

## Blacks and Gays: Bridging the Cultural Divide

In the wake of Proposition 8 in California, much has been made about the growing polarity between the African-American population and the Lesbian Gay Bisexual and Transgender (LGBT) community. The problem, however, is that most of the commentary has been sensational and divisive, rote and myopic. The importance of this topic goes beyond the social need for Blacks and Gays - and presumably, the entire country - to "just get along." Within this dynamic lies the opportunity for both communities to help frame civil rights discourse in a way that is befitting of the 21st century.

To elevate the discussion regarding the cultural disconnect between the African-American and LGBT communities requires a bilateral approach, which looks at each group's "cultural baseline," or social, philosophical, and cultural pre-disposition to matters involving diversity and civil rights. The study of diversity and civil rights in this context is important because these are the two spheres in which disadvantaged groups have been able to argue effectively for social equality. The dialogue also requires a level of candor and intellectual discernment that is rarely offered when discussing inter-cultural dynamics, especially those between two "out groups," or disadvantaged communities in the American socio-political landscape.

Diversity, in its earliest form, arose out of the cognitive need to make sense of our increasingly heterogeneous society. As more and more groups became visible and actualized, the unifying concept for these particular groups was the idea of "culture" - something that was unequivocal, definable, and beyond biological.

Due to the compelling history and experience of Blacks in America, the very ideas of diversity and civil rights have been largely defined by African-Americans. African-Americans, specifically in relation to food, music, dance, and affect, are viewed as quintessentially emotional, exotic, and "cultural" while Europeans, often positioned at the other end of the cultural spectrum, are seen as being "a-cultural." Given that the earliest precepts about diversity were spawned by the Civil Rights Movement in the sixties, African-Americans are seen as having been the first group to really introduce some tangible aspect to the America's fluid concept of culture. As a result, any group seeking political efficacy in the wake of the 1960s Civil Right Movement has had to contend with an idea of culture that is tied rigidly to Blackness, and more specifically, ethnicity. Moreover, any group which wants to be thought of in terms of "multiculturalism" and "diversity" has had to align itself with a "cultural" definition that mirrors some biologically-determinative factor or ethnicity.

Additionally, the African-American experience has also been instructive for how we as a nation view civil rights jurisprudence. Case law interpreting the Equal Protection Clause of the Constitution's 14th Amendment has established that any law that on its face treats people differently using the classification of race must be reviewed with "strict scrutiny." In order to pass constitutional muster, the law must be narrowly tailored, serve a compelling governmental interest, **and offer no less-restrictive alternative**. The fact that race is given special treatment is by no accident. The theoretical underpinnings for Equal Protection Clause interpretation were created in response to the discrimination faced by African-Americans after the Civil War.<sup>1</sup> As such, race has been accorded special legal significance because, **as defined in the African-American context**, it suggests immutability, relative powerlessness, and a profound vulnerability to discrimination.

This is not to say that civil rights laws are focused exclusively on race, or that civil rights claims based on other suspect classifications such as gender or age are not reviewed critically or skeptically. What it does suggest is that in any discussion of civil rights, the notion of race

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<sup>1</sup> Duhaime, Lloyd. "[Legal Definition of Black Code](http://duhaime.org)". duhaime.org. Retrieved on 2009-03-25.

creates an enduring and sometimes imposing intellectual backdrop. Race acts as the gold standard for how we as a nation perceive civil rights and how we perceive the validity of any group's claim to civil rights. Rightly or wrongly, African-Americans are seen as the shepherds of civil rights and the guardians of all things cultural. As a result, any group seeking legal and political enfranchisement will have their journey compared and contrasted to that of African-Americans

Logically, the LGBT community, like many marginalized groups, has tried to adopt the political sensibilities of and associate itself politically with the African-American community. The conventional thought is that if African-Americans support civil rights for LGBT Americans, then the LGBT community will enjoy a type of cultural cache that it has not previously possessed. In other words, the hope is that mainstream America will come to view the lives of LGBT people in terms that truly reflect their everyday experience. Further, the hope of many LGBT activists is that if African-Americans act as guarantors for any LGBT civil rights agenda, then the success of LGBT civil rights initiatives will be a foregone conclusion.

My concern, however, is that a lot of well-intentioned LGBT activists have put the "horse before the cart," and have failed to recognize the prevailing notions around "culture" and "civil rights," before crafting and shaping their political campaigns. This also explains, in part, why neither the African-American nor LGBT community has fully ingratiated itself with the other. **As a result**, I offer the following short-list of best practices, with the unremitting goal of bridging the gaps in understanding between these two communities.

