

# Gender Contestations and the Implications for Inclusive Societies

AWINO OKECH

Department of Politics and International Studies SOAS University of  
London Thornhaugh Street, Russell Square London WC1H 0XG, UK  
Email: ao21@soas.ac.uk

## Abstract

This paper examines contemporary debates on gender and the state in Africa as a contribution to debates that will inform the United Nations (UN) Summit of the Future in September 2024. Specifically, this paper focuses on two intersecting questions. The first is the rising anti-gender rhetoric and concomitant creation of a trust deficit between society and state through state informed legislation on gender. In examining the anti-gender rhetoric, the paper notes that this is a challenge that is not only contained to the African continent but reflects a growing global movement of transnational actors working collectively and separately to undermine women's rights and gender justice broadly. The second and interlinked issue is the capture of multilateral spaces specifically the UN by anti-gender actors and the implications this capture has on undermining the UN common agenda as set out in the Secretary General's report Our Common Agenda in 2021. This paper draws on an analysis of grey and academic literature to examine the manifestations of anti-gender movements across Africa and its implication for the reduction of civil liberties for women and girls. This paper offers two recommendations. The first is the importance of state accountability for the compounded violence against women and girls that anti-gender movements create. The second is the need to protect the UN from capture by conservative forces.

**Keywords:** gender ideology, anti-gender, gender justice, multilateralism, feminist movements

## **Introduction**

The UN Secretary General Our Common Agenda report (2021) sets out an agenda of action, designed to strengthen and accelerate multilateral agreements – particularly the 2030 Agenda – and make a tangible difference in people’s lives. The report refers to the importance of renewing the social contract between governments and their people and within societies (United Nations, 2021). The emphasis on rebuilding trust and embracing a comprehensive vision of human rights is seen as critical to ensuring the active and equal participation of women and girls, without whom no meaningful social contract is possible. Further, Our Common Agenda refers to putting women and girls at the centre, laying emphasis on the role of discriminatory laws in curtailing a gender just world (United Nations, 2021). Yet, in the last five years there have been concerted efforts to reverse gender justice including at the UN through growth of contemporary movements that view themselves as being against “gender ideology” (Corredor, 2019; Kovats, 2018).

From Chile, Argentina, Colombia, France and Germany Christian evangelical churches and far right political parties such as Alternative for Germany and Union for Popular Movement have mobilised policies concerning sex education, anti-bullying in schools, and LGBTQ1rights (Corredor, 2019: 613). At the UN organisations such as Family Watch International and UN Family Rights Caucus have organised at the UN specifically in relation to the sustainable development goals to challenge what they view as a “radical sexual rights agenda” (See McEwen and Narayanaswamy, 2023). Additionally, the Vatican which holds observer status as the UN and is influential in its mobilising power at critical events such as the Commission of the Status on Women is noted by Corredor (2019: 615) as one of the first places where gender ideology was used to refer to “misleading concepts concerning sexuality and the dignity and mission of the woman” are driven by “specific ideologies on ‘gender.’” (See also Moosa, 2013).

In this paper, I examine the logics that inform these movements, and the tactics and strategies adopted in a series of connected and disconnected movements that are transnational in nature. The concerted function of these movements is to reverse freedoms and rights championed over decades by women’s rights activists including as part of the Millennium Development Goals and its successor the Sustainable Development Goals. More importantly, the extensive mobilisation by “gender ideology” actors that extends to the majority world particularly in Africa as well as in multilateral

spaces, poses a threat to the commitment to enabling the equal participation of women and girls as envisioned by Our Common Agenda. In this paper, I read these movements as part of the factors that shape the closure of civic space and the reduction of civil liberties for many women and girls across the globe generally and the African continent specifically.

