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Summary

On 28 December 2007 the then Mayor of Bogotá signed a Decree which established the guidelines of the public policy for the full guarantee of the rights of lesbian, gay, bisexual and transgender (LGBT) people in the city. This legal measure was the end point of a long lobbying and advocacy strategy implemented by activists and organisations working on gender and sexual diversity. This Working Paper presents that experience as part of the process in which subordinated social sectors, such as gender diverse and sexually diverse people make themselves political subjects. In spite of the novelty in Colombia and in Latin America of this kind of public policy targeting LGBT people as subjects of rights, it is also an opportunity for normative systems to readjust and to create new ways to normalise people. The promotion of certain queer people as proper citizens, the regulation of ways to interact with the state, the co-option of social mobilisations and the transformation of grassroots organisations into private service providers, are just some of the risks that a scheme like this faces. The author was part of the social mobilisation that motivated this particular public policy scheme in the early 2000s and was involved in its design, planning and initial implementation between 2007 and 2010. This paper is situated in a problematic position between political activism, consultancy work and construction of knowledge based on the practice. It is a contribution to the memory of a rich, and in many ways unique, experience.

Keywords: heteronormativity; Colombia; public policies; sexual rights; homosexuality; transgender.

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Preface to Sexuality and Development Working Paper Series

Sexuality has been sidelined by development. Associated with risk and danger, but hardly ever with pleasure or love, sex has been treated by development agencies as something to be controlled and contained. The AIDS epidemic has broken old taboos and silences, and has begun to open up space for the recognition of how central sexual rights are to everyone's wellbeing. But more is needed to take us beyond the confines of narrow problem-focused thinking about sexuality towards approaches in which pleasure and desire play as large a part as danger and death do today.

Sexuality is a vital aspect of development. It affects people's livelihoods and security, their wellbeing, and sometimes their very survival. Sexual rights are a precondition for reproductive rights and for gender equality. Lack of sexual rights affects heterosexual majorities as well as sexual minorities – lesbians and gay men, bisexuals, transgendered and intersex people – who are so often denied basic human rights and subjected to violence and exclusion. In some countries, women are denied a choice of partner, subjected to coercive marital sex and restricted in their mobility. Pervasive homophobia places those married men who desire other men, their male partners and their wives at greater risk of HIV and AIDS. Adolescents schooled into abstinence learn little about their bodies or their desires, and may be more vulnerable to unwanted pregnancy and sexually transmitted infections as a result. And sex workers are routinely denied basic legal and employment – as well as broader human – rights. Rare is the environment which allows people to live out a fulfilling and pleasurable sexuality of their choice, and that empowers people with a sense of their right to say 'yes' as well as 'no' and enjoy safe, loving relationships free from coercion and violence.

Issues of sex and sexuality are all too often associated with silence, shame and stigma. Solutions that are framed by a discourse that problematises sex offer limited scope for transforming the way in which development actors work on these issues. It is all too easy to focus on the negatives that we highlight above and to conspire with a silence within them about unruly desires, about pleasuring the senses, and about love. The turn to rights in international development discourse may offer new openings for the articulation of sexuality and development, and new opportunities for realising sexual rights. This series of working papers and practice papers enters the debate about sexual rights from the perspective of development. Together, the papers seek to challenge orthodoxies and bring fresh thinking to the challenges of making sexual rights real. With thanks to DFID for funding this paper.

Susie Jolly and Kate Hawkins
Sexuality and Development Programme, IDS

Introduction

On 28 December 2007 the then Mayor of Bogotá, Luis Eduardo Garzón, signed Decree 608 which established the guidelines of the public policy for the full guarantee of the rights of lesbian, gay, bisexual and transgender (LGBT) people in the city. On 1 April 2009 the City Council was made responsible for the development of that measure, giving it more sustainability and status in the legal hierarchy (*Acuerdo no. 371 de 2009*). This legal measure was the ending point of a long lobby and advocacy strategy implemented by activists and organisations working on gender and sexual diversity. It was also the starting point of another moment in the city and in the country for the realisation of sexual rights.

In this working paper I will present that experience as part of the process in which subordinated social sectors, such as gender diverse and sexually diverse people make themselves political subjects. In the interactions between languages of rights and citizenship (Molyneaux and Craske 2002: 1) gender and sexual minorities in Colombia have claimed the creation and implementation of public policy schemes as a strategy to promote social, cultural and political change. It has also been the way to develop legal advances formulated at the level of superior courts that are not yet implemented into everyday experiences of LGBT people and communities. It is not coincidental that the case is situated in a specific city: in Colombia, as in other countries, local spaces can promote changes that are not easy to develop at the national level.[1] The particular policy I will explore here is also part of a broader context of consolidation of democracy, developing of spaces for participation and deepening of citizenship. It is also a chance to read how Colombian state and local institutions deal with differences. Because of that, this policy is a 'hybrid space' (Cornwall and Coelho 2007: 1), since it is situated in the middle of changes, negotiations and interchanges of relations between state and society. Hybrid spaces are provided by public institutions and supported in legal frames while simultaneously being a conquest of organised civil society actors (*ibid.*).

In spite of the novelty in Colombia of this kind of public policy targeting LGBT people as subjects of rights, they are also an opportunity for normative systems to readjust and to create new ways to normalise people. The promotion of certain queer people as proper citizens, the regulation of ways to interact with

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1   For examples of advances at local and state level in relation to LGBT topics in the USA, see: Padilla (2004). For the UK, see: Monro (2005). In the case of the USA, Vaid (2004: xxiii) considers that conservatives are dominant at the national level and have stymied effort to make gains in the Congress. Meanwhile, the high degree of authority at state level has created opportunities for sub-national actions in social policies (*ibid.*). In the case of the UK, sexual orientation equality work has been done in progressive local authorities but faced various conservative backslashes in the form of right-wing national policies (Monro 2005: 75). In Colombia the Constitutional Court has developed several protective measures for gender and sexual minorities but the Senate has not made any advance in the field, defeating progressive measures on several occasions. Advances at city level such as in the case of Bogotá, Medellín or Cali, have been achieved by left-wing or centre-oriented governments.

the state, the co-option of social mobilisations and the transformation of grassroots organisations into private service providers, are just some of the risks that a scheme like this is facing.

