarily by biological ties, all parenthood would be defined primarily by legal ties, as Canada’s same-sex marriage law shows. Civil unions do not establish the right to create a family, so they do not affect children’s rights. Thus, they are the ethical way to deal with this conflict.

Same-sex marriage was always possible, but it’s been an anomaly. Over millennia, the core of marriage across all kinds of societies, cultures and religions has been its biological, procreative reality. Same-sex marriage negates this core. Marriage is built around procreation because it is primarily intended to benefit children and only secondarily, adults. Today, marriage as a cultural construct built around a biological reality is more important than ever, due to the advent of assisted human reproductive technologies and how those can affect the rights of children resulting from their use.

Proponents of same-sex marriage correctly point out that children’s rights often are not respected in opposite-sex marriages and not all opposite-sex couples procreate. But those cases do not erase existing societal norms, basic values or symbolism regarding children’s rights with respect to their biological origins and family structure. Same-sex marriage does exactly that, which is why we should not introduce it.



AFP/Getty Images/Gianluigi Guercia



AFP/Getty Images/Brian Sokol

Tying the Same-Sex Knot

South Africa and Nepal are among the countries where gay marriage is legal. Sonia Souls (left) and Charmaine Weber (center) embrace after their wedding in Capetown, South Africa, on Feb. 14, 2010 (top), and Diya Mahaju and Anil Mahaju prepare to wed in Kathmandu on Aug. 26, 2006, in Nepal's first public gay marriage (bottom). Sixteen other countries recognize same-sex civil unions.

gress to repeal the “don’t ask, don’t tell” measure may be how little heat it generated. Although Sen. John McCain, R-Ariz., brandished a petition from 1,000 retired officers opposing the idea, polls showed strong public

support for repeal, and a Pentagon study concluded it would cause little disruption in the ranks. In a year of bitter partisan division, eight Republicans joined with the Democratic majority to pass the Senate measure.⁵⁰

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The vote left same-sex marriage as the last flashpoint in what had once been a fiery battle over LGBT rights in the United States. Younger, director of the Women, Gender and Sexuality Studies Program at the University of Kansas, believes that’s because marriage is considered more than a civil contract. “Most people think of marriage as a religious ceremony,” he says. “We all know that what makes it legal is when you go in the back room and sign the papers, but it’s a religious sacrament, and I think that’s one reason you see people drawing the line.”

Some opponents, however, stress the benefit they believe comes with having children raised by parents of both sexes, and what they consider the right of children to know their biological parents. “A child’s got a right to a mother and a father, and preferably its own biological parents,” says Margaret Somerville, a law and ethics professor at Canada’s McGill University in Montreal, Quebec, who supports civil unions, but not same-sex marriage. (See “At Issue,” p. 125.)

In the United States, five states and the District of Columbia currently allow same-sex marriage, and six others allow some legal spousal rights to gay couples.⁵¹ (See map, p. 113.) Although some polls showed Americans inching toward a roughly even split on the issue, the fight over same-sex marriage seemed likely to continue in courts and statehouses across the nation in 2011.

LGBT activists believe they have a good chance to see gay marriage legalized in several other states, including Maryland, New York and Delaware within the next year. But opponents, pointing to their success with voter referendums, believe they will be able to prevail at the ballot box.

Surprisingly, same-sex marriage may have a better chance in some predominantly Catholic Latin American countries. The movement exists, says Ferreyra, IGLHRC’s representative in Argentina, because past authoritarian

regimes have left the public sensitive to the need to protect human rights. "It's also related to the overall political climate," he says. "There are many left-wing governments that have taken power, in countries such as Argentina, Brazil, Venezuela, Ecuador, and they are supporting LGBT rights." ⁵²

Western Influence?

David Kato — a gay activist in Uganda who had been publicly identified by the local newspaper *Rolling Stone*, which urged Ugandans to kill local gays — was murdered in January.

Claims and counterclaims about his death were still being made in mid-February, the motive uncertain. But to many gay activists, Kato's death represents the dangerous situation that exists in the homophobic climate of Uganda and several other African nations, including Cameroon, Senegal and Nigeria. ⁵³

Many gay activists blame a 2009 visit by American evangelist Lively, of Abiding Truth Ministries, and two other U.S. anti-gay crusaders for inflaming existing homophobic sentiment in Uganda and spurring a local lawmaker to introduce the bill imposing the death penalty for repeated homosexual offenses.