Civic space is defined as “the set of conditions that allow civil society to organise, participate and communicate freely and without discrimination, and in doing so, influence the political and social structures around them” (CIVICUS, 2019). For civic space to exist, civic engagement which is viewed as a commitment to political and social issues expressed in various ways beyond parliamentary politics must be enabled (Uldam and Vestergaard, 2015: 3). Therefore, the state has a “duty to protect its citizens and respect and facilitate their fundamental rights to associate, assemble peacefully and freely express views and opinions” (CIVICUS Monitor, 2021).

Analysts argue that in thinking about shrinking civic space, it is less the size or freedom than the shape or nature of participation in civic space which has changed in recent years (See Ayvazyan, 2019; Hossein *et al.*, 2018). The space for formal organising has been restricted, targeting civil society organisations (CSOs), human rights defenders, social movements and struggles of marginalised and disempowered groups such as women, racialised or ethnic minorities and indigenous populations, NGOs and the independent media. The CIVICUS 2024 state of civil society report notes that approximately 118 countries such as Bangladesh, Venezuela, Kyrgyzstan, Senegal and Sri Lanka “have serious civic space restrictions and only 2.1 per cent of people live in countries with open civic space” (2024:8).

The means by which state and non-state actors close civic space vary depending on the region and country and range from legal to extra-legal. The 2019 CIVICUS Monitor report also identifies three major indicators of an open civil society. These indicators are the right to associate, the right to assemble peacefully and the right to freedom of expression and have been used to signify an overall shrinking civil society in Africa (CIVICUS Monitor, 2019).

Put together the indicators of closing space above and actions taken by governments have resulted in governments creating legal and administrative barriers that make the operational environment for civil society difficult. The second trend relates to the criminalisation, stigmatisation and delegitimization of human rights defenders. Lesbian Gay

Bisexual Trans\* (LGBT) groups are delegitimised through accusations that their actions undermine the family, morality and traditional values. In the section that follows, I trace the evolution of gender ideology movements globally and the tactics they deploy through an engagement with feminist scholarship on the gendered nature of state making. I subsequently explore their manifestation in Africa through a case study.

### **Gender Ideology Movements Globally**

Across Europe and America, there has been a growth of “conservative and, in part, fundamentalist social movements against the perceived threat of what they call, depending on the context, ‘gender ideology, ‘gender theory,’ or ‘genderism’” (Kovats, 2018). The proponents of gender ideology movements' central focus ranges from contempt of liberal feminist attempts at gender mainstreaming and gender equality platforms such as the 1995 Beijing platform for action to feminist and queer intellectual contributions to the development of gender studies (Kourou, 2020). Gender ideology movements conceive of gender as a single ideology by rejecting the truth of sexual differences and mobilising conservative and fundamentalist sectors of society (Kourou, 2020).

Chapman (2019) who examines the rise of anti-gender movements in Europe and America views them as a resurgence of nationalism. It is well established in literature the fundamental role that gender as a social construct plays in nationalist and populist states that mobilise various versions of ethno-nationalism. I rehearse some of this scholarship below to illustrate how gender as a social construct and power relation and women as the embodiment of how unequal power relations function come into sharp focus during moral panics.

Nationalism can be understood as a process of formation, or growth, of nations; a sentiment or consciousness of belonging to the nations with the core concern being to promote and consolidate its wellbeing. Walby (1990) asserts that nations and national projects are gendered projects, Gender and its intersection with race, sexuality and religion acts as a marker by which nations represent themselves, assign value, and provide symbols around which to rally’ (Thompson, 2019: 3). Consequently, women and men’s bodies become containers for societal ideas that define acceptable cultural interpretations of masculinities and femininities which become potent metaphors for expressing nation’ (Banarjee, 2006).