To develop this argument this working paper is divided in four parts:

- In the first part I will briefly discuss the relationship between public policies and heteronormativity

- In the second part I will provide a description of the Latin American and Colombian context in relation to gender and sexual minority rights

- In the third part I will describe how the public policy scheme I analysed was created and structured, basically to show how topics of rights, gender identity and sexual orientation become a topic for public policies

- In the fourth part, I will present several paradoxes of this public policy scheme, since it challenges previous actions toward gender and sexual minorities but risks creating a new normative order

- In the conclusions I will recall the main arguments of the paper and I will present some reflections for practices.

I write this paper after being at the same time an insider and an outsider of the experience. I was part of the social mobilisation that motivated this particular public policy scheme in the early 2000s and then I was involved in its design, planning and initial implementation between 2007 and 2010. These conditions of outsiderness and insiderness are not fixed or static positions but fluid, permeable and ever-shifting social locations in which I have positioned myself in different moments. The description I will make is situated in a problematic position between political activism, consultancy work and construction of knowledge based on the practice. I will base this paper on my notes and the documents I produced through those four years. This paper is not an assessment of the policy scheme concerned, nor does it reflect the perspective of the institutions I have worked for. It is more a contribution to the memory of the process and a way to promote reflection in such a rich, and in many ways unique, experience.

1 Public policies and the production and reproduction of hetero-normativity

In Spanish the term *política* includes three concepts that in English are complementary but separated: politics, polity and policy. *Políticas públicas* are usually associated with the policies generated from, by or with the State or government to interact with citizens (Muller 2010: 39). They imply the role of public institutions (polity) to mobilise the field of power relations (politics). Public policy analysis was originated in the United States and in Anglophone

contexts with quite particular characteristics not extensively lived in Latin America: relatively stable democratic contexts; several organisations independent from government; institutions with capacities to interact with citizens; entities defending and promoting governance and accountability (*ibid.* 41). In spite of the problems to define what a 'welfare state' is and how it affects public and social policies in Europe, most Latin-American countries are far from having experienced it.

More than linguistic matters, behind the terms are basic differences in the way citizenship, democracies and state-civil society relations are developed which make difficult to identify what is precisely a public policy. Public policies are ways in which societies construct certain issues as objects of attention to be positioned in public agendas. Through this attention, State and institutions regulate different aspects of society, such as social struggles, social needs or differences. In the case of Colombia, and maybe other Latin American countries, the lack of actions by the State to challenge homophobia or transphobia can be seen as an implicit public policy based on the idea of not acting because the issue is not really important. The formulation of explicit schemes of public policy can have several contradictory meanings, as has been studied in the case of urban policies: in order to ameliorate certain problems, social divisions can be stressed. In this way, public policies are not just a fact but an object constructed by the analysis (Muller 2010: 69).

In Colombia, legal frames, especially when they are formulated at the level of superior courts, are not always developed into action plans, budgets, programmes and specific measures to apply them to citizens' everyday practices. Several legal advances, based on important political debates, do not have the adequate policy and polity conditions to be applied, becoming just important written words. As Spiller, Stein and Tommasi (2008) study, the problem of public policies in Latin America lies less inside the policies themselves than in the policymaking process behind them. It is in poor quality of implementation and enforcement where most policies in Latin America fail (*ibid.*: 12). As an example, in a long term analysis of human rights public policies in Colombia Roth (2006) finds that the paradigm of rights underlying the 1991 Constitution lack the commitment of important political sectors to define and implement adequate public policies. Part of the problem was not only at the conceptual level with the reduction of the human rights field to the armed conflict and the consideration of broader approaches to human rights as subversive (*ibid.* 116); the problem of those policies has also been the slow development of general laws and a lack of institutional and financial resources (*ibid.* 156–7).

In a context of fragmentation, short-term horizons in political transactions and lack of effectiveness in public policies led by state agents to promote change (Cárdenas, Junguito and Pachón 2008), LGBT organisations, activists and persons in Colombia have developed a wide variety of strategies to achieve social transformations. These strategies include parades, marches, sit-ins, kiss-ins, drag performances, beauty contests, among others. Looking for change through interacting with state agents or using litigation was a strategy considered suspicious by some of the pioneers of the Colombian homosexual

movement (Zuleta 1996). For them, the very nature of the State was the cause of heterosexism and legal changes did not lead directly to the cultural changes required to transform discrimination. However, litigation seems to be one of the main strategies for LGBT organisations in Bogota and nationally all through the 2000s.

Here it is important to make a difference between approaches to policies and law making by lawyers, political sciences analysts or public sector managers and those of social actors, activists or civil society organisations.[2] Taking an 'actor oriented approach' (Nyamu-Musembi 2005), Rights are defined by struggles born of experiences of deprivation and oppression. In this way, it is not just the legal or political content itself that matters but the history and representations of resistance, struggle and gain that social actors attach to them. In this case study, campaigning for the creation of public policies has been a strategy advanced by LGBT organisations and activists in Bogotá in order to promote social change and to deploy legal developments into everyday practices. It is also a particular way in which social movements interact with public institutions in order to promote change. This in the middle of the tensions and challenges generated by a context where participatory democracy is still in development and where there is a long history of prosecution of civil society initiatives. The existence of legal frames, even if they are not implemented, can be a chance for social movements to renegotiate their relationship with the State, as I will present in this working paper. Even with all the controlling and normalising risks that public policies can have, their existence is an opportunity to demand that the State and its institutions assume their responsibility to respond to unattended situations, obey their duties or act about their omissions.

What is not always clear in the political field of struggles for social change and equity is that public and social policies can also be forms in which heteronormative regimes and heterosexism are produced and reproduced in societies (Chambers 2007). Heteronormativity is the institutionalisation of a normative system that privileges heterosexuality as a social order. Because it is not just the exclusion of gender or sexual diverse people, it also affects heterosexual people. In its intersections with gender dichotomy (Jackson 2005) heteronormativity privileges a kind of coupling (monogamous heterosexual) and gives it a full regime of rights, and regulates life cycles and sexualities. Because it privileges heterosexuality, heteronormativity governs gender relations between men and women and orders divisions of labour and resources (*ibid.*). If citizenship is based on the gender order of masculine privilege, as feminist literature has argued extensively, citizenship is also heteronormative. That is why an important part of the struggles promoted by gender and sexual minorities are directed towards granting the basic standards of citizenship. However, the granting of rights to same-sex couples does not imply a direct challenge to heteronormativity because it still creates divisions

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2   This division is not permanent because in several cases lawyers are also activists involved in social movements. For an example of the connection between activism and law development see: Azuero and Albarracín (2009).

and hierarchies based on a certain normative system (i.e. marriage). Further, as Sharma (2007: 109) mentions, the language of rights associated with non-heterosexual sexuality struggles tends to be limited to the respect of individual options or to denouncing violations, blurring the comprehension of compulsory heterosexuality and wider normative orders. The language of rights does not directly break down heteronormativity (*ibid.*).

