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## **Same-sex lives between the Language of International LGBT Rights, International Aid and Anti-Homosexuality**

Dr Hakan Seckinelgin

### **Abstract:**

This article considers how international development aid is used in engaging with sexuality rights in Africa. It considers both the emergence of LGBT rights as aid conditionality in international aid relations and responses to these from African political leaders. The central issue identified is that political leaders for and against these rights have marginalized and ignored voices of the sexually diverse people in their engagements in African settings. Here, a problem emerges that people's own claims for rights are subsumed within the broader agendas set by politicians at international and national levels. This article analyses these relations and their outcomes for activists and civil society groups in diverse African settings by considering the language of LGBT rights used by international political actors and the ways in which African political leaders develop their own language on the issue.

**Key words:** International Development, Policy, civil society, Africa

### **Bio:**

Dr Hakan Seckinelgin is Associate Professor (Reader) in International Social Policy, Department of Social Policy, LSE. His research is focused on the discussions of civil society, activism and the relationship between global civil society activism and action in particular socio-political contexts. He has widely published on civil society issues both with specific cases on global sexuality activism and the debates on civil society activism of marginalized groups. He was an editor of *Global Civil Society Yearbook*. He has also been working on HIV/AIDS in diverse contexts in Sub-Saharan Africa from this lens (including Burundi, Lesotho, Rwanda, South Sudan and Uganda). These are discussed in many articles and publications and they were articulated and developed in three critical publications: *International Politics of HIV/AIDS: Global Disease-Local Pain* (London: Routledge, 2008) and *International Security, Conflict and Gender: 'HIV is another war'* (London: Routledge, 2012) and *The Politics of Global AIDS: Institutionalization of Solidarity, Exclusion of Context* (Springer, 2017). He is Editor-in Chief of *Journal of Civil Society*.

In this article I analyze the politics of sexuality in Africa as LGBT<sup>1</sup> rights<sup>2</sup> emerged as a condition for international development aid and look at the responses to this by African politicians since 2005. By analyzing aid policy language as the mechanism through which global LGBT rights, the existence of LGBT people and their needs are affirmed, this article contributes both to discussions on international development policy as a mechanism to globalize particular ways of thinking on sexualities and, more specifically, and to thinking on the implications of this for sexuality rights<sup>3</sup> in the African context (Seckinelgin 2011). In so doing, the article also contributes to the ongoing discussions on sexualities and international development (see Pigg 2005, Hoad 2007: 61, Corrêa et al. 2008, Lind 2010, Wieringa and Sívori 2013: 4). It specifically highlights that when the language of international LGBT rights is brought into considerations of aid within international development: a) the *LGBT* category becomes a general placeholder for *homosexuality* and LGBT is established as a general international signifier to affirm rights without a precise contextual referent; it becomes an essentialist and essentializing category attached to generic social identities (see Corrêa and Jolly 2008); b) given the context of international aid, the international debate takes state representatives as the addressee for their policy engagement. This leads the politicians, as representatives of their governments to respond by developing their own generic language on the LGBT category; and c) as a result the LGBT

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<sup>1</sup> I use *LGBT* abbreviation as it is used within the policy discussions and at times, depending on the document, as *LGBTI* where [I] stands for intersex. My own preference in the discussion is to differentiate LGBTI as a policy label from the broader category of sexual orientation and gender identities.

<sup>2</sup> The debates on Human Rights and sexuality can be traced to the 1994 Toonen case in the UN Human Rights Committee, Asma Jahangir's 1999 UNCHR report, Brazil's 2003 UNCHR draft resolution on Human Rights and Sexual Orientation, and to the raising of lesbian issues at the Beijing Women's Conference. My focus in this article is more directly on how Human Rights on sexual orientation have become part of international aid policy processes. Therefore, I do not focus here on these cases that set the momentum in the international arena on the issue.

<sup>3</sup> While I am not using a comparative lens in this article the possible similarities in the way in which international policy actors influence local thinking and generate reactions can also be observed, for instance, in relation to the development of reproductive health policies and demographic thinking within the international development field (see Correa and Parker 2004 and Caulier 2010). However, one also needs to be careful in developing such comparisons. Beyond the apparent similarities there are significant foundational/categorical differences: in reproductive rights debates the existence of women is not the central question, no policy actor who is opposing these rights would claim that *women do not exist*. In the case of sexual orientation rights that are the focus of this article the existence of LGBT people as beings *in themselves* is called into question. The strongest sign this significant fact frames the possibility of civil society action is the criminalization of LGBT people in wide ranging countries, some of which are part of the argument in this article.

category has become a master signifier that does not relate to people's different sexual experiences in context. In turn, this leads the politics of sexualities to become a discussion conducted at a generic level abstracted from the experiences and needs of people in different contexts.

The analysis in the article is developed from the methodological lens of language use. Language use as a productive process that creates meanings and categories in relation to the objects that it defines. This underwrites thinking and action related to that thinking (Beland 2011; Seckinelgin 2012).<sup>4</sup> This enables analysis that considers how language frames a system of thinking in a given context and how that in turn underwrites the ability to act in different ways (see Anscombe 1957). In this case, it enables me to consider how language informs policy directions. Using this approach, I consider policy thinking in a given field as an action-orientated activity that is both based on an existing system of thinking, while also framing action on the basis of the meanings available within particular areas. This approach is grounded in the view that linguistic practices create a particular *language game* of language use setting rules, making its objects meaningful, like rules of a game to allow different actors to participate in a conversation (Wittgenstein 1997). As a result, a given language use creates a system of reference points for other users to utilize to take part in a conversation. This also creates the conditions of comprehensibility for different actors taking part in the conversation.