"Lively is said to have spent four hours with Ugandan parliamentarians talking to them about homosexuality," says Kalende, the Ugandan gay activist. "In April 2009, the first version of the bill was written, and the language of this first version reiterated Lively's comments." Ugandan lawmaker David Bahati, however, said on MSNBC's "Rachel Maddow Show" that he alone authored the legislation. In the same interview, Bahati claimed foreigners are coming into Uganda and spending millions of dollars to recruit children into homosexuality, but, despite repeated requests, he has provided no evidence to support the assertion.

The Rev. Kapya Kaoma, a Zambian Episcopal priest, says the foreigners

spending money to spread their views about homosexuality are on the other side of the issue. "It's a political agenda being driven by so-called evangelism in the U.S. and being pushed on to Africa," Kaoma concluded after spending 16 months interviewing people in Uganda, Kenya and Nigeria. His report, "Globalising the Culture Wars; U.S. Conservatives, African Churches and Homophobia," warned that preaching intolerance could lead to mob violence against African gays. ⁵⁴

Likewise, some leaders in the Middle East see tolerance for homosexuality — and even homosexuality itself — as something imposed on them by the West. Iranian President Mahmoud Ahmadinejad notably expressed that idea at Columbia University in New York City in 2007, when responding to a question about the recent execution in Iran of two gay men. "In Iran we don't have homosexuals like in your country," he said. "In Iran we do not have this phenomenon. I do not know who has told you we have it." ⁵⁵ African leaders have made similar claims.

As some Ugandans have begun speaking out in opposition to the bill, and international criticism has grown, the Ugandan anti-gay bill appears to have stalled. ⁵⁶ But with homosexuality already illegal in almost all the countries of the region, and more punitive legislation pending in several, the situation for LGBT people in Africa seems unlikely to improve in the immediate future.

Meanwhile, a continent away in the world's second-largest nation, the 2009 decision of the Indian Supreme Court to strike down a colonial-era law and decriminalize homosexuality may have had as much of an effect on the lives of LGBT people as any other action in the world. The case attracted support from a broad array of public organizations, but it also was opposed by some religious groups that have continued legal efforts to restore bans on homosexual behavior.

"There's a continuing legal battle, but as far as the public is concerned,

the fight is over," says Indian lawyer Narrain. "To change the law you need a public movement, and that's what we have had in India." ■

OUTLOOK

Sweeping Transformation?

Both proponents and opponents of gay rights seem to share the sense that things have been moving quickly. Those who feel that the changes threaten the traditional heterosexual family have developed a fierce determination to halt the process. Among those who believe they stand at the cusp of an era when gays and lesbians will see their relationships treated just like everyone else's, there is an equal determination to complete the transformation.

American psychiatrist and author Mondimore believes the arguments for discrimination are "just falling away" and that attitudes about same-sex relationships could get to the point "where it's like it is with interracial marriage. Once people got all worked up about it, and now that reaction just seems strange."

But Ruse, head of the Catholic Family and Human Rights Institute, believes the "status quo" will prevail and that gay-rights activists overestimate how much opinion is shifting. "We are told incessantly that homosexual marriage is just on the cusp of widespread acceptance," he says, "but I don't see that happening."

The University of Amsterdam's Duyvendak, however, believes a fundamental shift in attitudes has taken place in much of Europe, at least, that will help to make same-sex couples unexceptional in the near future. "Sexuality and procreation have been totally decoupled," he says. "This very idea that love and sexuality is only reserved for straight people, I cannot imagine that coming back."

In Latin America, Ferreyra of the International Gay and Lesbian Human Rights Commission sees the next 10 to 15 years of gay-rights advocacy as part of a larger regional effort to build institutions that support stable democracies and “increase the internal bonds within the countries, support civil society and human rights.” And the current LGBT movement in Latin American is limited largely to urban elites, he says. The next step is to reach out to “the whole population.”