According to this approach, heteronormativity is intrinsic in politics, policies and polities. For example, the way in which social services are delivered in areas such as health or housing, implies a heteronormative model of gender and sexuality. Education implicitly has not only a reproductive approach to sexuality but also a heterosexual and gender dichotomist model. Despite important advances in order to challenge the 'gender blindness' in social policies, the construction of 'women' and 'men' in social policies tends to see them as separate and discrete categories, overlooking gender diversity (Monro 2005). Further, when sexual orientation is included in public policies there is a tendency to focus on gay men and lesbian women, blurring the specificity of bisexual people or including gender diverse people in actions focused on addressing sexual orientation needs (*ibid.*). These conflicts have been presented all through the design of the case study I will present here and are a topic of constant debate on LGBT movements in the city.

What I will present now are several examples of the paradoxes presented in the design and first implementation of the public policy scheme for LGBT people in Bogotá, as a way to reflect based on practice on the possibilities and limits that public policies have in the promotion of change.

2 Context and overview of LGBT rights in the region and in the country

To understand the current gains in terms of rights associated with sexual and gender diversity in Latin America is to understand a history of social struggles. All through the 1980s, after the ending of authoritarian governments, the Latin American region lived different processes of democratisation led by civil society actors and social movements (Dagnino 2005). A wide variety of social agents such as indigenous communities, people of African descent, women, workers, peasants and youth, broadened political spaces using citizenship as an articulating point for collective actions. Women´s movements played an important role in the developing of the 'right to have rights' as part of the deepening of democracy and the claims for social justice (Molyneux and Craske 2002) and applied that idea to a wide variety of topics including political participation, work or sexual and reproductive rights. They and Latin American feminists have criticised the liberal, individualist and utilitarian notion of citizenship and have developed a more participatory, active and socially responsible approach to it (Molyneux 2003).

This particular language of rights, citizenship and democracy was incorporated also in the social mobilisations for gender and sexual diversity which started in the region in the 1970s (Brown 2002). Mottos such as 'Freedom to express one's sexuality is a human right' used in Argentina (Brown 2002) or '*Los derechos humanos también son sexuales, los derechos sexuales también son humanos* [human rights are sexual rights, sexual rights are human rights]' in Colombia (Velandia 1998), entered in the political agendas of lesbian, gay, bisexual and transgender movements. In the 1980s in several Latin American countries the social reaction to the HIV-AIDS phenomenon nurtured the organisation and development of new homosexual identities and communities (Parker 2000). In this context, the work of activists, academics and educators created several connections between the AIDS issue and international discussions around sexual rights and human rights (Londoño 1996; Velandia 1998). Even more, it was the occasion for these mobilisations to enter into dialogues with state agents and public institutions in order to demand actions and policies to attack the pandemic. This work and the participation of lesbians in women´s and feminist movements can be seen as part of the foundations of further social and political actions in topics of gender and sexual diversity.

Currently, Latin America experiences a broad spectrum of legal regimes in relation to gender and sexual diversity which can be classified considering their degree of protection (Rios 2006). Most of the countries experience a minimum degree of protection, since homosexuality is no longer prosecuted, with the exception of Belize and Surinam. Several countries have an intermediate degree of protection with the inclusion of antidiscrimination measures in different legal bodies. In some cases, a greater degree of protection is established with positive measures. For example, Mexico, Venezuela, Colombia, Ecuador and Bolivia have protective measures for sexual orientation. Uruguay and Colombia have recently approved the recognition of rights for same sex couples. In 2010, Mexico City and Argentina sanctioned same sex marriage.

Legal and political advances and social mobilisations for gender and sexual diversity in Latin America have also gained regional and international influence. In 2003 Brazil promoted in the United Nations Human Rights Commission a resolution for the inclusion of sexual orientation as part of international human rights agendas. In June 2008 the 38th Regular Session of the Organization of American States adopted a resolution that recognised the violation of rights based on sexual orientation and gender identity and asked member countries to develop actions to prevent and address the situation. The topic has been mentioned again in the 39th and 40th Sessions.

The existence of these legal frameworks has promoted in some countries the development of public policies, programmes and social services targeting lesbian, gay, bisexual and transgender people. One example of national public policies is the programme 'Brazil without Homophobia' implemented since 2004. This national public policy proposes several antidiscrimination initiatives and the promotion of rights related with non violence, education, health, work and culture for gay, lesbian, bisexual and transgender people. At the local level there is also a diverse landscape of initiatives promoted by local governments

which have included educational campaigns, delivery of social services and community centres for lesbian, gay or transgender people.

As I said before, one aspect seems to be constant in the above mentioned legal and policy advances: they are the result of the lobbying, demands and organisation of diverse groups at the regional, national or local level because of the invisibility and lack of attention by state actors to discrimination and hate crimes based on gender or sexual orientation. It is the accumulated experience and expertise developed by LGBT organisations that underlies and nurtures those initiatives and the realisation of rights. For example, in the case of the National Campaign Against Discrimination in México, it resulted from the previous work of LGBT activists in HIV-AIDS who positioned homophobia as the main cause of infections and demanded of state authorities the implementation of actions to reduce discrimination based on sexual orientation (Lyra 2008). Similarly, the experience acquired by lesbian and bisexual women in feminism, the women´s movement and in gender equity policies seems to frame theoretically and empirically several initiatives around LGBT rights, such as in the case of Bogotá. The experience of coordinated action against abuse by police and the lack of attention of social services providers to the needs of sexual workers appear also as part of the background for the initiatives developed by transgender women or *travesties*, as can be seen in Argentina (Berkins and Fernández 2005).