In the policy case, different policy actors by using the same reference points to the policy pronouncements in their responses take part in this discussion as participants (in the present case the LGBT category is one such reference point). Within this process one of the central mechanisms I am interested in is the 'statement-making' pronouncement -following Daniel Heller-Roazen (2017). These are the kinds of pronouncements that state the content and the relevance of a particular issue within a policy discussion. Such pronouncements are made within power contexts that are underpinned by status and resource imbalances. As a result, statement-making utterances gain importance as they, following Heller-Roazen, function through 'affirmation and negation' (2017:14). This view allows consideration of LGBT-related policy statements, either defending rights (affirming) or statements objecting to these rights (negating)

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<sup>4</sup> This approach has affinity with the recent work on gender and Development that has focused on the emergence of slogans within the development policy process producing simplistic language on gender (see Cornwall et al. 2007).

as statement-making utterances that are meaningful within the context of their use, within international development policy.

Both the positive and negative statements abstract sexual experiences from their everyday contexts and construct them as global experiences (Boellstorff 2012). This abstraction leads actors taking part in these discussions to consider their positions as relevant to everyone linked to the LGBT language (Boellstorff 2012: 173). Claims about sexual identities constitute ‘interventions in the broad domain of sexuality’ and this has a potentially ‘profound impact on people’s lives around the globe’ particularly in developing countries (Moore 2012: 1). The assumption of a global homogeneity of experience is linked with a set of identity positions (based on LGBT)<sup>5</sup> and leads to a consolidation in how diverse sexualities are to be understood, and in how people are supposed to inhabit these sexualities across different contexts (Mack 2017: 14-23).

Following Achille Mbembe, this LGBT language can also be seen as projecting a particular idea of Africa with its associated framing of problems and solutions, within a hegemonic relation (2017:23). Similarly, Sylvia Tamale points towards the limited understanding of the ways in which sexuality rights are located within African societies, while the field is ‘dominated by perspectives from the global North’ (2011: 24). In these debates the language used constructs diverse sexual orientations and identities in Africa merely as passive communities of need whose rights need to be delivered while negating the agency of the local actors (Epprecht 2012: 193; Thoreson 2014; Seckinelgin 2017).

In addition, this dominant use of an international language of LGBT generates hegemonic responses from African political leaders as responses to what they consider to be neo-colonial interventions. These responses both affirm African sexualities as being homogeneously heterosexual and negate any possibility of different sexualities in Africa (Thoreson 2014; Seckinelgin 2017). In this way, African politicians simplify their positions on homosexuality and use it for domestic political interests, broadly to hold onto the power they have as defenders of *Africanness* against neo-colonialism. Perhaps this is part of what Célestin Mongo considers in relation to Africa to be a process of international motivations creating uniformity and leading to

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<sup>5</sup> The use of the term LGBT signifies a global association inviting people to global solidarity to address the problems of those people associated with the LGBT term.

‘la banalisation des différences’ (2017:48). In this a generic idea of homophobia has also emerged to target refusals to engage with the international LGBT policies. When homophobia is uttered in the international political context, it signifies a position against international LGBT norms/policies without looking at sources and causes of homophobia in the specific contexts (Altman et al. 2012).

By observing the language used in the arguments above and the ways in which they inform policy orientations it is possible to identify the emergence of multiple frames that in their approach to affirm or negate LGBT rights sideline the voices of African people with diverse sexualities and identities.<sup>6</sup> In the article the analysis is presented through the following steps: a) I present the international LGBT rights language use in the pronouncements of political actors either for or against LGBT rights; b) the development of international donor conditionality is linked with these; and c) I present the reactions from African civil society groups. I also unpack how this language use in policy processes produces and reproduces an abstract idea of homosexuality. The aim is to show how in this interaction between political leaders homosexuality is gradually constructed in a disembodied way and used as a political signifier. I argue that this process informs political action and the policies that often have negative results for people with diverse sexualities. To understand the way civil society voices are negated, I also consider a particular intervention by African sexuality activists and their views on the ongoing discussion.

## **Scenes from the International Politics of LGBT Rights**

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<sup>6</sup> The article is focusing on how LGBT rights were linked to international aid through clear and direct statements by donor government leaders who were in a position to influence their countries’ international aid policies in a particular period. Therefore, I use politicians’ statements as the entry point to the research. Then I look at the policy documents that were relevant to highlight the clear links between these statements and the policy directions that can be observed in these donor countries. In addition by conducting research through the available media sources I have created a corpus that is based on public statements by African political leaders as responses to donor governments’ attempts to link their aid with LGBT rights. I have studied these responses in terms of the relevance of their language in relation to the international aid/sexuality relationship and sexuality in general. I consider whether they have directly addressed the donor countries or whether they were simply statements to support other African leaders in their attempt to define particular kind of *Africanness*. Given the available space in the article I have selected only the most directly relevant direct responses to present.