Yuval Davis and Anthias (1989, 7) foundational work *Woman- Nation State* offer five ways through which women and nationalism become entangled. I consider four below. One as biological reproducers of members of ethnic collectivities in that their reproductive capacities are used to either control the population by limiting the reproductive capacity and activity of women to reduce people born from specific ethnic groups or encourage population growth of the 'right kind'. The focus on reproduction and social reproduction has become an important focus of the movements concerned with gender ideology. Often these concerns are animated by the risks to declining populations due to liberal feminism and reproductive choice on the one hand and non-normative sexualities on the other hand. There is a long tradition of feminist scholarship that shows how the surveillance of women's bodies and sexualities considered as deviant become of national interest through a focus on reproducing the nation and women as the 'bearers of masculine honour' (See Mupotsa, 2008; Matebeni *et al.*, 2015; Nyeck, 2020; Okech, 2019). Women's bodies and their sexuality are often 'symbols of homeland tradition and cultural markers' distinguishing them from the indigenous populations and are also sites of 'ideological and material struggles (Tinarwo and Pasura, 2014). Gender ideology movements are therefore concerned with the "decreasing population numbers, the degeneration of tradition and family values, and the moral panic over the future of children" (Kourou, 2020).

Two, women are said to participate as reproducers of the boundaries of ethnic/national groups, in this the ways in which they should have children is controlled. Anti-gender ideology movements are often entangled with far-right movements that are invested in politics of race that reifies whiteness as superior. I use far right to refer to political parties and movements often hostile to liberal democracy but accept popular sovereignty and the minimal procedural rules of parliamentary democracy. Support base is derived from challenging pluralism and targeting minority rights but publicly condemning the use of violence as an instrument of politics (See Ravndal and Enstad, 2023). Consequently, the focus on reproduction by gender ideology groups slowly begins to be aligned ethno-nationalist ideas of state and society.

Three, women participate in the ideological reproduction of the collectivity and as transmitters of its culture, by this they are seen as the 'cultural carriers' of the ethnic group. As a movement(s), gender ideology organizations develop their discourse and ideological position against:

“women’s rights; lesbian, gay, bisexual, transgender, and queer (LGBTQ) issues, administrative policy instruments such as gender mainstreaming as well as the public financing of gender studies departments. The advocates of these platforms tend to regard all political and non-governmental actors, administrative staff, and scientific researchers who focus on these issues as a single homogeneous group and an organized lobby” (Kourou, 2020).

Debates on race and gender by gender ideology movements often mobilize notions of culture and cultural distinctions as important to defining why non-normative women and sexualities as well as knowledge production as a threat to the ethno-nationalist state.

Four, as signifiers of ethnic and national differences thus constituting as symbolic figuration. In this area, the connections between anti-migrant, anti-Black and anti-gender movements become implicit with women and their bodies as battle grounds to mediate these manufactured crises to the nation-state.

Implicit in these configurations is the co-constitutive role that masculinities play (Yuval-Davis and Anthias, 1989: 7-8). Evident in Davis and Anthias explorations of gender and nationalism is Nagel’s (2010, 252) explicit consideration of how masculinity must be read alongside women’s co-option into the state. Nagel (2010: 252) asserts that women occupy a position that ‘reflects a masculinist definition of femininity and of women’s proper place in the nation’. Embedded within a discourse on masculinity and nationalism is the place of women’s sexuality. The bulk of far-right mobilization is ‘anchored in an opposition to pro gender norms as they are enshrined in several UN and African Union declarations and policy commitments through support for what are construed as traditional gender roles. The invocation of a vision of gender relations where women do not exercise levels of freedom and agency that remain contested in the world today, is argued to emanate from staking a claim to a version of masculinity in a rapidly changing, globalized world in which they are unsure of their place as men (Chapman, 2019).

Gender discourse becomes a scapegoat to understand and resolve the failures of the neoliberal agenda that are at the root of inequalities across the globe. Neoliberalism in pushing for withdrawal of the state from market

regulation and the establishment of market incentives to organize economic, social and political activity reduces the responsibility of governments (See Chang, 2003). Feminist economists' interventions draw attention to how the high costs of privatised public goods creates a racialised, gendered and class-based pattern of exclusion that reproduces gendered patterns of informal and invisible labour and social relations (See Mezzadri, 2020). The shift in socio-economic and political gender dynamics has altered traditional gender roles. Reproduction is seen as critical to national survival and women's rights, choices, and aspirations are seen as a threat to that (Banarjee, 2006). Proponents of gender ideology use gender as a vehicle for reclaiming power in a world that they believe is profoundly disempowering (Butler, 2019). By mobilizing around a perceived threat of gender, gender, in turn, meets a specific public concern deeply embedded within patriarchal constructions of family, the nation, and religion (Kourou, 2020; Butler, 2019).