The above description of legal and policy advances should not lead to a conclusion that the rights of transgender, intersex, lesbian, bisexual or gay people are fully guaranteed or protected by states in the region. Besides, the advances in relation to sexual orientation and same sex couples' rights are not matched by gender diversity rights, which are still underdeveloped. National lawmakers are still reluctant to include medical procedures related with gender identity in the public health systems. In some Brazilian cities such as Sao Paulo local governments provide medical treatment to transgender persons in public hospitals as part of their delivery of health services, while specific services for *travesties* and transgender women sexual workers are just starting to be implemented in Buenos Aires or Rosario in Argentina. However, these cases are the exception.

2.1 Colombian general context

Legislation and public policies related to gender and sexual diversity in Colombia need to be understood in the contradictory social and political situations lived in that country. Colombia is considered one of the oldest democracies of Latin America, since the country did not face the kind of authoritarian governments experienced in the south of the region. However, Colombia has the second highest level of wealth concentration in Latin America, causing important effects in poverty, vulnerability and social exclusion (Delgado 2003). Colombia has suffered the most protracted conflict in the area, with important effects in all aspects of society. In the struggles of left-wing guerrilla groups with State forces and right-wing paramilitaries, the country faces one of the gravest humanitarian crises in the world. Some sources

consider that between 1985 and 2008 around 4.630.000 Colombians were forcibly internally displaced, with almost 3 million just in the period 1997–March 2009 (Codhes 2009). The fact that just 20 per cent of violent deaths can be associated with the socio-political conflict has made evident the presence of other types of violence in everyday life, such as urban violence, delinquency, gender based violence and the use of armed means to solve interpersonal conflicts (Camacho 2001).

The reactions to the socio-political conflict have affected political cultures, democracy and the trends of social mobilisation for social justice and rights. In 1958, in an arrangement that endured until 1974, the two traditional political parties, *Liberal* and *Conservador*, agreed to share political power and alternate in the Presidency, leading to the exclusion of other political options. As result of this, alternative social movements faced repression and annihilation, which became a long-term pattern in Colombian political culture (Moncayo 2001). However, at the end of the 1980s and beginning of the 1990s, the development of civil society mobilisations made them a more recognised actor in the political sphere. After the demobilisation of some guerrilla groups in the late 1980s, the following decade began with a popular campaign for a new national constitution led by a student´s initiative. The 1991 Constitution was organised around the negotiation of a new social pact based on the State as a guarantor of rights, the opening of political spaces for new social expressions of citizenship, the lowering of barriers for political participation, regional autonomy and administrative independence (Cárdenas, Junguito and Pachón 2008: 240). Also ideas of multiculturalism and diversity were incorporated in the new definition of nationality. Among several legal changes, the 1991 Constitution developed a protective measure called *Tutela* that started to be used by individuals to claim a whole variety of rights related to the free development of personality, non discrimination and equity. Academics and activists have opined that it was because of this new Constitution that matters of gender and sexual diversity experienced the kind of progressive trends seen in contemporary Colombia (Lemaitre 2009; Bonilla 2006).

Following the regional trend mentioned before, it has been because of the activism of individuals and social organisations in denouncing human rights violations that the Colombian State developed some measures against discrimination based on gender diversity or sexual orientation. The human rights situation of lesbian, gay, bisexual or transgender people in Colombia has been of particular concern to national and international human rights organisations, LGBT activists and research centres, at least since the second part of 1990s. Permanent reports have been produced to denounce the situation. The violations mentioned cover a wide range of situations:

- LGBT people have been victims of homicides and extrajudicial killings which have not been properly investigated.[3]

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3   In 1996 Juan Pablo Ordoñez, a Colombian lawyer, published the pioneer report *No Human Being is Disposable*, a joint work of the International Gay and Lesbian Human Rights Commission, the Colombian Human Rights Committee (Washington DC) and Proyecto Dignidad, about social cleansings squads in Colombia.

- Arbitrary detentions, cruel degradations and inhuman treatments committed by police members against LGBT persons have been denounced but not penalised, maintaining mistrust regarding legal mechanisms to protect citizens (Colombia Diversa 2008).

- LGBT people in the areas affected by conflict and humanitarian crisis have been threatened, displaced and killed (*ibid.*).

- There are also cases of LGBT persons who have had to look for political asylum in foreign countries because of reasons related to their sexual orientation, gender identity or activist work (*ibid.*). LGBT people have poor information about their rights and the mechanisms they can use to realise them. The perception that some transgender or non heterosexual people have regarding their rights is still affected by discrimination legitimised and reproduced in cultural practices and institutions.

- LGBT people are afraid to denounce situations of abuse because of the risk of a double victimisation: one caused by the abuse itself and the other because of the discriminatory treatment and the negative attention drawn to their gender identity or their sexual orientation by authorities.

- The expression of gender identity by transgender and transsexual persons exposes them to systematic patterns of discrimination and exclusion, coming from their families, schools, and work environments, among others.

A constant in this situation is the lack of proper public policies to intervene at the level of prevention, attention or compensation for victims; the invisibility of lesbian, gay, bisexual or transgender people in institutional attention systems; and the prejudicial practices in public institutions, all the above reflecting the existence of institutionalised homophobia and heterosexist practices. By action or by omission state agents and agencies impede the realisation of right of non heterosexual people or of those who do not conform to gender norms. Activists and LGBT organisations have denounced the way in which institutions impose heteronormative logics in the delivery of social services.

In this situation, significant progresses have been obtained in terms of LGBT rights (Azuero and Albarracín 2009). On 28 January 2009, for example, the Colombian Constitutional Court ruled that same-sex couples must be granted the same rights as unmarried heterosexual couples. This new ruling included civil, economic, political, social, immigration and criminal law rights for same-sex couples and followed other judgments delivered in the previous two years in relation to health and social security, inheritance and survival pensions. With respect to gender identity, transsexual and transgender persons in Colombia can change the names they were given at birth by presenting a request to a judge. They can also change the sex that appears on their identity card, once they have had sexual reassignment surgery.[4] In relation to intersex children, the Constitutional Court in several sentences [5] has considered the need of informed agreement before surgical procedures, the limits of parents'

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4   Constitutional Court, Sentence T-594 of 1993 and T-504 of 1994

decisions, the autonomy of intersex persons and their right to decide about their bodies, and has even questioned surgeries as a possible discriminatory measure against intersex persons. It has also stated that the dignity of the person requires the specific medical and psychological needs of intersex persons to be included in the social security systems. This position of the Colombian Constitutional Court has been considered very progressive in the Latin American context by intersex and LGBT activists (Holmes 2006).