International pronouncements by political leaders from various industrialized countries peaked following various violent events in Senegal, Cameroon and South Africa against sexual minorities, at the time of two homosexual men's arrest in Malawi in December 2009 and their subsequent trial and convictions in 2010. In October 2009 the emergence of the anti-homosexuality bill in the Ugandan Parliament also created a momentum for international public interventions by the UK, the US, Germany, Sweden, Norway, the World Bank, IMF, the UN, Human Rights organizations and international civil society groups. Looking at the governmental and inter-governmental responses at the time of conviction of the two men in Malawi in May 2010 one can identify *dramatis personae* such as Hilary Clinton, Barack Obama, Ban-Ki Moon and the UK government. The international public statements, up until that point, can be considered as general naming and shaming tactics used where there were no enforcement mechanisms to give authority to international actors to implement policies. Such a tactic tends to be applied in the hope that the targeted country will gradually change their behaviour. In what follows I observe a significant change, however, from a naming and shaming to an implicit enforcement through international development processes. This is not to say, however, that anti-homosexual statements are new. Many politicians used these in the late 1980s onwards to frame their reactions to the reports on the emergence of HIV in Africa (see Treichler 1999).<sup>7</sup>

In October 2011 at the meeting of Commonwealth Heads of Governments in Perth Australia, the then British Prime Minister David Cameron made a statement in an interview with the BBC on LGBT rights: he stated that 'This [LGBT rights] is an issue where we are pushing for movement, we are prepared to put some money behind what we believe. But I'm afraid that you can't expect countries to change overnight. Britain is one of the premier aid givers in the world. We want to see countries that receive our aid adhering to proper human rights. We are saying that is one of the things that determines our aid policy, and there have been particularly bad examples where we have taken action' (BBC 2010). Cameron's articulation of the UK position posits LGBT rights as grounds for a country to receive aid from the UK. This position then creates a challenging situation in the UK's relationship with various African countries as it

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<sup>7</sup> I have discussed elsewhere the role of religious leaders in relation to how HIV discussions were linked with homosexuality in Africa to assert religiously framed anti-homosexuality (Seckinelgin 2012). This is also where one observes the globalization of a particular kind of homophobia through various evangelical movements (see Kamo 2009; Rao 2015).

introduces considerations of LGBT rights as a formalized part of the discussions with countries when they are negotiating international development aid. By using international aid as a tool of intervention this presents a major direct intervention into foreign countries' legal structuring of their societies. It also reflects a moral evaluation which will decide whether a country is worthy of the UK's financial aid. It reflects the power positions of donors and the recipients, where the former feel they have a right to decide how their donation should be spent and also that in providing aid the UK government's broader imperatives, LGBT rights in this case, should be fulfilled. Furthermore, Cameron's language makes it clear that this is not a one-off evaluation but an ongoing one in which the UK becomes the judge of social change in a given country - in this case he spelled out Malawi, Uganda and Ghana. The statement is made possible by the existing aid relations and it reflects past colonial relations in the way in which the UK sets itself as the guardian of morality and civility. In the process, the UK positions itself as the arbitrator to pass judgement on whether these countries have achieved acceptability at the international level or not.

The US government had also been moving in this direction for some time, as was evident in various statements by the then President of the US, Barack Obama, and Secretary of State Hilary Clinton, on the events in Malawi and in Uganda. The US position became a more formal policy as signalled by the Secretary of State Hilary Clinton in Geneva at a speech at the UN Human Rights Council meeting in December 2011 (Clinton 2011). She announced that there was a new plan to use US diplomatic powers to promote gay rights around the world. The new plan was announced in a Presidential memorandum from the White House on the 6<sup>th</sup> of December 2011 (White House 2011). The memorandum presents a clear direction given by the President of the US to all heads of Executive Departments and Agencies of the US government. It states that: 'By this memorandum I am directing all agencies engaged abroad to ensure that U.S. diplomacy and foreign assistance promote and protect the human rights of LGBT persons' (White House 2011). The memorandum then lists seven areas of action. The list presents a comprehensive strategy for the US agencies involved in international politics and policy to intervene in LGBT-related issue areas. For instance, the first area is presented in relation to criminalization: '[A]gencies engaged abroad are directed to strengthen existing efforts to effectively combat the criminalization by foreign governments of LGBT status or conduct and to expand efforts to

combat discrimination, homophobia, and intolerance on the basis of LGBT status or conduct’ it then further directs that ‘[A]gencies involved with foreign aid, assistance, and development shall enhance their ongoing efforts to ensure regular Federal Government engagement with governments, citizens, civil society, and the private sector in order to build respect for the human rights of LGBT persons’ (White House 2011). While directing the relevant US agencies towards policy advocacy within foreign countries it also recognizes the importance of multilateral diplomacy in this area. Therefore, it directs all relevant agencies under the leadership of the State Department to work with other governments within ‘the multilateral fora’ and also to influence policies developed on LGBT issues within the ‘multilateral fora’ (White House 2011).

The approach framed in this document reflects where the US is positioned within the international development aid relations. It directs the US government agencies to act to influence the possibility of social change in recipient countries. It positions the US as the promoter and supporter of LGBT rights. In this, the US presents itself as having achieved these rights and having the moral authority to deliver them to the others. But this moral position is operationalised by manipulating the aid relations and the imbalanced power positions developed through these relations. In terms of its form the approach mirrors previous US presidents’ approach to stop funding for reproductive health or for condom distribution through their international aid interventions by using the same levers.<sup>8</sup>

Another important contributor to these debates was Ban Ki Moon, the previous Secretary-General of the UN<sup>9</sup>. He often commented on sexual discrimination and more

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<sup>8</sup> In 1984 Ronald Reagan attempted to influence broader family planning interventions by introducing *The Mexico City Rule* which was reintroduced by George W. Bush in 2001 after it was suspended by the Clinton administration in 1993. However, the President’s Emergency Plan for AIDS Relief (PEPFAR) initiated by the W. Bush administration had also similar gagging clauses to influence policy change by using levers of international aid. And while this was revoked under the Obama administration, the Trump administration has since reintroduced it.