The World Congress of Families’ Jacobs believes LGBT activists who are optimistic about the future overlook a key factor: global demographic trends. Declining birth rates and aging populations among the largely secular Western nations contrast with higher birth rates in regions that are hostile to gay rights. Even within the developed world, he says, portions of the population that oppose equal treatment for homosexual couples are growing. “The arrow points to the natural family,” he says, “because it’s only the religious who are having children.”

But reflecting the general sense of optimism within the LGBT community, activist Kalende looks past today’s troubles in her native Uganda and sees a brighter future there, too. “Things will get better,” she says, “because whenever there is a noble cause for justice, freedom finds a way.” ■

Notes

¹ “Report of the Comprehensive Review of the Issues Associated with a Repeal of Don’t Ask Don’t Tell,” Pentagon Working Group Study, Nov. 30, 2010, p. 89, [www.defense.gov/home/features/2010/0610_gatesclact/DADTRReport_FINAL_20101130\(secure-hires\).pdf](http://www.defense.gov/home/features/2010/0610_gatesclact/DADTRReport_FINAL_20101130(secure-hires).pdf).

² “Americans split evenly on gay marriage,” CNN Politics, Aug. 11, 2010, <http://political.ticker.blogs.cnn.com/2010/08/11/americans-split-evenly-on-gay-marriage/>. Also see Charlie Savage and Sheryl Gay Stolberg, “U.S., in Shift, Sees Marriage Act as Violation of Gay Rights,” *The New York Times*, Feb. 23, 2011, www.nytimes.com/2011/02/24/us/24marriage.html.

³ Sudarsan Raghavan, “Gays in Africa face growing persecution, activists say,” *The Washington Post*, Dec. 12, 2010, www.washingtonpost.com/wp-dyn/content/article/2010/12/11/AR2010121103045.html.

⁴ *Ibid.*

⁵ Mark Lowen, “Scores arrested in Belgrade after anti-gay riot,” BBC News, Oct. 10, 2010, www.bbc.co.uk/news/world-europe-11507253.

⁶ “Sexual Orientation/Gender Identity References, Human Rights Report for 2009,” U.S. Department of State, March 10, 2010, <http://paei.state.gov/g/drl/rls/hrrpt/2009/>.

⁷ Jeremy Hubbard, “Fifth Gay Teen Suicide Sparks Debate,” ABC News, Oct. 3, 2010, <http://abcnews.go.com/US/gay-teen-suicide-sparks-debate/story?id=11788128>.

⁸ David Myers, *Exploring Psychology* (2007), p. 368.

⁹ Theodore Olson, “The Conservative Case for Gay Marriage,” *Newsweek*, July 10, 2010, www.newsweek.com/2010/01/08/the-conservative-case-for-gay-marriage.html.

¹⁰ Nick Squires, “Pope says gay marriage is

‘insidious and dangerous,’ ” *The Telegraph*, May 13, 2010, www.telegraph.co.uk/news/news-topics/religion/7719789/Pope-says-gay-marriage-is-insidious-and-dangerous.html.

¹¹ Scott Lively, “Deciphering ‘Gay’ word-speak and language of confusion,” *newswithviews.com*, May 25, 2002, www.newswithviews.com/conspiracy/conspiracy6.htm.

¹² Evelyn Schlatter, “18 Anti-Gay Groups and their Propaganda,” Southern Poverty Law Center, winter 2010, www.splcenter.org/get-informed/intelligence-report/browse-all-issues/2010/winter/the-hard-liners.

¹³ Zoe Alsop, “Uganda’s Anti-Gay Bill: Inspired by the U.S.,” *Time*, Dec. 10, 2009, www.time.com/time/world/article/0,8599,1946645,00.html.

¹⁴ Thomas Fox, “140 theologians call for women’s ordination, end of mandatory celibacy,” *The National Catholic Reporter*, Feb. 4, 2011, www.ncr.org/blogs/ncr-today/143-theologians-call-womens-ordination-end-mandatory-celibacy.

¹⁵ Daniel Maguire, “A Catholic Defense of Same-Sex Marriage,” *The Religious Consultation*, April 20, 2006, www.religiousconsultation.org/Catholic_defense_of_same_sex_marriage.htm.