Consequently, far right and gender ideology movements connect around global developments, such as new reproductive technologies, debates on same-sex marriage, the growth and expansion of gender studies programs (Kourou, 2020). The emergence of these movements across the globe in countries with different political landscapes but similar characteristics such as the rise of populist alt-right movements, the growing adoption of gender equality and LGBTQ legislation, and similar mobilizing language about the return to family values and religion indicate the transnational nature of gender ideology movements (Kourou, 2020; Kovats, 2018).

It is important to note that these movements are not anti-gender ideology because they intend to reclaim traditional religiously grounded constructions of gender power and relationships. They are dedicated to upholding gendered power relations that are embedded within state institutions and social practices. Gender ideology movements reject what they believe to be a move away from natural binary identities. To do so, they drew on feminist scholarship and activism as illustrative of an emerging more progressive gender ideology that must be thwarted for the preservation of society. Gender ideology movements appropriate progressive terms such as gender or feminisms as a means of attacking and delegitimizing progressive organizing, creating a moral panic in society (Kuhar & Paternotte, 2017). Beyond what may be viewed as the material impact of these movements is the intellectual attack on gender and feminist studies that have offered the basis for the gender discourse now accepted as normative,

which separates biological sex and gender as socially constructed by a set of patriarchal power relations (See Kovats, 2018; Butler, 2019; Lazar, 2005).

Though the gender ideology pervasive today is found and experienced differently across society, it is contestable (Lazar, 2005). However, there are three strategies that are used by these movements. The first is linked to discourse particularly around the role of family values and heterosexual marriage. The second key area of gender ideology movement strategy is dissemination. By dissemination of narratives that attack the notion of gender that portray queer people and feminists as dangers to society and the family (Kuhar & Paternotte, 2017). Third, is influencing legislation to codify these narratives. In the section that follows, I examine the Uganda homosexual act as a case study of the far-reaching impacts of gender ideology movements transnationally and the expansive ways a seeming attack on non-normative groups in society is the gateway to curtail broader freedoms for women and girls. Repealing discriminatory laws and addressing the political and social conditions that enforce harm and violence directed at specific groups is at the center of inclusive development practice and core to the 2021 Our Common Agenda report of the UN secretary general.

### **Uganda and the Anti-Homosexuality Act**

On 26<sup>th</sup> May 2023, Ugandan President Yoweri Museveni passed the anti-homosexuality bill that turns into law a wide-ranging act that among other things includes a ten-year jail term for “attempted homosexuality”, death sentence for “aggravated homosexuality”. The new anti-homosexuality act is an adjusted reprisal of the 2009 Bahati Bill, that was thwarted by a technicality - the lack of a quorum parliament (See Tamale, 2009).

The Ugandan law is reflective of a spate of laws across Africa that are argued to protect the heterosexual African family, “African values”, “traditional values” and a rejection of “Western norms”. Similar laws have been seen in Ghana and Kenya. In July 2021, eight members of the Ghanaian parliament proposed the *Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill 2021* (Joy News, 2021). On 7<sup>th</sup> April 2023, a Kenyan member of parliament declared that he had introduced a Family Protection Bill in parliament which among other things prohibits sexual health services and sexual health rights education (Gachie, 2023). By corraling moveable notions of “African culture”, “Christianity” and “family values”, these bills



crackdown on basic sexual and reproductive health services and education for women and girls including lifesaving HIV/AIDS services. While claiming to target gender and sexually diverse people, they in effect mobilize very specific notions of heterosexuality that are designed to reconstitute a conservative interpretation of gender relations and roles. I argue that these laws are not about protecting the “family” or “African values” but are an implementation of a desire to re-assert patriarchal norms in fast-changing societies where significant shifts in thinking about gender have altered the organisation of the domestic and public sphere.