<sup>9</sup> Another area where his influence can be observed is in his creating a space for the United Nations Postal Administration to issue six commemorative stamps on February 2016 to mark ‘the UN Free and Equal – global UN campaign for lesbian, gay, bisexual and transgender (LGBT) equality launched by the office of UN High Commissioner for Human rights’ (UN 2016). The news at the time also reported that the initiative was co-supported by the permanent missions of Argentina, Australia, Chile, El Salvador, Germany, Israel, Netherlands, Norway, the United Kingdom, the United States, Uruguay, and the European Union delegation. At the same time the responses from different member state representatives at the UN, calling these stamps to be withdrawn exposed international tensions on the global acceptability of LGBT rights as norms that govern different actors’ behaviour. The opposition to the stamps was led through a statement from Ambassador Usman Sarki of Nigeria on 1 February 2016. He

publically intervened in the case of the convictions of two men in Malawi, while he was visiting Malawi leading to the release of these men. On December 10, 2010 at an event on *Ending Violence and Criminal Sanctions based on sexual orientation to mark the International Human Rights Day* Ki-Moon stated that ‘As men and women of conscience, we reject discrimination in general, and in particular discrimination based on sexual orientation and gender identity. When individuals are attacked, abused or imprisoned because of their sexual orientation, we must speak out. We cannot stand by. We cannot be silent. This is all the more true in cases of violence. These are not merely assaults on individuals. They are attacks on all of us’ (2010). He highlighted his direct involvement in dealing with such violence and discriminatory practices as a way to set an example by pointing out that ‘I was particularly happy and pleased that, when I was visiting Malawi, I was able to secure the release of a young gay couple sentenced to 14 years in prison. President Mutharika kept his promise and he released them during my stay, on the very day when I urged him to do so’ (Ki-Moon 2010).

These were well chosen words. In the first quote Moon keeps using the third person plural pronoun as inclusive language that is intended to bring in all UN members. It is a moral statement. It points out that we, as all human beings, are implicated in the violence and discrimination based on sexual orientation unless we raise our voices. It is explicitly asking members to act to stop the violence. The UN system took this call seriously and it went on to publish its first specific report on LGBT rights on 15 December 2011. The report was initially presented as the UN’s Human Rights Commissioner’s annual report to the UN General Assembly at the 19<sup>th</sup> session of the Assembly on 17 November 2011. The report framed LGBT rights within the existing UN Human Rights architecture. It linked sexuality rights as an integral part of the already established rules and norms of human rights accepted by most member states. It pointed out the obligations of member states towards these rights. The report signifies an *affirming statement* that the human rights of people identified as LGBT are to be protected. The affirmation takes place within the broader language game that has established LGBT as the relevant category for policy concerns - independent of everyday practices and experiences of

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strongly condemned the stamps and accused the UN of unilaterally supporting a minority issue that does not enjoy the support of many member states. It was also reported that the second statement came from the Group of the Friends of the Family Coalition of the UN Members (Deen 2016 and Citizengo 2016).

same-sex relations that are supposed to be captured by it. Indeed, after providing an analysis of the violence and discrimination suffered by LGBT people, the report states in two paragraphs that

‘Seventy-six countries retain laws that are used to criminalize people on the basis of sexual orientation or gender identity. Such laws, including so-called “sodomy laws”, are often relics of colonial-era legislation. They typically prohibit either certain types of sexual activity or any intimacy or sexual activity between persons of the same sex. The wording used refers to vague and undefined concepts, such as “crimes against the order of nature” or “morality”, or “debauchery”. What these laws have in common is their use to harass and prosecute individuals because of their actual or perceived sexuality or gender identity. Penalties range from short-term to life imprisonment, and even the death penalty. The criminalization of private consensual homosexual acts violates an individual’s rights to privacy and to non-discrimination and constitutes a breach of international human rights law’ (UN 2011: 13-14).

The report calls on members to introduce a number of measures to prevent violence and to protect those who experience violence, such as, investigating violence and changing laws that create discrimination and criminalization. Furthermore, it requests programs be established to deal with attitudes and beliefs that are discriminatory.

The UN report draws attention to gaps and non-compliance. Both the report and the way in which the Secretary-General presented these rights created a common ground for action that affirms LGBT rights through its language. The affirmative language also created a legitimate motivation for the UK and the US policy moves within the broader Human Rights agenda. And while the US memorandum could be seen as a policy operationalization of the ideals expressed in the UN report, its ability to intervene is linked to the US governments’ power position within international aid relations. Furthermore, on 29 January 2012 Secretary-General Ban Ki Moon took the discussion directly to Africa and to the African heads of states. At the Summit of the African Union in Addis Ababa, he directly told the gathered African heads of states and other officials that ‘the Universal Declaration of Human Rights is a promise to all people in all places at all times. Let me mention one form of discrimination that has been ignored or even sanctioned

by many States for far too long...discrimination based on sexual orientation or gender identity. This has prompted some governments to treat people as second-class citizens, or even criminals. Confronting this discrimination is a challenge. But we must live up to the ideals of the Universal Declaration' (Ki-Moon 2012). In these statements we can observe the reinforcement of the equality of human rights in relation to sexual orientation. The UN position and Moon's interventions provide a grounding for universal equality and rights on sexual orientation for people in general terms.