¹⁶ “Lesbian and Gay Rights in the World,” International Lesbian, Gay, Bisexual, Trans and Intersex Association, May 2010, <http://ilga.org/ilga/en/article/1161>.

¹⁷ “Homophobia, Transphobia and Discrimination on Grounds of Sexual Orientation and Gender, 2010 Update,” European Union Agency for Fundamental Rights, 2010, p. 7.

¹⁸ “Poland urged to halt ‘homophobia,’” BBC News, April 27, 2007, <http://news.bbc.co.uk/2/hi/europe/6596829.stm>.

¹⁹ “We Are a Buried Generation: Discrimination and Violence Against Sexual Minorities in Iran,” Human Rights Watch, Dec. 15, 2010, www.hrw.org/en/reports/2010/12/15/we-are-buried-generation.

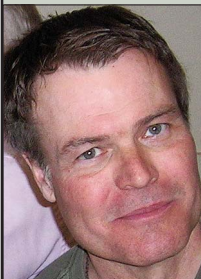
²⁰ Kathy Chu and Calum MacLeod, “Gay life in China is legal but remains hidden,” *USA Today*, Feb. 22, 2010, www.usatoday.com/news/world/2010-02-21-gays-China-closeted_N.htm.

²¹ For background, see Brian Beary, “Religious Fundamentalism,” *CQ Global Researcher*, Feb. 1, 2009, pp. 27-58.

²² Rafael Romo, “Hate crimes, killings rising, say Honduras activists,” CNN, Feb. 1, 2011, www.cnn.com/2011/WORLD/americas/01/31/honduras.hate.crimes/index.html.

²³ Tamara Audi, Justin Scheck and Christopher Lawton, “California Votes for Prop 8,” *The Wall Street Journal*, Nov. 5, 2008, <http://online.wsj.com/article/SB122586056759900673.html>.

About the Author



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²⁴ A. G. Sulzberger, "Ouster of Iowa Judges Sends Signal to Bench," *The New York Times*, Nov. 3, 2010, www.nytimes.com/2010/11/04/us/politics/04judges.html.

²⁵ "The Yogyakarta Principles," www.yogyakartaprinciples.org/.

²⁶ Neil MacFarquhar, "In a First, Gay Rights Are Pressed at the U.N.," *The New York Times*, Dec. 19, 2008, p. 22.

²⁷ Article 16, "The Universal Declaration of Human Rights," United Nations, www.un.org/en/documents/udhr/index.shtml.

²⁸ William J. Saunders, "Committees Gone Wild: How U.N. Bureaucrats Are Turning 'Human Rights' Against the Family," *The Family in America, A Journal of Public Policy*, winter 2010, www.fami.lynamerica.org/index.php?doc_id=15&cat_id=6.

²⁹ Articles 2 and 12, "The Universal Declaration of Human Rights," *op. cit.*

³⁰ "Governments Remove Sexual Orientation from UN Resolution Condemning Extrajudicial, Summary or Arbitrary Executions," IGLHRC press release, Nov. 17, 2010, www.iglhrc.org/cgi-bin/iowa/article/pressroom/pressrelease/1257.html.

³¹ Louis Crompton, *Homosexuality and Civilization* (2003), location 4751 in the Kindle edition.

³² *Ibid.*, location 5161 in the Kindle edition.

³³ The Holy Bible, New King James version.

³⁴ Crompton, *op. cit.*, location 888 in the Kindle edition.

³⁵ A concise summary of Aquinas's philosophical argument and objections to it can be found at Stephen Law's blog, under "Aquinas on Homosexuality," March 14, 2007, <http://stephenlaw.blogspot.com/2007/03/aquinas-on-homosexuality.html>.

³⁶ Crompton, *op. cit.*, location 5397 in the Kindle edition.

³⁷ *Ibid.*

³⁸ *Ibid.*, location 6208.

³⁹ Francis Mark Mondimore, *A Natural History of Homosexuality* (1996), p. 28.

⁴⁰ "The Karl Heinrich Ulrichs Award," International Lesbian and Gay Law Association, www.ilglaw.org/cnfaward.htm.