However, legal advances in Colombia have occurred at the level of the superior courts, particularly in the Constitutional Court and after the enactment of the 1991 Constitution. The Senate has been reluctant to engage in the development of gender and sexual diversity rights and legislative initiatives presented in 2001, 2002, 2004 and 2006 have been defeated. In several cases Constitutional Court sentences mention not only the protection of individual rights but the need to develop social policies, administrative measures, communicative and educational strategies and other actions in order to affect the causes and consequences of discrimination based on gender or sexual diversity. The Constitutional Court has recognised that there is a big distance between legal advances and everyday life factors that affect the realisation of people´s rights. In other words, the development of public policies and affirmative actions regarding gender and sexual diversity has a Constitutional mandate in Colombia.

3 A public policy scheme for LGBT rights and gender and sexual diversity in Bogotá

The signing of Decree 608 was the first time in the city that a Mayor established a clear responsibility to integrate topics of gender and sexual diversity into public policies. Because of it, several programmes and goals of the 2008–2012 Development Plan of the City were oriented toward LGBT social sectors.[6] Decree 608 was the answer to the commitment acquired by the Mayor with several LGBT activists and organisations in the city around 2002, when he was presidential candidate. At that time LGBT organisations and activists had started national coalition initiatives, had incorporated in their political agendas actions to participate in peace building projects, and were lobbying to obtain permanent and sustainable answers to their needs. In other

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5   Constitutional Court, Sentences T-477 of 1995; 337 of 1999; T-551 of 1999; T-692 of 1999; T-1390 of 2000; T-1025 of 2002; T-1021 of 2003.

6   The current Development Plan of the city, *Bogotá positiva: para vivir mejor* – Positive Bogota: for a Better Life, has in its Programme *Bogotá respeta la diversidad* – Bogotá Respects Diversity, a project called *Bogotá diversa* – Diverse Bogotá which includes four goals connected with the rights of LGBT social sectors and with the training of public employees and citizens in gender identities, sexual orientations and diversity.

words, it was a moment in which accumulated political experience created the conditions to position the topic of gender diversity and sexual orientation in the hands of politicians and decision makers.

What is behind this description is a question of how a topic that was prosecuted or ignored before in the policies of the city becomes a matter of public attention: a particular affirmative attention which associates gender and sexual diversity with the development of the city and its performance in rights policies. To include a topic in public agendas implies several actions and strategies implemented not only by the social actor directly affected but also by other social actors such as politicians and public servants (Roth 2007: 18). According to Roth, the inclusion of topics in public agendas can be caused by the perception of an inequity; by the interest in making a matter a political object; as a reaction to an unexpected situation or to ameliorate wellbeing of individuals (*ibid.*: 19). From this point of view, based on political sciences and public management, a topic is incorporated in public agendas to transform a situation perceived as inadequate.

However, from a cultural point of view the focusing of public attention on a topic is related to conflicts between subjectivities, social representations and cultural meanings. That is the case with Clarke's work on homoeroticism and the public sphere (2000). According to him, the increasing presence and inclusion of homoerotic representations in public culture (in the United States) is associated with the production of normalised constructions of homosexuality. The promise of inclusion raised by affirmative policies implies important transformations in the ways than a group understand their needs and interests (*ibid.*: 9). As I mentioned before, the presence of LGBT rights discussions in the public sphere in Colombia can be seen as contributions to democratisation. However, as Clarke analyses, the ideal of publicness is contradicted by the conformity with the standards of the 'normal citizen' stated by public discourses. In the case of Bogotá, public policies about gender and sexual diversity had to fit with the notions of citizenship established in long term social policies. Despite the current presence of gender and sexually diverse people in the landscape of public policies meaning they are not invisible as before, this visibility works under a regime of institutionalised and nonthreatening diversity.

To understand how this normalised idea of citizenship was produced it is important to consider the transformation of public policies in the city. Since the 1990s, public and social policies in Bogotá experimented important changes because of an orientation toward economic, infrastructural and social development, growth and management (Corredor 2010: 36). At the beginning of the 2000s, in the middle of a favourable economic cycle, development plans in the city were oriented toward social inclusion, deepening of democracy, citizenship and civic culture (*ibid.*: 172). The notion of 'social inclusion' was a key concept in social policies as the answer to the exclusion caused by poverty, underdevelopment, inequality and lack of access to services (Mockus 2003). The idea of 'inclusion' as reaction to 'exclusion' created mainly in a socioeconomic context was expanded to social policies and to the relation with discriminated or vulnerable populations, as can be seen in the social policies of the early 2000s. The approach here was very much related with the 'inside/

outside rhetoric' mentioned by Fuss (1991), in which it is 'good' to bring to the centre what is in the margins.

During the administration of Luis Eduardo Garzón (2004–2008) public policies continued its focus on the fight against poverty and exclusion but stressed a rights based approach. Ideas such as 'active citizenship', diversity and the recognition of particular populations on vulnerability were also incorporated. As never before, a commitment to the development of specific actions for some of these populations, such as disabled people, Roma communities, indigenous communities, Afrocolombians, youth, children, and the elderly, was expressed in the formulation of specific public policies to each of them.

This rights based approach can be seen as part of global trends implemented through development and multilateral agencies but also as the implementation of the language of rights stated in the 1991 Constitution and the importance of human rights demands for social mobilisation amid the socio-political conflict. It was also part of a focus on equal opportunities and the development of capacities in citizens to exercise rights (Corredor 2010: 25). Because of that, an idea of 'active citizenship' and 'co-responsibility' of individuals and communities in the realisation of rights was incorporated in social policies. However, this notion represented a challenge to populations who had a long tradition of exclusion from the public sphere and created a standard that was not easy to reach for them.

Despite the fact that topics of gender diversity and sexual orientation were not included in the 2004–2008 Development Plan of the city, as a result of the commitment of the then Mayor with LGBT leaders and organisations, and a certain interest of his political party in non discrimination and inclusion of LGBT people, several actions started to be implemented. The conditions prior to Decree 608 of 2007 can be described in three simultaneous types of inter-vention: development of institutional infrastructure, support to initiatives of LGBT organisations and creation of a legal and planning framework.