Similarly, the visits by President Barak Obama to Africa in June 2013 were occasions to observe how his statements directly affirmed LGBT rights. At his first stop in Senegal he commented on the US Supreme Court's decision to remove the Defense of Marriage Act, which blocked the possibility of gay marriage in many states in the US. He said that it was not only victory 'for LGBT community' but 'it was a victory for American democracy' and carried on to say that 'I want African people to just hear what I believe. ... regardless of race, regardless of religion, regardless of gender, regardless of sexual orientation, when it comes to how law treats you ...people should be treated equally'(France24). Obama's speech is significant because it moves the debate from an abstract universal discussion to substantiating the content of these universal rights on the basis of the US experience. This puts the US in a morally superior position on the basis of what are seen as improvements from within the US context. In these encounters one can see how the general language of LGBT rights was developed within the UN document and used extensively by the Secretary-General and how this allowed, by providing justification, actors such as Obama to intervene on behalf of LGBT communities. The justification became a moral authorization based, in this case, on the experiences of LGBT community in the US. Within the international development framework the US experience then became a measure of how and what should be achievable within African contexts.

### ***Tit for tat Political Reactions***

These international public interventions through announcements and speeches have not remained at the level of affirming these rights or at the level of naming and shaming by international leaders. They have provided a framework for more direct policy interventions. As exemplified in the UK and the US policy discussions, governments from industrialized countries have decided

to pressure governments in Africa for a policy change through their international development strategies. For instance, in April 2013 the US Agency for International Development (USAID) formally announced a new initiative under the title of ‘*A new LGBT Global Development Partnership*’ (USAID 2013). The initiative was described as ‘a public-private partnership between the Swedish International Development Cooperation Agency (SIDA), the Astraea Lesbian Foundation for Justice, the Gay & Lesbian Victory Institute (GLVI), the Williams Institute, and Olivia Companies, which further promotes foreign assistance to lesbian, gay, bisexual, and transgender (LGBT) equality in emerging markets and developing countries’ (USAID 2013). The announcement points out that the initiative was a direct response the president’s 2011 memorandum on LGBT rights. It is also interesting as the initiative was the joint work of two governmental agencies for international development. The position of the Swedish organization, SIDA, was linked to their 2005 report on *Sexual Orientation and Gender Identity Issues in Development* (SIDA 2015). After reviewing the state of knowledge on LGBT, this report provided a set of recommendations for further steps

‘Recommendations to SIDA and MFA include that LGBT and intersex issues should be treated as a human rights issue and included in programming on gender equality and social equity and considered whenever revising policy and strategy documents that deal with gender, democracy, human rights, gender-based violence, health and sexuality... In bilateral support, LGBT and intersex issues should be included in analysis, dialogue and support to human rights, health, education, culture, and research’ (SIDA 2015: 6).

A similar move towards the direct leveraging for social change through aid relations was also observable in the UK’s Department for International Development (DFID). In a discussion with a senior DFID advisor in the capital of an East African country in 2012, the author was told that one of the central issues the DFID office was trying to engage that African government on was LGBT rights.<sup>10</sup> They also said that the representatives of the EU member states, both in a coordinated fashion as a group and as individual country representatives, were trying to lobby that government on this issue. They stated that this was a very important agenda item for all EU

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<sup>10</sup> The details of this discussion are presented in a way to maintain anonymity.

member states represented in the country. However the advisor also pointed out that the government in question was very resistant to many of these interventions.

The different policies presented above directly affect how international aid is allocated. As a result, national leaders from various African countries have responded. For example, there were immediate reactions to the statement made by Cameron at the Commonwealth meeting by Uganda and Malawi, which were particularly mentioned in his interview. The BBC interviewed Mr Nagenda, a Ugandan Presidential advisor, where he pointed out that ‘Uganda is, if you remember, a sovereign state and we are tired of being given these lectures by people’. The interviewer then asks what will be the outcome of the ongoing discussion on the anti-homosexuality bill in the Ugandan parliament. He replies that he ‘believe[s] it will die a natural death. But this kind of ex-colonial mentality of saying: “You do this or I withdraw my aid” will definitely make people extremely uncomfortable with being treated like children’ (BBC 2011).

Over time other African leaders also responded to the UK PM’s announcement. These responses provided another sign that Cameron’s announcement was used as policy direction in relation to international aid. For instance, in November 2011 the then President of Ghana, John Evans Atta Mills, argued that ‘No one can deny Prime Minister Cameron his right to make policies, take initiatives or make statements that reflect his societal norms and ideals but he does not have the right to direct other sovereign nations as to what they should do especially where their societal norms and ideals are different from those which exist in Prime Minister's society. I, as president of this nation, will never initiate or support any attempt to legalise homosexuality in Ghana. Let me also say that while we acknowledge all the financial assistance and all the aid which has been given to us by our development partners, we will not accept any aid with strings attached if that aid will not inure to our interest or the implementation or the utilisation of that aid with strings attached would rather worsen our plight as a nation or destroy the very society that we want to use the money to improve’ (Guardian 2011).