⁴¹ For background, see Nellie Bristol, "Battling HIV/AIDS," *CQ Researcher*, Oct. 26, 2007, pp. 889-912.

⁴² Gay and Lesbian Leadership Institute, www.glli.org/home.

⁴³ Dan Bilefsky, "World Briefing/Europe; Hungary: New Leader Assails Far-Right Party's Rise," *The New York Times*, April 13, 2010, www.nytimes.com/2010/04/13/world/europe/13briefs-Hungary.html.

FOR MORE INFORMATION

Catholic Family and Human Rights Institute, 211 East 43rd St., Suite 1306, New York, NY 10017; (212) 754-5948; www.c-fam.org. A research and lobbying group that works "to defend life and family at international institutions" and otherwise support the values of the Catholic Church.

Council for Global Equality, 1220 L St., N.W., Suite 100-450, Washington, DC 20005; (202) 719-0511; www.globalequality.org. Brings together experts and organizations to encourage a U.S. foreign policy supportive of LGBT people around the world.

European Union Fundamental Rights Agency, Schwarzenbergplatz 11, 1040 Vienna, Austria; (+43 (1) 580 30 - 60; www.fra.europa.eu. An advisory body of the European Union that monitors human rights.

International Gay and Lesbian Human Rights Commission, 80 Maiden Lane, Suite 1505, New York, NY 10038; (212) 430-6054; www.iglhrc.org. Opposes discrimination or abuse based on a person's actual or perceived sexual orientation, gender identity or expression.

International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), <http://ilga.org>. A network of groups that have been working for LGBT rights since 1978, with regional offices throughout the world.

World Congress of Families, Howard Center for Family, Religion and Society, 934 N. Main St., Rockford, IL 61103; (815) 964-5819; www.worldcongress.org. Seeks to unite groups from around the world who believe the "natural" family is threatened by societal changes.

The Yogyakarta Principles, www.yogyakartaprinciples.org. An effort by an international group of experts to outline a broad range of human rights standards relating to sexual orientation and gender identity.

⁴⁴ "Asylum seekers have to watch gay movie," DR Forside (Danish Public Broadcasting), Feb. 10, 2010, www.dr.dk/Nyheder/Andre_sprog/English/2011/02/10/151816.htm.

⁴⁵ Randi Gressgård and Christine Jacobsen, "Intolerable citizens: Tolerance, Islam and Homosexuality," presented at the conference on Sexual Nationalisms: Gender, Sexuality and the Politics of Belonging in the New Europe, in Amsterdam, Jan. 27-28, 2011.

⁴⁶ For background, see Sarah Glazer, "Europe's Immigration Turmoil," *CQ Global Researcher*, Dec. 1, 2010, pp. 289-320.

⁴⁷ "Just Different, That's All, Acceptance of Homosexuality in the Netherlands," The Netherlands Institute for Social Research, August 2010, p. 17, www.scp.nl/english/Publications/Publications_by_year/Publications_2010/Just_different_that_s_all.

⁴⁸ Sarah Wildman, "Neo-Nazis No Longer? Marine le Pen Tones Down France's Far Right," *Politics Daily*, August 2010, www.politicsdaily.com/2010/05/31/neo-nazis-no-longer-marine-le-pen-tones-down-frances-far-right/.

⁴⁹ For background, see Kenneth Jost, "Gays in the Military: Update," *CQ Researcher*, Oct. 15, 2010.

⁵⁰ Ed O'Keefe, " 'Don't ask, don't tell,' is repealed by Senate; bill awaits Obama's signing," *The Washington Post*, Dec. 19, 2010, www.washingtonpost.com/wp-dyn/content/article/2010/12/18/AR2010121801729.html.

⁵¹ "Marriage and Relationships Recognition" webpage, Human Rights Campaign, www.hrc.org/issues/marriage.asp.

⁵² For background, see Roland Flamini, "The New Latin America," *CQ Global Researcher*, March 1, 2008, pp. 57-84.

⁵³ Jeffrey Gettleman, "Ugandan who spoke up for gays is beaten to death," *The New York Times*, Jan. 27, 2011, www.nytimes.com/2011/01/28/world/africa/28uganda.html.