An examination of the process that led to the Ugandan law reveals the transnational funding and mobilisation that can be understood alongside the evolution of adjacent discourses in Europe in particular. On funding, Provost and Sekyiamah (2022) investigative review points to donor funded churches and associated groups that propelled anti-LGBTQI legislation in Ghana whilst the same development funders concomitantly pledge support for LGBTQI rights through other funding streams and public rhetoric. This contradictory funding pattern is also observed in Uganda with funding for the Inter Religious council of Uganda. While it can be argued that funding for these church groups was for support towards activities such as anti-corruption initiatives, the fact that these resources supported institutions that work against core principles that these donors stand for, points to the larger question of the politics of donor funding and its role in real transformative social change.

Staying with funding, is the role that US evangelical churches have played in both supporting anti-LGBTQI rhetoric through “training” and financial resources. This strategy was evident in American evangelist Scott Lively’s role in the 2009 Bahati Bill and more recently the role of groups such as Family Watch International in the anti-homosexuality law Museveni assented to (Centre for Constitutional Rights, 2012; Wephekulu, 2023). The convergence between Christian fundamentalist groups, conservative secular actors and political organising should be a critical concern for multilateral agencies such as the UN who are interested in ensuring that the social contract between state and society sustains rather than erodes the rights of women and girls. The capture of formal political spaces such as parliaments, political parties, and legislation as the sites for gender ideology organising poses a major risk for the pact contained in the UN Our Common Agenda (2021). Additionally, as observed by Sonia Correa, the transcontinental nature of what she terms as a hydra with these groups acting and mobilising

across Africa, Latin America, Europe and North America (Correa, 2017' Carbajal, 2022). Anti-gender, gender ideology and anti-LGBTQI groups' ability to mobilise vast transnational financial resources, illustrates a growing coalition of actors which include far right parties and faith-based groups.

### **Conclusions**

In closing, there are two major recommendations I offer in a paper that sought to illustrate the major contemporary threat to the gender and women's rights landscape. The first recommendation concerns our collective understanding of how anti-gender movements are radically shaping the reduction of civil liberties for women and girls. While the UN common agenda centres the importance of reversing discriminatory laws, transnational anti-gender movements under the guise of protecting society from non-normative sexualities effectively reverse significant progress for women and girls. Additionally, these movements' mobilisation around legislative agendas creates conditions for heightened surveillance of civil society organisations through laws regulating donor funding, delegitimization tactics used by governments against critical civil society organisations and the gendered targeting of feminist organisers pursuing the redistribution of gendered power (See Okech, 2021). It is impossible to disconnect the rising cases of femicide that have generated country wide movements in places such as Kenya and South Africa, from the accompanying discourses around traditional masculinities that accompanies anti-gender movements (See Okech, 2021). Greater investment in building inclusive communities is required to renew the social contract with citizens, called for by the UN Secretary General. At the heart of this renewed social contract is enhanced accountability and commitment to understanding and guarding against the movements that exacerbate inequalities on the one hand and the limiting retrogressive laws that opportunistically deploy "culture" as a justification.

The second recommendation focuses on the capture of UN spaces such as the Commission on the Status of Women, by conservative forces (See McEwen and Narayanaswamy, 2023). There is an inherent contradiction in this capture and the risks it poses for the very institution that has developed significant women's rights instruments such as Convention on the Elimination of all forms of Discrimination against Women (1979), Beijing Platform for Action (1995) and UN Security Council Resolution 1325 (2000)

to name a few. The Secretary General's Our Common Agenda names upgrading the UN as an important pillar and within it a systems wide policy that puts people at the centre. The Summit of the Future provides a good opportunity to recommit to these fundamental values on gender equality and people centered development including limiting the use of the UN spaces to advance conservative gender positions that reduces rather than promotes gender parity.

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