

Keynote address at the opening of the OutRhodes Pride Week

7 April 2008

Officials and members of OutRhodes, members of the lesbian, gay, bisexual, transexual and intersex (or LGBTi) community, colleagues, friends

Thank you for this privilege of delivering the keynote address at the opening of the OutRhodes Pride Week.

I wish to observe at the outset that occasions like these are vulnerable to becoming events at which one preaches to the already converted, gatherings that draw together those have who already embrace the values associated with the pursuit of human dignity, the achievement of equality and the assertion of the human rights and freedoms of all people.

The key challenge, instead, is to educate and change the thinking, actions and practices of those who are not here, who remain impervious to embracing and living out the constitutional and ethical values that are fundamental to a democratic, just and humane society.

Be that as it may, occasions such as these are nonetheless vitally important for at least four reasons:

- They are important, first, for drawing attention to our constitutional commitment to 'establish a society based on democratic values, social justice and fundamental human rights'.
- Second, they are important for highlighting the unambiguous proclamation of the South African Constitution 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.
- They are important, third, for continuously affirming and re-affirming (in the context of a society that is afflicted with the scourges of racism, sexism, xenophobia, homophobia and other kinds of prejudice and intolerance) the constitutional values of the rights of all people, including gays and lesbians, to human dignity and equality and human rights and freedoms.
- And, fourth, they are important for highlighting that it is the responsibility of Rhodes University to 'respect, protect, promote and fulfil the rights' embodied in the Constitution, which includes the rights of gays, lesbians, bisexuals, transsexuals and intersex individuals to ensure that

‘obligations’ imposed by the Constitution are ‘fulfilled’, and that ‘conduct inconsistent with its provisions’ are prohibited.

If Rhodes University seeks to be a home for all, it is the *Constitution* and its values and goals that must be the fundamental bedrock that informs its responsibility and those of its members’, that guides our conduct, and animates our existence and social relationships.

The constitutional imperative, however, should *not* alone be the basis for respecting, protecting, promoting and fulfilling the rights of members of the LGBTi community. Instead, the rationale must be grounded in the ethical principle of upholding the rights of all humans, within bounds to be sure, to dignity, to freedom, to safety and security, to love and be loved and to fulfill their dreams.

Apart from sexual orientation, members of the LGBTi community are no different from hetro-sexual people and therefore cannot be treated any differently.

However, even if members of the LGBTi community were different in other respects, why should this be a matter of ridicule or intolerance, and why, as Michael reminded us last month at the Human Rights Awareness week, should ‘people see difference as a disability’? Should we not instead embrace and celebrate difference, as part of an ethos of valuing

difference and diversity. For difference and diversity enrich and lend great vitality to a society, whereas homogeneity has the danger of generating dull uniformity and conformity and atrophy.

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 all people '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 our society and the liberation of our people is ultimately how we think about, and the extent to which we assert the rights of, and comfortably interact with people that are different from ourselves – whether this difference is located in 'race', class, gender, culture, language, geography or sexual orientation.

'Transformation' is a much used term in our society. Yet 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 being prepared to act in new and different ways. It is about working hard to erase social injustice, oppression, repression and intolerance to rebuild and recreate social relationships at the individual, group and institutional levels. And it is 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 have been profoundly conditioned by racist, sexist and other oppressive discourses that 'other' those different from ourselves, 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 the recognition of the possibilities it creates for our own development and for the development of others - especially those whose talents and potential can otherwise remain unrealised and wasted.

In so far as rights of the LGBTi community in South Africa are concerned, there is much to be proud of¹. Yet, we cannot be

¹ 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

blind to the harsh reality that the rights of this community continue to be violated – through commission and omission, voice and silence - on a daily basis. We cannot ignore that within our society there continues to a pervasive homophobia and that gays, lesbians and others 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 members of the LGBTi community remain to be eradicated in democratic South Africa.

The intolerance of people who are different must be a matter of deep concern to anyone committed to social justice and calls for social action. Rights are *indivisible*, and any denial of rights to and any failure to uphold and enforce the rights of members of the LGBTi community could place us on the slippery slope of similar behaviour against other social groups.

Such intolerance also signals a fundamental lack of appreciation of and commitment to diversity and difference, which are well

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).

springs of great vitality in our society. There is no reason to fear difference and diversity. It is only when difference is elevated and harnessed to serve chauvinistic aims that the result is tragic human rights abuses, including the murder of gays and lesbians.

In so far as the rights of gays and lesbians at Rhodes University are concerned, there are numerous and varied challenges.

- First, in as much as Rhodes is transforming in line with the Constitution, the pace, extent and depth of transformation will be determined by the extent to which all constituencies - students, academics, administrators, support-staff – and university structures and organised formations understand and readily and willingly embrace their obligations.

If the pace of transformation is to be accelerated and social justice and a culture of human rights are to prevail a number of things are necessary.