**1) Recognize culture.** As an initial matter, the conversation must shift to focus on cultural precepts as opposed to stereotypical behavioral norms. Although there is still considerable debate in the scientific community as to whether being LGBT is biological, there should be little debate as to whether "gayness" is cultural. The LGBT community has customs, norms, mores, heroes, she-roes, iconography, language, sensibilities, and art that not only colors its experience, but distinguishes it from other segments of American society. Unfortunately, "gayness" has long been considered behavioral, i.e. something that one does as opposed to something that one is or the way in which a person exists. If we contrast this idea with traditional ideas about culture, gayness is seen as being temporary, fleeting, and transitory, as opposed to culture, which is seen as deeply-rooted, immutable, permanent, and thus more susceptible to discrimination. Interlocutors must focus their efforts on highlighting the real-life, cultural experiences of LGBT Americans in a way that reflects their cultural trademark, highlights their deeply-ingrained nature, and shows their vulnerability to discrimination.

**2) Understand the Historical Context of the Civil Rights Movement.** Although the Civil Rights Movement undoubtedly included intellectuals and abstract thinkers, it was first and foremost a working class movement<sup>2</sup>. Its main impetus was to increase the educational attainment and improve the **social/economic** conditions for millions of African-Americans. The LGBT community must demonstrate how discrimination is impacting LGBT Americans in employment, healthcare, education, law enforcement abuse, and public safety.

To illustrate, the Williams Institute at UCLA determined in 2008, using data culled from the 2005 U.S. Census Data, that homosexual couples with children earn less than their heterosex-

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<sup>2</sup>Levenstein, Lisa. "Revisiting the Roots of 1960s Civil Rights Activism: Class and Gender in Up South." *Pennsylvania Magazine of History and Biography*. 130.4 (Oct 2006).

ual counterparts.<sup>3</sup> Further, UCLA also reported that on average, coupled homosexual men earn \$7,000 less annually than married heterosexual men. These statistics refute the myth that the LGBT community is disproportionately wealthy, with enough influence to affect legislation and public policy. By framing the political discussion in “real-life” terms, the LGBT community can better endear itself to the struggle and experience of African-Americans.

**3) Avoid discussions of “hierarchical oppression.”** Much of the dialogue between these two communities has dove-tailed into emotional debates as to what qualifies as oppression. Some have taken this conversational stream even further by denigrating the LGBT experience because of its **relatively latent** history with discrimination, as compared to the African-American experience. Not only does this type of response underscore a fundamental misreading of LGBT history, it also reinforces cultural bias by suggesting that one group’s oppression is more important than that of another. In diversity circles, we refer to this phenomena as “the hierarchy of oppression,” and it is dangerous because its very idea suggests that one group’s history should be minimized unless it meets some extreme threshold established by another group (in this case, African-Americans). Focusing on hierarchical oppression brands the LGBT community with an undeserved badge of inferiority and establishes a framework that is unsustainable, insensitive, and historically mis-informed.

**4) Deal with the “Ism” in your Backyard.** Both African-Americans and LGBT Americans would do well to recognize and appreciate the diversity within each community. While the LGBT community may bill itself as a cultural mosaic, there is still a feeling among rank-and-file LGBT people that racism (**among other types of discrimination like ageism, sexism, and the like**) within the community remains a big problem. LGBT organizations have failed to cultivate partnerships with LGBT people of color in order to leverage their expertise, wisdom, and political skill-sets. If LGBT people of color are not engaged in a meaningful way, any efforts to engage the larger African-American community will be ill-fated.

Conversely, the African-American community must begin addressing its own homophobia and heterosexism, and begin acknowledging the role of LGBT people in leading and organizing the Civil Rights Movement of the 1960s. Many of the discussions regarding “gayness” in the African-American community are negativist and initiated primarily because of a perceived threat to Black patriarchy and Black family survival. This limited focus does little to honor the lives of African-American LGBT people, who are present, but not recognized as being at the forefront of every aspect of African-American culture and modern American industry. Further, a failure to remediate heterosexism will undercut efforts at coalition-building, which may be needed to preserve any African-American legal, political, or social agenda.

Often times, when a relationship is faltering, the best practice for all parties involved is to let go of their imperfect understandings and to begin anew. The LGBT and African-American communities are at a crucial juncture in their affiliation. The ability to re-examine misconceptions and to re-evaluate cross-cultural practices will go a long way in determining if both groups will remain estranged or work humbly to form a more perfect union.

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<sup>3</sup> Romero, Adam, Amanda Baumle, M.V. Lee Badgett, & Gary Gates. (2007). Census Snapshot: New Hampshire. UCLA School of Law: The Williams Institute.  
<<http://repositories.cdlib.org/uclalaw/williams/census/newhampshire>>

<sup>3</sup> Id.

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