⁵⁴ Jacqui Goddard and Jonathan Clayton, "Anti-gay laws in Africa are product of American religious exports, say activists," *The Times*, May 22, 2010.

⁵⁵ " 'We don't have any gays in Iran,' Iranian president tells Ivy League audience," *The Daily Mail*, Sept. 25, 2007, www.dailymail.co.uk/news/article-483746/We-dont-gays-Iran-Iranian-president-tells-Ivy-League-audience.html.

⁵⁶ "Uganda gay bill critics deliver online petition," BBC News, March 1, 2010, <http://news.bbc.co.uk/2/hi/8542341.stm>.

Bibliography

Selected Sources

Books

Carlson, Allan, and Paul Mero, *The Natural Family: A Manifesto*, Spence Publishing Co., 2007.

Two leaders of a movement to protect the heterosexual, or what they call the “natural,” family outline their view of its societal role and threats it faces from same-sex marriage.

Crompton, Louis, *Homosexuality and Civilization*, Belknap Press, 2003.

A comprehensive history of homosexuality and how different societies have responded to it, written by a professor who founded one of the first interdisciplinary gay studies programs, at the University of Nebraska, in 1970.

LeVay, Simon, *Gay, Straight and the Reason Why: The Science of Sexual Orientation*, Oxford University Press, 2010.

A neuroscientist looks at the research on the development of sexual orientation.

Mondimore, Francis Mark, *A Natural History of Homosexuality*, The Johns Hopkins University Press, 1996.

A psychologist at The Johns Hopkins University provides an accessible survey of homosexual history, along with research into sexual biology and sexual identity.

Articles

“Gay Rights in Eastern Europe: The long march,” *The Economist*, Oct. 26, 2010, www.economist.com/blogs/easternapproaches/2010/10/gay_rights_eastern_europe.

A blogger reviews the tension between European Union calls for equitable treatment of gays and antipathy toward gay rights felt in many Eastern European countries.

Kaphle, Anup, and Habiba Nosheem, “After string of gay-friendly measures, Nepal aims to tap valuable tourist market,” *The Washington Post*, Jan. 9, 2011, www.washingtonpost.com/wp-dyn/content/article/2011/01/07/AR2011010702762.html.

Reporters examine how Nepal became the first South Asian country to decriminalize homosexuality and allow same-sex marriage.

Kurczy, Stephen, “Don’t ask, don’t tell: How do other countries treat gay soldiers?” *The Christian Science Monitor*, May 26, 2010, www.csmonitor.com/World/Global-News/2010/0526/Don-t-ask-don-t-tell-How-do-other-countries-treat-gay-soldiers.

The reporter examines which countries allow gays and lesbians to serve openly in the military and how the transformation has gone.

Mooallem, Jon, “Can animals be gay?” *The New York Times Magazine*, March 31, 2010, www.nytimes.com/2010/04/04/magazine/04animals-t.html.

Research shows that same-gender relationships are common among many animals.

O’Flaherty, Michael, and John Fisher, “Sexual Orientation, Gender, Identity and International Rights Law: Contextualizing the Yogyakarta Principles,” *Human Rights Law Review*, 2008.

Two scholars look at the significance and impact of the Yogyakarta Principles, a set of human rights standards relating to sexual orientation and gender identity.

Raghaven, Sudarson, “Gays in Africa Face Growing Persecution, activists say,” *The Washington Post*, Dec. 12, 2010, www.washingtonpost.com/wp-dyn/content/article/2010/12/11/AR2010121103045.html.

Persecution of gays is intensifying across Africa, the author says, spurred by evangelical preachers, local politicians and a virulently anti-gay local media.

Studies and Reports

“2009 Country Reports on Human Rights Practices,” U.S. Department of State, March 2010, www.state.gov/g/drl/rls/hrrpt/2009/index.htm.

The annual report examines human rights issues around the world, including discrimination against LGBT people.

“Homophobia, Transphobia and Discrimination on grounds of Sexual Orientation and Gender Identity, 2010 Update,” European Union Agency for Fundamental Rights, www.fra.europa.eu/fraWebsite/attachments/FRA-LGBT-report-update2010.pdf.