For one, we have to forge an institutional culture and policies and practices in which there is no accommodation of homophobic behaviour and practices and no compromise of the rights of members of the LGBTi community.

Rhodes is cognisant of the discrimination faced by the LGBTi community and has taken steps to combat homophobia and support LGBTi students and staff to resist various kinds of

discrimination. These steps include a hate speech clause in the Student Disciplinary Code (Clause 15.27); the introduction of education programmes around diversity issues for House Committees and first year students; and a review by a sub-committee of the Employment Equity Committee of all Rhodes policies that could be discriminatory and prejudicial, with a view to giving effect to proposals made by this sub-committee.

However, policies, while important, are not enough. If universities are to be catalysts of social justice and to help promote social cohesion we need to innovate critical yet empathetic spaces for open discussion on issues of race, class, gender, sexual orientation and the like. This remains a critical challenge.

Further, 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, from an academic and curriculum perspective, and as a University that seeks to be an institution 'where leaders learn', about Martha Nussbaum's notion of a liberal education that is intimately connected to the idea of democratic citizenship and 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 ... 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).

We must grapple with how this ‘cultivation of humanity’ can be undertaken through an academic and curriculum initiative that encompasses all Rhodes students as well as through various other means.

- Second, transformation hinges on all members of the Rhodes community recognising both the inter-sectionality of oppression and the indivisibility of rights.

By inter-sectionality, I mean that oppression and injustice can take multiple forms and be experienced in multiple ways – race and class; race and gender; race, class and gender; race and sexual orientation; race, class and sexual orientation; race, class, gender, nationality and sexual orientation; race, class, gender, nationality, language, geographical origins and sexual orientation, and other combinations.

The principle of the indivisibility of rights requires consistency of opposition to all kind of oppression and injustice. It cannot be assumed that those subject to racial injustice will necessarily oppose the oppression of people on the grounds of sexual orientation, anymore than it can be assumed that those who experience oppression on the basis of sexual orientation will be consistently anti-racist. You must also hear Jacob and empathise with his experiences of racism!

The trade union and worker adage of 'An injury to one is an injury to all' should serve as a useful rallying cry in mobilising a consistency in thought and practice in opposition to all kinds of oppression and injustice.

In *Nomads of the Present*, the Italian theorist of social movements Alberto Melucci defines a social movement as expressing a conflict in a society that cannot be resolved within the bounds of the existing rules of a society.

He also highlights some of the key features of a social movement. A social movement, he argues:

- Plays a *prophetic* function in society, in the sense of holding out to society a more just and perfect way of existing
- Plays a *symbolic* function in society in that it develops codes and ways of working and doing things that impress upon society possible alternate ways of doing and being
- Is characterised by periods of *latency* and *visibility*, and that the latency period is important for developing the resources and strength for more heightened actions and visibility.

Other theorists argue that a social movement must also elaborate a *cognitive praxis* that sets out the vision of the social movement and helps its ideas to become hegemonic within society.

You would do well to consider these ideas, as the LGBTi must become a social movement if it is to achieve its goals.

- Therefore, and third, while we must look forward to a society where Constitutional rights are not just symbolic but also substantive, we must accept that because of the nature of our society anti-homophobia and the dignity and rights of those who constitute the LGBTi community will need to be struggled for, and will also need to be part of overall struggles around social relations and social justice.

This requires the LGBTi community to vigorously *assert* a vision of a society based on the values of human dignity, equality and human rights, to *critique* all kinds and forms of injustice on the basis of the recognition of the oneness of humanity, and to boldly *confront* all the injustices that pervade and blight our society.

But it also requires organisation, mobilisation and education:

- Organisation to support LGBTi students and staff, facilitate participation in all aspects of Rhodes' life and to enable effective mobilisation and education
- Mobilisation to claim constitutionally guaranteed rights, strengthen organisation and facilitate education, and
- Education of staff and students, whether through curriculum initiatives, or the powerful and moving testimony of Michael at the Human Rights Awareness Week, or this week's

programme. You would do well to make recourse to the old student movement mobilising slogan of 'Each one, teach one'.

- Fourth, it is necessary for the LGBTi community and its organisations to build alliances with other progressive organisations committed to eradicating racism, sexism, xenophobia, and other kinds of intolerance.
- Fifth, as a university, Rhodes must be visible in the intellectual and cultural life of our society and uphold the beacon of social justice. 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.
- Sixth, through our own values, policies and practices with respect to the LGBTi community 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!

In closing, I wish OutRhodes a successful week of activities. I publicly pledge my own commitment to challenging and countering homophobia and to respecting, protecting, promoting and fulfilling the rights of members of the LGBTi community.

I do this because it is the right thing to do, and as part of a commitment to institutionalizing an open, vibrant, democratic and inclusive intellectual and institutional culture at Rhodes that embraces and draws on the rich diversity of all the people that constitute the Rhodes community.

Thank you.