

1-3-2008

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Recommended Citation

LADB Staff. "Cuba Moving To Reform Homophobic And Gender-discriminatory Policies." (2008).
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Cuba Moving To Reform Homophobic And Gender-discriminatory Policies

by LADB Staff

Category/Department: Cuba

Published: 2008-01-03

Nineteen-year-old Monica wore a traditional white gown, veil, and gloves and clutched a bouquet of roses as she prepared to plight her troth. So did her bride, Elizabeth, 28. The exchange of vows and rings on Dec. 26 in Havana marked the culmination of years of effort to bring Cuban custom and practice into line with revolutionary values. Held at the inner courtyard of the Centro Nacional de Educacion Sexual (CENESEX), this was not the first wedding of a lesbian couple to take place in Cuba, but it was the first to have the support of a state institution. Norma Guillard of the Sociedad Cubana Multidisciplinaria para el Estudio de la Sexualidad (SOCUMES) told Inter Press Service, "It made sense for us to open our doors for this, even though we are not a party salon. Where better to experience such an event?" Guillard is deputy chief of SOCUMES' diversity section. She said holding the wedding on the institution's grounds was "consistent with the struggle against homophobia."

A Cuban journalism study found that homophobia directed at women is even more intense than the legendary disapproval of Cuban homosexual men. Gay men in Cuba were found to hold machista attitudes against lesbians because, said the study, these women are thought to betray the traditional feminine roles, chief of which is motherhood. Although undertaken in absolute sincerity and seriousness, the wedding from a legal standpoint was only symbolic. All the same, Monica's mother, who pitched in with all the wedding preparations, did not want to be there for the event. It was the most important moment in her daughter's life, but, explained Monica, "It would have been too hard for her to swallow."

CENESEX and the Federacion de Mujeres Cubanas (FMC) are backing a legal reform that would recognize same-sex unions and grant rights equal to those of heterosexual couples, including eligibility for adoption and access to assisted fertilization services. CENESEX has been officially advised by the ruling Partido Comunista de Cuba (PCC) to undertake a media campaign to prepare the public for the legislation that could reach the parliament in 2008. There are no guarantees of passage of the bill, but it does not hurt the chances that the director of CENESEX is Mariela Castro, daughter of acting President Raul Castro and niece of Fidel Castro. She has been working on awareness-raising strategies since 2004 for a package of proposals that cover nondiscrimination on the basis of sexual orientation or gender identity, recognition of same-sex couples and their unions, adoption, responsibilities towards transsexuals, transvestites, and transgender people (see NotiCen, 2007-06-21).

Mariela Castro said there are three draft proposals in the works. First is a Ministry of Public Health resolution to implement integral health care for transsexuals, with a clinic to provide diagnosis, hormonal treatment, sex-change surgery, and post-operative services. Second is the sexual-orientation bill, a reform of the 1975 Family Code and harmonization with legal practices and state procedures. That would mean, for instance, that the Ministry of Labor and Social Security would

have to pass a resolution to guarantee employment for transvestite or transsexual people. The third proposal is for the passage of a law that allows a person to change gender identity without necessarily undergoing surgery.

Some progress seen In keeping with its mandate to prepare society for these changes, CENESEX has held seminars with the police, at the PCC's Advanced School, with municipal party leaders, and with permanent commissions of parliament. Castro said that, as a result of these preparations, already a person who has had a sex-change operation can obtain a legal change of identity. The institution is also preparing to train lawyers to properly defend the interests and rights of people in these categories. This is especially needed because "there are still institutions that take to themselves the right to decide if a lesbian or gay or transsexual person can have a job or not." For such people who have run afoul of other Cuban laws, CENESEX is working on changes to the criminal code and prison regulations.

The prisons that have undergone training now house transsexuals appropriately. "Another thing we'd like to propose to the Interior Ministry is providing conjugal facilities in prisons for homosexual couples," she said. "I think it is extremely discriminatory that these persons have nowhere to meet for intimacy, when other prisoners do." Castro said her agency's work has been less effective in the education sector. "Both the Ministry of Higher Education and the Education Ministry are included in our strategy, but we have achieved very little. There is also a serious problem with transgender people who drop out of school. As their mannerisms and attitudes are related to their gender identity, which is not the sex that people identify them with, they are very vulnerable to mockery and rejection. And then there are the issues related to sexual orientation.

A lot of prejudices have to be overcome to address these problems in the education system. At a more opportune moment, we'll have to create a draft resolution specifically for this sector and, of course, for training teachers." The media have started to come around in overcoming popular prejudice, "but only timidly as yet," said Castro. "They are overcoming their fear of addressing these subjects, which they evidently know very little about." Castro said CENESEX is willing to offer them advice and has proposed introducing these themes in soap operas, radio plays, documentaries, and film to make the issues visible and to inform people. The idea is to make it more natural to talk about these things. Castro said the official repression of the past is as much grist for the mill as are public attitudes.

These exclusionary practices include the confinement of homosexuals in the military production support units of the 1960s and other penalties for homosexual behavior, she said. "It's very healthy to talk about what has happened and why. I think it is generally accepted that it was a mistake, but it needs to be analyzed. Like human beings, institutions sometimes make mistakes, and they have to be capable of recognizing that fact and deciding what to do to avoid repeating them, what laws to pass, and what values to instill." Castro was involved as a public discussant in the polemics, just one year ago, about the "quinquenio gris" (five grey years) of the 1970s, a kind of heyday of homophobic discrimination on the island. She acknowledges now that Cuba was, and is, one of many countries where these attitudes and practices are institutionalized, but Cuban errors were more widely condemned because "a socialist revolution dedicated to freeing human beings is held to a higher standard and should not make such errors." This is a kind of a prejudice within a prejudice. The fact

is that Communist parties everywhere have been, she said, "extremely homophobic." "Apparently," Castro said, "the Cuban Communist Party, too, is digesting all this and coming to terms with it. It's going through a learning process on these issues. What we are doing is helping it progress along the learning curve. But there is no point in looking for scapegoats to blame. What we have to do is learn from experience and take steps to move forward as a society."

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