The agency that monitors human rights across Europe reviews how the LGBT population is being treated.

“Religious Groups’ Official Positions on Same-Sex Marriage,” Pew Forum on Religion and Public Life, July 2010, <http://pewforum.org/Gay-Marriage-and-Homosexuality/Religious-Groups-Official-Positions-on-Same-Sex-Marriage.aspx>.

The nonprofit Pew center looks at every major religion’s position on same-sex marriage.

Tozzi, Piero, “Six Problems with the ‘Yogyakarta Principles,’ ” Catholic Family and Human Rights Institute, April 2007, www.c-fam.org/publications/id.439/pub_detail.asp.

A conservative reviews the Yogyakarta Principles, intended to provide a human rights framework for the LGBT community.

The Next Step:

Additional Articles from Current Periodicals

Marriage

Barrionuevo, Alexei, "Argentina Approves Gay Marriage, in a First for Region," *The New York Times*, July 16, 2010, p. A3, www.nytimes.com/2010/07/16/world/americas/16-argentina.html?_r=1&ref=cristinafernandezdekirchner.

Argentina's Senate narrowly approved a law allowing same-sex marriages, making it the first country in Latin America to allow gay couples to wed.

Nordstrom, Louise, "Icelandic Leader in Milestone Gay Marriage," *The Associated Press*, July 1, 2010, www.boston.com/news/world/europe/articles/2010/06/30/icelandic_leader_in_milestone_gay_marriage/.

Iceland's prime minister made history by becoming the world's first head of government to enter into a gay marriage.

Tatchell, Peter, "Ban on Same-Sex Marriage Must Be Lifted," *The Independent* (England), June 15, 2010.

Britain's coalition government has refused to lift the ban on same-sex civil marriage.

Military

"Letting Gays in the Military 'Led to Bosnian Massacre,'" *Daily Mail* (England), March 20, 2010, www.dailymail.co.uk/news/worldnews/article-1259174/Gays-army-responsible-genocide-claims-retired-U-S-general.html.

A retired U.S. general says gay soldiers were to blame for the Dutch military being overrun during the Srebrenica massacre in Bosnia.

Ji-sook, Bae, "Court Addresses Issue of Gay Soldiers," *Korea Times* (South Korea), June 11, 2010, www.koreatimes.co.kr/www/news/nation/2010/06/117_67499.html.

The South Korean military believes that consensual homosexual intercourse constitutes harassment, but a military court disagrees.

Youssef, Nancy A., "Military Moving Quickly to Lift Ban on Gays," *Seattle Times*, Jan. 29, 2011, p. A3, www.seattletimes.nwsourc.com/html/living/2014070492_dontask29.html.

The U.S. military will train openly gay soldiers to ease the repeal of the "don't ask, don't tell" policy.

Science and Genetics

"Nothing's African About Gays," *The Nation* (Kenya), March 7, 2010.

Homosexuality and lesbianism, despite the South African government's ideas to the contrary, go against African cultural values.

Lowenthal, Bonnie, " 'Cure' Gays? No, Fix the Law," *Los Angeles Times*, April 4, 2010, p. A23, www.articles.latimes.com/2010/apr/04/opinion/la-oe-lowenthal4-2010apr04.

California law requires health experts to search for a cure for homosexuality, but many groups oppose the measure.

Semugoma, Paul, "Science Clashes With Prejudice in Fighting HIV/AIDS," *The Independent* (Sierra Leone), Feb. 24, 2010.

The Sierra Leonean government believes homosexuality is not genetic and refuses to serve vulnerable HIV/AIDS populations such as gay men.

United Nations

"Gay Rights Row Over Change in UN Resolution," *The Guardian* (England), Dec. 21, 2010, www.guardian.co.uk/world/2010/dec/21/gay-rights-row-un-resolution.

A culture war has broken out at the United Nations over whether gay people should be offered similar protections as other groups whose lives are threatened.

"The Nation, Gays and UN Human Rights Bodies," *Agencia de Informacao de Mocambique* (Mozambique), Feb. 2, 2011, www.allafrica.com/stories/201102030029.html.

The U.N. High Commissioner for Human Rights is confused as to whether homosexuality is illegal in Mozambique.

