

## **Address at the opening of the OutRhodes Pride Week**

**20 August 2007**

Ladies and gentlemen, officials and members of OutRhodes, colleagues, friends

Thank you for this privilege of addressing you this evening at the official opening of the OutRhodes Pride Week.

Since my arrival at Rhodes fourteen months ago I have stressed two things: One is that Rhodes University must be a home for all. The other is that as an institution the *Constitution* of our country and its *Bill of Rights* must be the fundamental bedrock that informs our responsibilities, guides our conduct, and animates our social relationships and existence.

The Constitution unambiguously proclaims that 'the *state* may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including... sexual orientation' and, also, that 'no *person* may unfairly discriminate directly or indirectly against anyone' on the grounds of sexual orientation.

In prohibiting both the state and individuals from discriminating against people on the basis of sexual

orientation, the Constitution logically states that 'conduct inconsistent with its provisions is invalid; but more important also that the 'obligations imposed by it must be fulfilled'. This is also a clear signal of our Constitution's intention to 'establish a society based on democratic values, social justice and fundamental human rights'.

In accordance with our Constitution, I believe that as a University we must be deeply committed to the assertion of the values of human dignity, the achievement of equality, the advancement of non-sexism and non-racialism and the assertion of the human rights and freedoms of all people, including gays and lesbians. Furthermore, that it is indeed the responsibility of the University to 'respect, protect, promote and fulfil the rights' embodied in the *Bill of Rights*, which means also the rights of gays and lesbians.

However, the constitutional imperative should *not* be the cornerstone of the rationale for respecting, protecting, promoting and fulfilling the rights of gays and lesbians. Our commitment to such actions with respect to rights of gays and lesbians should be, I submit, principally ethical.

It is a shame that one has to even say this in the 21<sup>st</sup> century, but apart from sexual orientation, gays and lesbians are no different from heterosexual people and

cannot and should not be treated any differently. Michael King, *professor at the Royal Free and University College Medical School in London* writes:

There is no evidence that homosexuality is a disease. Do gay men and lesbians abuse children? Despite vigorous efforts by antigay pressure groups to make a link between homosexuality and paedophilia, no evidence supports any such association. Are gay men and lesbians more inclined than heterosexual people to crime and violence? Research indicates that although most criminal activity is perpetrated by men, gay men are much less predisposed to violence than their heterosexual counterparts. Do gay relationships threaten the stability of marriage? There is no link between the development of same sex civil partnerships and the stability of heterosexual marriage, which has been declining steadily since the 1940s (<http://student.bmj.com/issues/07/07/editorials/260.php>)

The basic truth is that none of us can be genuinely free unless all people, irrespective of biological, social and any other differences possess not just political rights, but also the social, economic and human rights that are fundamental to living full, decent, productive, rich and

rewarding lives; unless they 'can assume their place in society as equals with their fellow human beings without regard to colour, race, gender, age or geographic dispersal' (Mbeki, TM, 1996) or sexual orientation.

The measure of the social transformation and civility of a society and the liberation of its people is ultimately how its members think about, and the extent to which they respect, affirm, defend, promote and assert the rights of, and interact with, people that are different from themselves – whether this difference is located in 'race', class, gender, culture, language, geography or sexual orientation.

The frequently used term 'transformation' is much more than about changing demographics, numbers and proportions, and pursuing and achieving 'race', gender and disability equity

'Transformation' is fundamentally about changing how we think – about ourselves, about others, about our relationships and institutions – and, on this basis, acting in new and different ways. It is about working hard, under all too frequent conditions of social injustice, oppression, repression and intolerance to rebuild and recreate social relationships at the individual, group and institutional levels, and about having the courage to be open to and,

where necessary, finding new ways of engaging, living and doing things.

This is a challenge for all of us, for all of us are in one or other way products of oppressive colonial, apartheid and patriarchal experiences and we all carry baggage that we need to work through.

As individuals we must be open to social transformation and transforming ourselves not because government or anyone else demands that we do so, but because of a recognition of the possibilities it creates for our own development as human beings and for the development of others - especially those whose talents and potential can otherwise remain unrealised and wasted.

In so far as gay and lesbian rights in South Africa are concerned, there is much to be proud of. First, the Constitution acknowledges the rights of gays and lesbians and seeks to advance equality in all spheres of society. Second, in 1998 the Constitutional Court ruled 'that the law prohibited homosexual conduct between consenting adults in private, violated the Constitution'. Thereafter, 'in December 2005, the Constitutional Court of South Africa ruled that it was unconstitutional to prevent people of the same gender marrying when it was permitted to people of opposite gender, and gave the South African Parliament

one year to 'rework laws allowing same-sex unions'. Finally, 'in November 2006, same sex marriage was legalized'.

([http://gaybar.com/homosexuality\\_in\\_south\\_africa](http://gaybar.com/homosexuality_in_south_africa)).