Similarly, the President of Gambia, Alhaji Dr. Yahya Jammeh, at the 2012 State Opening of the National Assembly stated that ‘If you are to give us aid for men and men or for women and women to marry, leave it; we don't need your aid because, as long as I am the President of The Gambia, you will never see that happen in this country. If you want us to be ungodly for you to give us aid, take your aid away, we will survive’ (Zaimov 2012).

In June 2013 Senegalese President Macky Sall's response to the Obama statement was very direct as they were standing next to each other in Dakar. He was reported to say that Senegal was a 'tolerant country' but 'was not ready to decriminalize homosexuality' (BBC 2013). In his full speech president Sall is subtle highlighting the 'the social and culture diversity of nations' and the impossibility of expecting every country to apply same policies before moving to talk about homosexuality in Senegal (Sall 2013). This exchange in Dakar attracted other commentary across Africa. For instance, from Kenyan President Uhuru Kenyatta and Deputy President William Ruto. Ruto stated that 'This country, the nation of Kenya, is a God-fearing nation. Those who believe in other things, that is their business. We believe in God' (Star 2013).

These exchanges show the emergence of a language and an understanding on LGBT that developed in response to the language of international LGBT rights. The response statements above are statements that negate - deny 'something of something' (Heller-Roazen 2017:14). Located within the context of international aid relations, Obama's speech is directly interventionist. He is talking about a community defined as LGBT in the US. He then moves on to invite Africans to consider the LGBT community in Africa. Sall's response highlights the way these interventions are read in Africa as a model of civilizing process brought in by outsiders. He is reminding Obama that countries and the way they deal with their issues are different (Johnson 2012). A similar discussion emerged during President Obama's state visit to Kenya on July 2015 at the joint press conference with the President of Kenya Uhuru Kenyatta. Kenyatta challenged the argument on gay and lesbian rights put forward by Obama, suggesting that these were non-issues in Kenya, given the culture and people's views in the society (Obama 2015). These responses come from a defensive position and a space is not open for negotiation. They highlight the ongoing international pressure on developing countries to recognize LGBT rights and the anxieties of domestic politics that are reflected in the explicitly hostile responses. These statements, as responses to the affirmation of LGBT rights negate the possibility of being homosexual in Africa. They side step the human rights question as they deny the possibility of the existence of people who are homosexuals. Perhaps one of the interesting moments in this process was the speech delivered by Robert Mugabe, the president of Zimbabwe at the UN's General Assembly meeting in September 2015 where he stated that 'We reject attempts to

prescribe new rights that are contrary to our values, norms, traditions and beliefs. We are not gays' (2015).

Anxieties framing homosexuality as a foreign export are in turn leading to a more readily use of existing anti-sodomy laws and to the emergence of new legislations in a number of countries (for instance 2009 legislation in Burundi, 2017 legislation in Chad). Moves towards legislating against homosexuality, or reactivation of already existing sodomy laws, use the language of protecting national identity against outside interventions. However, targeting local people under these laws also negates the underpinnings of these primordial arguments that homosexual people do not exist in Africa. Political figures' persistent use of non-African behavior as a qualification to mark their difference can indicate a desire not to be treated as if they are still part of larger external political, colonial, authority that could re-shape their societies at will.

In the process of this debate through confrontations, the category of LGBT and a generic idea of homosexuality that underwrites this category, is established as an international policy category either to help or to punish people under the category. This situation is not accidental but follows from the internationalization of a particular kind identity activism politics (Seckinelgin 2012). While responses to international arguments are framed by national and cultural arguments, they are broadly about responding to a particular use of language by the international push to introduce LGBT rights. Given that international advocacy is using the language of an international LGBT community, responses to this that articulate positions about traditional or/and national communities, are in turn generalizations about entire societies. These responses engage with international advocacy using the same categorical descriptions to deny the existence of these communities or to assert the irrelevance of homosexuality in their culture. Given the absence implied in the formulation *non-African behavior*<sup>11</sup> in these statements, the relevance of LGBT rights for particular societies is negated.

The broader LGBT language game within which these discussions have been taking place is based on the move, observed by David Halperin in the US, of shifting the focus from

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<sup>11</sup> The assertion of an essentialist African culture or traditions can also draw on religious narratives, which are themselves part of the colonial past, to construct such positions in which the claiming LGBT rights presents an impossible position for those people who define themselves as religious (Seckinelgin 2012).

individual behaviors to talking about a group of minority sexualities as a whole. The wide use of LGBT as a ‘political category’ in most of the international political and policy discussions attests to a similar shift within the international policy processes (2012:70). Halperin argues that by stepping back from the details of ‘queer life we take shelter in inoffensive generalities: promoting human rights, celebrating diversity’ and this performs a ‘political function’ (2012:70). It allows and indeed ‘encourages normal people to categorize the members of a stigmatized population as a single group not on the basis of their offending behavior but more neutrally on the basis of their “identity”- that is their common membership in a “community”’ (Halperin 2012:73). The language of LGBT rights as used, for instance, by president Obama seems to target not only a community in need in developing countries, but links that community of LGBT people to a larger international LGBT community. It assigns identity that also confers rights which in turn ascribes norms of behavior for the rest of the society. This move allows ‘the transcendence of particular difference’ to achieve political recognition (Halperin 2012:73). This allows for the possibility of considering, paraphrasing Foucault, that *LGBT is now a species* (Foucault 1989:43). And, once the LGBT category is used within the international political and policy language as a category for identifying policy target groups, it homogenizes same-sex desires, orientations, behaviors, and experiences (see Altman 2002, Massad 2007 and Seckinelgin 2009, 2015).