Wockner, Rex, "U.N. Tells Cameroon to Legalize Gays," *Between the Lines* (Livonia, Mich.), Aug. 26, 2010, p. 13.

The U.N. Human Rights Committee has told Cameroon to decriminalize gay sex after uncovering abuses and violence against LGBT individuals in the country.

CITING CQ GLOBAL RESEARCHER

Sample formats for citing these reports in a bibliography include the ones listed below. Preferred styles and formats vary, so please check with your instructor or professor.

MLA STYLE

Flamini, Roland. "Nuclear Proliferation." *CQ Global Researcher* 1 Apr. 2007: 1-24.

APA STYLE

Flamini, R. (2007, April 1). Nuclear proliferation. *CQ Global Researcher*, 1, 1-24.

CHICAGO STYLE

Flamini, Roland. "Nuclear Proliferation." *CQ Global Researcher*, April 1, 2007, 1-24.

Voices From Abroad:

MORGAN TSVANGIRAI
Prime Minister, Zimbabwe

Ruling party practices homosexuality

"Nowhere in our (Movement for Democratic Change political party) principles document is there any reference to gays and lesbians. For the record, it is well-known that homosexuality is practised in Zanu PF (political party) where senior officials from that party have been jailed while others are under police probe on allegations of sodomy. It is in Zanu PF where homosexuality is a religion."

Guardian Unlimited (England)
March 2010

PETER TATCHELL
Coordinator, Equal Love Campaign, England

Double standards

"If the government banned black people from getting married and offered them civil partnerships instead, it would provoke public outrage. It is equally outrageous for the government to deny gay couples the right to marry."

Yorkshire (England) Evening Post, November 2010

PAUL SEMUGOMA
Physician, Uganda

A deadly policy

"In Uganda, our once-lauded AIDS programmes are failing. They refuse to serve major vulnerable populations like gay men. Puritanism may make attractive politics,

but it's a deadly policy."

The Independent (Sierra Leone)
February 2010

DAVID WATKINS
Teacher, Schools Out (LGBT organization) England

Other types of people exist

"When you have a math problem, why does it have to involve a straight family or a boyfriend and girlfriend? Why not two boys or two girls? It's not about teaching about gay sex, it is about exposing children to the idea that there are other types of people out there."

Sunday Telegraph (England)
January 2011

MAHMOUD AHMADINEJAD
President, Iran

No gays in Iran

"In Iran we don't have homosexuals like in your country (United States). In Iran we do not have this phenomenon. I don't know who has told you that we have it."

Agence France-Presse
September 2007

JUNG YEON-JU
Law professor
Sungshin Women's University, South Korea

Consider the majority

"Yes, there are some countries making efforts to accept gay [service] members, but at the same time, many others

oppose them. Especially given that Korea maintains a mandatory [military] draft system, we should think about the majority in the big picture."

Korea Times (South Korea)
June 2010

NICHOLAS OKOH
Archbishop, Uganda

A threat to the church

"Homosexuality is not a new phenomenon in the society but the only trouble is that the issues dividing us (church) now are very difficult to handle. They are threatening the unity of the church because they disobey the authority of the scriptures."

The Monitor (Uganda)
August 2010

ZHANG BEICHUAN
Gay-rights advocate, China

An added benefit

"To legalize same-sex marriage could help stabilize and sustain gay relationships, thereby lowering the risk of contracting HIV/AIDS."

Chinadaily.com.cn
November 2010

VITIT MUNTARBHORN
Law professor
Chulalongkorn University Thailand

Thailand welcomes gays

"Thailand is in a good position to promote LGBT rights internationally. We have an environment conducive to LGBT rights. Our constitution also contains a nondiscrimination clause for their protection."

The Nation (Thailand)
December 2010

KELVIN HOLDSWORTH
Provost, St. Mary's Episcopal Cathedral, Scotland

'The time has come'

"I am aware of couples in Glasgow who are prevented by law from celebrating their relationship in the form of marriage. The time has come for a marriage law that does not discriminate, and I look forward to the day when I can marry gay members of my congregation in church."

The Herald (Scotland)
November 2010