In relation to the first type of interventions, after 2007 several institutions hired persons to implement actions with respect to gender and sexual diversity. They worked in three ways: inside institutions, they opened spaces for the discussion and inclusion of LGBT topics in the programmes of each institution; outside them, they become a reference for LGBT activists and organisations; among themselves, the need for more articulated, sustained and coordinated activities between institutions become significant. In addition, two new entities with specific responsibilities for gender and sexual diversity were created: in *Secretaría Distrital de Planeación* – City Planning Department, a sub-department for Women, Genders and Sexual Diversity was opened. In the *Instituto Distrital para la Participación y la Acción Comunual* – City Institute for Participation and Civic Action, an Office for Women and Genders was established with the mission of supporting the participation of lesbian, gay, bisexual and transgender persons and their organisations in the policies of the city.

The second type of interventions involved the support for projects and activities of organisations. Between 2004 and 2007 the City Hall and some of its

institutions continued supporting initiatives of LGBT organisations and their leaders, such as the *Marcha de la Ciudadanía LGBT* – LGBT Citizenship March, academic and flm festivals, and sports events. The *Alianza por la Ciudadanía Plena* – Full Citizenship Alliance, was established as a participatory space in which LGBT organisations and persons could express their needs and concerns and hear from public institutions their answers, initiatives and results. The strengthening of LGBT organisations was also supported as part of the mandate to develop the participation of civil society in the administration of the city. In 2006, actions such as the appointment of a police force member as the LGBT Liaison officer, the conduct of a public campaign against discrimination based on gender identity or sexual orientation and the opening of an LGBT Community Centre achieved demands that were part of the agendas of LGBT organisations and activists.

Finally, with this accumulated experience, LGBT activists and organisations demanded the creation of a policy scheme to coordinate activities in a sustainable action plan protected by a legal framework. This need led to the writing of Decree 608 with its Guidelines and Action Plan to be implemented over a longer term (2008–2020). The title of the scheme: *Política Pública para la garantía plena de derechos de personas lesbianas, gay, bisexuals y transgeneristas – LGBT – y sobre identidades de género y orientaciones sexuales en el Distrito Capital* – Public Policy for the full guarantee of rights of lesbian, gay, bisexual and transgender – LGBT– people and about gender identities and sexual orientations in the Capital District, was result of a long debate that will be mentioned later. I will abbreviate this title as PPDLGBT in the rest of the document.

This scheme was considered important in order to have a reference point to measure the impact of the actions implemented, to coordinate them and to guarantee the responsibility of the city on the topic. In order to do that, participatory activities with a wide variety of lesbian, gay, bisexual and transgender persons and organisations were done between August and September 2007; national and international experiences in the field were compared and considered, including the holding of a conference in August 2007 in Bogotá; and finally a team of professionals of different institutions, between October and November 2007, prepared and discussed with experts in the field and LGBT leaders the main elements of the PPDLGBT scheme.

As a framework for the definition of actions Decree 608 of 2007 spells out:

● The needs that motivated a public policy on the topic and the existing legal frame that demanded actions in the field.

● The principles that should orient any action implemented, such as entitlement to and protection of rights; autonomy; identity; solidarity; diversity; participation.

● The objectives of that kind of policy, related to the full guarantee of rights of lesbian, gay, bisexual and transgender people; the adaptation of public institutions in order to protect their rights; the need for capacity building in LGBT organisations to represent their needs; the promotion of a non discriminatory culture in the city.

- A structure for the planning of actions at the levels of: development of services and capacities in institutions to guarantee LGBT rights; participation of people and organisation in the definition, implementation and evaluation of actions; transformation of negative social and cultural representations of gender and sexual diversity; development of knowledge which supported the implementation, monitoring and evaluation of the actions on the topic.

- The responsibilities of the different public institutions involved in the coordination, implementation, monitoring and evaluation of actions.

- The mechanisms for civil society to participate in its implementation: a permanent commission of representatives of lesbian, gay, bisexual and transgender people was created.

4 The paradoxes of gender and sexual diversity policies

In this part I will provide several examples of how a policy like this is not only a hybrid space in relation to its dual condition of state legitimated initiative and society enforced action but also as the combination of different types of initiatives for change. I will look at the case in relation with the kind of policy it represents; who is its subject; where its field of action is; how it acquires a certain value in the landscape of rights policies; what it says in relation to participation of civil society actors. The paradoxes are the result of conflicts over meanings of such policies and between political agendas of state and civil society actors.

4.1 What kind of policy is it in relation with other policies?

A historic and long duration survey of gender and sexual diversity, particularly of male homosexuality, could find that it has been often a matter of regulation and policy by states and their institutions. However, it will be beyond the reach of this paper to look at the different ways in which non heterosexual practices or non binary experiences have been regulated by policies. The case I am mentioning here represents a very particular instance of interaction between gender and sexual diversity and policies, in which both affect each other.

During the process of design of the PPDLGBT several models and experiences were considered. An international conference with experiences from the Netherlands, Canada, Spain, Argentina, Brazil and four other Colombian cities was held in Bogotá in 2007 in order to discuss different ways in which states deal with the topic (Serrano 2008). Policy schemes such as the ones implemented in London, Manchester and some cities in the United States were also revised. The conclusion of this revision, despite its simplicity, was very important: behind some similarities based on the mention of LGBT persons and

their organisations as base of the initiatives, all experiences varied owing to the political contexts and political cultures which frame them. Public policies already implemented regarding sexual orientation or gender diversity presented a diverse landscape, which was incorporated with different degrees of intensity into the PPDLGBT:

● There are policies focused on discrimination which materialises in the sanction of prejudiced behaviours by public servants and the abuse of force by police members

● Some policies includes actions related to equal opportunities and are expressed, for example, in the development of work alternatives for socially excluded LGBT people

● Other policies offer access to services, such as the implementation of LGBT community centres, housing, health provision or education

● Some have affirmative actions, particularly in aspects related to access to education, symbolic initiatives or promotion of cultural changes.