Yet, we cannot be blind to the harsh reality that the rights of gays and lesbians continue to be violated on a daily basis. We cannot ignore that within our society there continues to a pervasive homophobia and that gays and lesbian continue to be ridiculed, ostracized, discriminated against, bullied, beaten, raped and murdered for no other reason than their sexual orientation. It is all too evident that the beliefs and practices that for decades have grounded and sustained injustice and inequalities against gays and lesbians remain to be eradicated in democratic South Africa.

The intolerance of people who are different from the majority of South Africans must be matter of deep concern and calls for social action. Rights are *indivisible*, and any denial of rights to gay and lesbians and any failure to uphold and enforce their rights can place us on the slippery slope of future similar behaviour against other social groups.

Such intolerance also signals a fundamental lack of appreciation of and commitment to diversity and difference. Diversity and difference are well springs of

great vitality and strength. It is the intolerance and elevation of difference and diversity and their harnessing to serve chauvinistic aims that lead both to the tragic massacre camps of Sabra and Shatila, the bloody streets of Kosovo, the killing fields of Rwanda and Darfur, and also the murder of gays and lesbians.

The artist Anton Brink writes that 'our personal, social, political and cultural dogmas have made a kind of comfort zone for the mind, free of the responsibilities of choice', which, he says, means that we conspire to make a particular kind of 'world, yet we regard ourselves as being "not involved"' (Brink, 2006:69).

Too many oppressive societies have been characterised by the refrain that "I didn't know' or I was not involved'. It is vital that we guard against dogmas, conduct and practices as well as the inertia, complacency and insularity that all too easily create an unjust society in which not only the rights and freedoms of gay and lesbians are eroded but also that of many others.

In my view, the obligations and responsibilities of Rhodes University in so far as the rights of gays and lesbians are concerned are four-fold.

First, as part of upholding constitutional values and rights and building a culture of the assertion of human rights we must ensure that in terms of policy and practice there is no accommodation of homophobic behaviour and practices and no compromise of the rights of gays and lesbians.

We must be vigilant that our culture and traditions are important do not imprison our thinking, induce blind spots, and generate practices that are alienating, discomfoting and exclusionary. Instead, we must purposefully create and institutionalize an open, vibrant, democratic and inclusive intellectual and institutional culture that embraces difference and diversity, and sees these as strengths and powerful wellsprings for personal, intellectual and institutional development. We must respect, affirm and embrace the rich diversity of the people that today constitute and must increasingly constitute Rhodes University.

Second, as part of our role of educating and producing highly educated people who are also leaders, we must challenge students in a way that stimulates them to think critically about illiberal views and traditions and liberates their minds. We need to think much more about Martha Nussbaum's notion of a liberal education that is intimately connected to the idea of democratic citizenship, and to the cultivation of humanity.



‘Three capacities, above all, are essential to the cultivation of humanity’ (ibid, 2006:5). ‘First is the capacity for critical examination of oneself and one’s traditions – for living what, following Socrates, we may call the “examined life”....Training this capacity requires developing the capacity to reason logically, to test what one reads or says for consistency of reasoning, correctness of fact, and accuracy of judgement’ (ibid, 2006:5).

The ‘cultivation of humanity’, according to Nussbaum, also requires students to see themselves ‘as human beings bound to all other human beings by ties of recognition and concern’ – which necessitates knowledge and understanding of different cultures and ‘of differences of gender, race, and sexuality’ (Nussbaum, 2006:6).

It is, however, more than ‘factual knowledge’ that is required. Also necessary is ‘the ability to think what it might be like to be in the shoes of a person different from oneself, to be an intelligent reader of that person’s story, and to understand the emotions and wishes and desires that someone so placed might have’ (ibid, 2006:6-7).

In short, what Nussbaum is pointing to is the ‘cultivation of sympathy’. As Rabindranath Tagore, the Indian

educator put it: 'We may become powerful by knowledge, but we attain fullness by sympathy' (cited by Nussbaum, 2006: 7).

Third, we must be visible in the intellectual and cultural life of our society and through our social purpose of producing and disseminating knowledge we must without fear contest the popular myths that are associated with gays and lesbians and which breed intolerance and result in the violation of their human rights.

Fourth, through our own values, policies and practices we must serve as a model for the rest of our society and serve as a catalyst for these to take root in the wider society. We must lead, not abstain or follow!

I look forward to a society and a future where matters of sexual orientation and sexual preferences are the domains of the personal and the private choices of individuals and consenting adults. However, because of the nature of our society these issues become political – that is to say, part of the struggle around social relations. In so far as this is the case, they have to become part of and fought as part of political struggles.

In closing, I wish OutRhodes a successful week of activities. And, as a person who takes constitutional

obligations and responsibilities very seriously, I am also happy to publicly pledge my own commitment to challenging and countering homophobia and to respecting, protecting, promoting and fulfilling the rights of gays and lesbians.