The tactical move to talk about a general category of people also allows international actors to provide a unified front. Diverse homosexual desires and experiences become homogenized under the LGBT label that largely remains unsubstantiated beyond indicating a group of people who are assigned certain rights. In their responses, as presented above, African leaders engage with this tactical move in kind by resorting to a language of anti-homosexuality that is built on a generic view of a non-African behavior. They resort to claims about *native* African behavior in which they reassert and reproduce generic and nationalist rhetoric about *their* people (see Ndjio 2013). In this way they restrict and manage their engagement with diverse sexual orientations only as a response to the international LGBT claims. Given that this is a defensive construction, their approach negates the possibility of homosexuality by constructing it as a foreign behavior. With the foreignness trope they construct a generic idea of homosexuality that explicitly alienates individuals from their communities - as outsiders whose

behavior (mostly seen as non-religious) and habits (including sexual practices and ways of dressing) do not belong within their everyday cultures. Thus, homosexuals are seen as not having the same aspirations to live together within a given African community. They are constructed as agents of foreign, and most of the time neo-colonial, actors. Once constructed in this way, generic anti-homosexuality, is deployed as a language by many politicians against international pressures to defend a general African identity. The homosexuality constructed in this way also becomes a generic ahistorical political category that embodies unAfrican subjectivity. In the end, the discussion is politicized in abstract terms that set the parameters of the discussion, either as international LGBT rights or homosexuality as alien behavior. The discussion then proceeds without paying attention to the actual lives and the ways people consider their own sexualities, sexual practices and their lives in relation to their own communities. The international language game setting these parameters creates a uniform socio-political context within which individuals find (or rather lose) themselves.

### **Voices of People with Diverse Sexual Orientations: *our lives***

What about people with different sexual and gender orientation in Africa, where do they fit in the debate? How do people react to the international LGBT debate when it is about their rights? While the international political debate is widely reported, people's reactions to these debates occupy the general public media much less. I now turn to one of the major reactions from African people with different sexual and gender orientations to the UK government's decision to include LGBT rights as aid conditionality.

On 27 October 2011 a pan-African statement entitled the *Statement on British 'aid cut' threats to African countries that violate LGBTI rights* was issued by a large number of LGBT organizations and activists (52 African civil society groups and 85 activists). It stated that 'These threats follow similar decisions that have been taken by a number of other donor countries against countries such as Uganda and Malawi. While the intention may well be to protect the rights of LGBTI people on the continent, the decision to cut aid disregards the role of the LGBTI and broader social justice movement on the continent and creates the real risk of a serious backlash against LGBTI people' (African Statement 2011). This delineation challenges the international approach in two fundamental ways: a) it locates what is described as LGBTI people

within the larger socio-political contexts within which their well being relies ultimately on developing a common future within their communities and not only as an LGBTI community; and b) it highlights the potential of the international strategy to produce negative outcomes for people with different sexual and gender orientation by making LGBTI communities appear as if they are blackmailing their own societies to obtain rights . The statement then unpacks these two central challenges, by focusing on the mechanism of using international development aid to deliver LGBTI rights:

‘The imposition of donor sanctions may be one way of seeking to improve the human rights situation in a country but does not, in and of itself, result in the improved protection of the rights of LGBTI people. Donor sanctions are by their nature coercive and reinforce the disproportionate power dynamics between donor countries and recipients. They are often based on assumptions about African sexualities and the needs of African LGBTI people. They disregard the agency of African civil society movements and political leadership. They also tend, as has been evidenced in Malawi, to exacerbate the environment of intolerance in which political leadership scapegoat LGBTI people for donor sanctions in an attempt to retain and reinforce national state sovereignty’ (African Statement 2011).

This statement historicizes and politicizes the relationship between Africa, international aid donors and their policies. The argument highlights that both international aid policy formulations have erroneous and inappropriate assumptions and that actual aid funding in many cases creates coercive incentives for change independent of the local voices embedded in civil societies across the continent.

The statement then focuses on the broader implications of the international development policy being used as an entry point for LGBT rights. It challenges the designation of LGBT rights as a single issue area by international development actors for interventions:

‘the sanctions sustain the divide between the LGBTI and the broader civil society movement. In a context of general human rights violations, where women are almost as vulnerable as LGBTI people, or where health and food security are not guaranteed for anyone, singling out LGBTI issues emphasizes the idea that LGBTI rights are special

rights and hierarchically more important than other rights. It also supports the commonly held notion that homosexuality is “unAfrican” and a western-sponsored “idea” and that countries like the UK will only act when ‘their interests’ have been threatened’ (African Statement 2011).

The statement emphasizes the centrality of considering LGBT rights within the broader context of social rights and needs within Africa: ‘aid cuts also affect LGBTI people. Aid received from donor countries is often used to fund education, health and broader development. LGBTI people are part of the social fabric, and thus part of the population that benefit from the funding. A cut in aid will have an impact on everyone, and more so on the populations that are already vulnerable and whose access to health and other services are already limited, such as LGBTI people’ (African Statement 2011). In this way, the statement is resisting the use of LGBT rights as a neoliberal intervention that aims to promote an ‘imperative of self-optimization’. The activists, through the above statement, challenge what they consider to be an intervention to deal with their human rights by creating a cleavage within their communities (Han 2017:29).