The rights perspective that is the foundation of the PPDLGBT gives it a particular condition when compared to other initiatives in the field already implemented in Latin America or in some European cities, which tend to focus on one or some of the previous aspects mentioned before. This rights perspective used in the PPDLGBT departs from the marginalisation and exclusion that affects people because of their gender identity or sexual orientation and the way it is perceived in a heteronormative social system. Its novelty as policy design in relation with other previous actions is the consideration of LGBT people as subjects of rights which are affected by several structural factors; its challenge is that that approach includes a wide range of actions to be implemented.[7]

Monro (2005) discusses mainstream approaches to social policies in relation to gender and sexual diversity. According to her view, rational comprehensive models applied to sexual orientation and gender diversity policies stress the rational comprehension of problems, either by people or by policy designers, and develop actions in order to solve problems, excluding other issues and reinforcing status quo (*ibid.*: 71). Incrementalist models, on the other hand, promote change through small adjustments and present policy changes trying to minimise opposition (*ibid.*). If these models were to be used in the case of the PPDLGBT both could be presented: while the rational model was the basis for the design of it, an incrementalist model has been applied in its

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7   Decree 608 was developed in an Action Plan to be implemented in the period 2008–2020. 79 actions were defined based on the different consulting processes with lesbian, gay, bisexual and transgender people and their organisations, public servants, academics and experts who participated in the definition of the PPDLGBT. A permanent system for monitoring and evaluation of results was also created. This system includes in the monitoring both the perspective of institutions and of lesbian, gay, bisexual and transgender people and their organisations and representatives, as part of the participatory principles that lead the PPDLGBT. 40 actions will be implemented in the period 2008–2012, as part of the goals of the current development plan of the city.

implementation. The design of the PPDLGBT appealed to a rational model mainly because of the hegemonic trends established in public institutions in the city. It is important to consider that the PPDLGBT design and coordination is in the charge of the City Planning Department. During implementation of the PPDLGBT, as Monro found in other experiences in the UK, an incrementalist approach has been useful to reduce tensions inside institutions and to convene the participation of public employees who are reluctant to participate in such policies. Both approaches, following Monro, are useful because their pragmatism, but fail to unpick the deeper issues that marginalise gender and sexual diverse people (*ibid.*: 72). Here, however, I want to develop this idea in a different way, considering the particularities of the Colombian context and the value that law and policies have in this country.

It is important to mention again that what is particular in the PPDLGBT is that it results from activism and lobbying by LGBT activists and their organisations and not as an initiative of public institutions. It has to find itself a place in institutions and development plans in order to mobilise resources and obtain sustainability. So, its pragmatism is not just a goal oriented process but a way to ensure, through institutions, a project of social transformation. According to the *Grupo de Investigación en Ciudadanías Incluyentes* – Research Group on Inclusive Citizenships (2009: 41), in societies such as Colombia because of the high presence of inequality and power concentration, citizenship is not just an exercise but a conquest via social subjects' actions. In this way, from the point of view of social actors, laws and policies they have been promoting have not just a pragmatic sense such as solving a problem but also a symbolic meaning. Lemaitre (2009) in a study of indigenous, youth and LGBT social movements in Colombia concludes that the importance they give to law and policies represent a horizon of sense which directs their constitution as subjects of rights. In a certain way, what it is here is not only the 'right to have rights' mentioned before but the 'right to create rights' through struggles, participation and demands from below, as mentioned by Gaventa (2007: xiii). The connection between politics and culture which underlies the previous ideas implies a broadening of the notion of citizenship beyond incorporation to consider struggles for citizenship as projects for new sociabilities (Dagningo 2005: 154).

However, the question of what kind of policy the PPDLGBT is, is far from being resolved by mentioning the importance of its symbolic value for subject to renegotiate their relation with the State, the public sphere and themselves. Activists who were lobbying for such actions have long been insisting on the definition of LGBT sectors as a social sector historically discriminated against. While in the next part I will explore the implications of this idea for the definition of who is the subject of this policy, here I want to explore what it means for the definition of the policy itself. As Monro (2005) also found in the case of sexual orientation work in local governments in the UK, in the PPDLGBT sexual minorities are represented mainly as victims of violence and discrimination. I mentioned at the start of this paper the multiple violations of human rights experienced by gender and sexual minorities in the country. The point here is not to question the reality of those facts but how the representation of it affects the way in which the issue is constructed as object of public policies. The effect of this representation is that the fight against homophobia and violence

became the articulating point in the definition of policies, reducing or limiting other ways to understand gender and sexual diversity issues. This reduction in homophobia has several traps, already presented: in the discussions held in the City Council of Bogotá in early 2007 to approve the first attempts of this policy, political sectors against it such as conservative Christians stated that they were not homophobic since they did not hate gays. Since their opposition was not based on homophobia, they continued, it was based on considering this kind of ruling inappropriate, unnecessary, illegal, and a way to give gays privileges than other citizens did not have.

Homophobia is a very important concept in LGBT activisms. Inside LGBT organisations and activists in Bogota there is tendency to open the concept of homophobia in order to make it clear the specific situations of discrimination experienced by lesbians, bisexual and transgender people. In order to do that concepts such '*lesbofobia*', '*bifobia*' or '*transfobia*' have been coined. Moreover, some common activist initiatives are the *Campañas de Vacunación contra la Homofobia* – Vaccination Campaigns against Homophobia, in which public receive vaccines and other symbolic signals of being 'cured' of homophobia. In spite of the important symbolic and performative content of such actions and the proliferation of categories to explain situations, they maintain the pathologisation of sexualities, heterosexuals included. This situation could be seen as contradictory if we consider that it is a strategy promoted by those whose sexualities were pathologised before. Policies that promote change in gender and sexual diversity mainly looking at discrimination and homophobia have an implicit message that once heterosexuals stop fearing gays and lesbians, exclusion and marginalisation will stop (Chambers 2007). In several training activities with police force members in which I have participated, I have seen the same logic: Police members consider that once individuals change, homophobia in police departments will stop. That is why a shift to hetero-normativity, which moves the attention to the institutional, cultural and legal norms that privilege and makes desirable and demanded heterosexuality (*ibid.*), is very important in this kind of gender and sexual minorities policy .

In order to create a balance between the recognition of the particular violence affecting LGBT people and communities and a more positive approach to their experiences, the design of the PPDLGBT included several chapters to mention their presence as actors of the urban living and producers of culture and social transformation. However, this is still a topic to be developed in the imple-mentation of the PPDLBGT and can also be discussed as part of an agenda of making people recognised because they are 'good citizens'.