On the whole, this statement is a significant intervention by African civil society in the international LGBT debate. It shows that civil society in Africa is vibrant, diverse and has a sophisticated approach to the rights debate. The position locates rights within everyday socio-political contexts that are central to their operationalization. Furthermore, there are different strategies for the activists to engage with their own societies. In sum, it is a statement of ownership, to own their movement and approaches to achieve these rights in Africa. It is also significant in that it utilizes a language that questions the unreconstructed claims of helping without thinking about for the consequences of that help, which might very well be negative for a group that is targeted.

Despite the strong concerns expressed in this statement by both individuals and African organizations, international actors have carried on with their set agenda. This is evident in the subsequent announcement of the Obama memorandum, other policy drives and personal interventions of the politicians highlighted above. It is a paradoxical situation. On the one hand, both political and policy interventions are justified on the basis of helping the voiceless get their rights. While on the other hand, when there is a strong voice it seems to be ignored.

The divergence between the African civil society statement and the donors' policy moves is significant. It emerges from the way this statement clearly locates itself within a language of opposition to external interventions and frames them as neo-colonial. This language is a challenge to the assumed unity of global community and its development on a language of international LGBT rights. It also opposes to the claims by African leaders that homosexuality is a foreign export. The statement, and its contestation, is about establishing rights of people with diverse sexual and gender orientation in Africa. It is directly political and more nuanced in its understanding of the emerging politics of international LGBT rights. It shows the ways in which international language obfuscates the contextual concerns of people based on their own experiences of diverse sexualities in Africa. It is also a resistance to the attempt to create an abstract and de-contextualized international community of LGBT people. It locates the experiences of diverse sexualities within local cultures and communities. It is scathing of the way the international approach ignores local experiences in its attempt to use people's sexual experiences to arrive at societal value judgments on communities. Significantly, it questions the assumed responsibility of international actors in engaging with African politics on the basis of LGBT rights independent of the human rights justifications used for this engagement. The argument points out the difficulties that are created by this particular mode of advocacy in relation to domestic political debates for many African advocates and activists, who are working more broadly on gender and sexual orientation related issues.

The statement also brings out a major political problem. It shows the tension between international LGBT rights as individual rights' claims and the possibility of practicing different sexualities within particular social contexts as part of such contexts (see Mbembe 2017: 26, 48). More specifically, it is a problem of claiming rights within the international LGBT rights language, which leads them to become part of a member of a generalized international LGBT community while at the same time being disassociated from their immediate socio-political context. By coming out as part of the international LGBT community they become a target of the generic nativist anti-homosexuality category that has emerged in the language of African politicians. The latter inherently casts them as a danger to their community. This questions their belonging within their own communities. It becomes more pronounced when the international LGBT rights debate moves from a mere advocacy issue and becomes a condition for

international aid (Seckinelgin 2017: 70-84). For those people with diverse gender and sexual orientations these circumstances create additional constraints to their finding ways to address their needs. Therefore, the language used by civil society actors in the above statement establishes a strong resistance to the homogenization of their sexuality both by the international generalization of LGBT identity and by the national political actors' views on Africanness (see Mabanckou 2017; Monga 2017).

## **Conclusion**

This article has provided an analysis of the language use that emerged around the international LGBT rights related policy debates. The main assumption of this analysis is that language use creates meanings and categories (Hacking 2002: 99-114; Seckinelgin 2008: 128-135). These, then frame policies and the actions related to those policies targeting people who fall within the domain of that particular language use. I have analyzed the process through which international political actors have gradually begun to use LGBT rights language in their pronouncements, and then how these categories have been used for policy framing within international aid relations. I have critically considered responses to this LGBT language from African political fora. At the intersection of these responses and the international LGBT language I have observed how an understanding of LGBT community is substantiated. I have then highlighted how this language game, in which both international actors and African politicians take part, actively locates and restricts the context within which African activists with diverse sexual orientation and gender identities can act. This analysis provides insights for the broader field of international policy analysis by highlighting the importance of language use and its effects. However, as a way of concluding I would like to highlight the implications of using international aid modalities to leverage change in Africa on attitudes towards sexual orientation.

Linking LGBT rights advocacy with international aid conditionality has created two central blind spots. While it has allowed LGBT rights to emerge as an international norm to underwrite aid relations, it has limited the scope of political discussion within the international development context. It has also limited the focus of these discussions to legal recognition and change rather than to a substantive social change that needs to support such legal developments to create sustainable change. Furthermore, this positioning within the international aid

conditionality has made African governments the main interlocutors in the debate. This positioning not only comes across as a top down attempt to leverage change but also seems to assume a top down relationship between African governments and their societies. This has also allowed, as Christian Lund argues, the '(re)production' of political authority by demonstrating that particular governments have been successful in countering the imposition of neocolonial LGBT rights to change their African society and culture (2016:1200). The use of nativist responses on LGBT issues in public debates without much consultation within their societies has come to symbolize the exercise of such authority. The difficulty created by these circumstances is evident in the African statement discussed above. Paternalism by both international and local political actors is used to promote or counter LGBT rights. The important work of local activists and civil society organizations is evaluated either according to a formal international priority that may or may not relate to local priorities or according to some nativist assessment of *Africanness*. Neither of these positions corresponds to people's experiences. The former makes claims about an international category and the latter makes use of international claims to designate an apparent foreignness to particular claims within their African communities. They ignore actual experiences, needs and claims from the diverse contexts by limiting the public space within which these discussions can take place.

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