In fact, the challenge that faces the PPDLGBT both for those who have the duty to implement it and for LGBT activists and organisations, is how to implement a rights perspective which is not just focused on the negative part of rights violations and discrimination. As is clearly stated in mainstream approaches to public policies, it is during implementation that a gap between its design and its development appears. This gap seems to be filled with the preconceptions, usual solutions and previous knowledge acquired, as I could see during my experience as consultant in the implementation of the PPDL-GBT. This situation is of particular importance if it is considered that public

employees are not always prepared to express in specific activities what a rights based approach implies. The movement from seeing communities as 'beneficiaries' of a service to 'subjects of rights' is not only a matter of changes in the language of policies but a global transformation in public institutions that is still in development. This situation, at the level of local administrations, for example, is affecting the allocation of budgets for the implementation of actions. In other cases, decision-making is still based on empathies, affiliations or implicit alliances with LGBT organisations and persons, which can be useful temporarily but do not lead to the institutionalisation of compromises.

At the moment of implementing the PPDLGBT public servants in charge of coordinating it resorted to a traditional model of dividing rights for sectors (education, health, security, culture, participation) and to prioritise them (in topics such as safety and non discrimination). Despite it being the way public administration is organised, this division and hierarchy was contrary to the principle of indivisibility of rights. Some authors have criticised this logic because of the privileged status granted by mainstream liberal theorists to civil and political rights over economic, social and cultural rights (Kabeer 2007: 15). At the same time, the reduction of a policy like this just to an anti-homophobic agenda will constrain it in the frameworks of interest-group liberalism (Chambers 2007: 664). The result is the adjustment of a traditional logic of acting in segments which is contrary to the idea of power acting as a multi-dimensional force and to the consideration of change targeting different spheres of social life.

4.2 Who is the subject of this policy?

Social policies have to deal with the fact of defining who the subject of certain interventions is. This is not only important for political reasons but also for more pragmatic reasons, for example at the moment of evaluating the impact of an intervention in a certain population or to make clear who are the users of certain services. However, the fluidity of gender and sexual categories makes this definition of subjects more difficult than in the case of other policies, such as youth policies where demographic criteria like age can be used. The challenges presented by this fluidity are usually faced with heteronormative actions. In this part I will describe some of them.

One, maybe the most evident, heteronormative action to deal with fluid sexualities and gender is to label them in restricted ways. This case is presented in the forms used to register who are the users of the services offered by the PPDLBT. The current form used by one of the leading institutions of the PPDLGBT to collect statistics about participation in their activities (coded IDPAC-GD-F14 V.2) follows the name of the person with several boxes to fill in, associated with gender, sexual orientation and ethnic group. What is interesting is not the fact that users are asked to fill those boxes with predefined options, but the explanation the form gives to the cases when no information is provided. According to the form, if a person does not fill any of the options given for sexual orientation (lesbian, gay, bisexual) it is assumed that the person is heterosexual. A similar assumption is made in the case of

ethnic group: five options are given but if none is chosen, the option of not belonging to any group is assumed to apply.

What is behind this example is not just the problem faced at the moment to report who are the users of a public policy intervention. Indeed institutions need to have adequate data to support where and who are the beneficiaries of their interventions. However, in that attempt institutions are using two logics: one, the presumption that people use and are comfortable applying identity labels to them; second, the restriction of ways to talk about sexuality to the homo-hetero divide in which when not stated, heterosexuality is the norm. In the above example, the possible unintelligibility of gender and sexuality produced when people do not fill the boxes is resolved by a simple constraining practice: if it is clear as 'the other' it must be 'the same'. Heteronormativity is parallel to whiteness: they do not need to be expressed since they are the parameter of sediment and ingrained privilege (Chambers 2007: 666).

However, this is just a basic example of the structural problems faced by these kinds of policies when they need to define who their subject is. That situation was also evident at the moment of using identity labels (gay, lesbian, bisexual, transgender) in its title. During the process of definition, for some LGBT activists the mentioning of those words in the policy was very important in order to obtain visibility at the public policies level and was consequent with the LGBT mobilisation which supported the PPDLGBT. For others, such as some of the ones more connected with queer theory and policy debates, the use of those labels was at risks of freezing the subjects of the PPDLGBT with the subsequent effect of excluding other persons who do not use those labels to describe themselves. The discussion reached points such as the question of whether a straight person who falls victim of violence because of his-her gender expression would be subject or not of the PPDLGBT, with some persons saying that 'straights already have their spaces and rights recognised' while others considered that some actions should be developed for non-conformist heterosexual persons as well. The debates in the team who designed the PPDGLGBT at the end of 2007 negotiated an intermediate point in which identity labels (*lesbianas, gays, bisexuales y transgeneristas*) and categories (*orientaciones sexuales e identidades de género*, sexual orientation and gender identity in plural) were used in the title of the policy. A point that both sides of the debate shared was that the Decree to be signed by the Major of Bogotá should not have any dictionary-style definition of who is each identity in the LGBT acronym because of the risks of assigning the definition of people´s identities to a legal document. What was stated in Decree 608 and the Guidelines of the PPDLGBT was the recognition of the historicity and variability of the ways in which people talk about their gender and sexual diversity. However, in the process of implementation, the PPDLGBT focused on the first part of its approach to subjects (those under identity labels) leaving unexplored the implications of a broader approach to other non-normative genders and sexualities.

More than a matter of names and labels, what that discussion expressed was the relation of such a public policy with the politics of visibility that have been leading LGBT activism and organisations. The issue of access to the public

sphere and its effect on the visibility of homosexual identities has been a long field of discussion in gay, lesbian and queer studies (Fuss 1991). Politics of visibility, as part of lesbian and gay activism, act as a way to create 'positive' and affirmative representations of those sexualities (Clarke 2000: 29). However, politics of visibility have a structural contradiction: claiming to picture 'authentic' representations of how people are, they create a calculated normalcy (*ibid.*). Even more, as in the case I am exploring, because this visibility is done toward the public sphere and as a collective actor – 'LGBT social sectors' – it requires a way to make valuable that presence. Clarke identifies three modes in which politics of visibility create value to sexualities that before were considered 'vicious': conforming to heteronormative narratives; adding commercial and market value to this presence; granting authenticity to those representations. In the following paragraphs and chapters I will explore how these operations appeared in the PPDLGBT, starting with a mention of how a collective sense was developed.

In Colombia the mobilisation and the development of organisations currently covered under the umbrella acronym LGBT are the result of previous collective efforts to transform discriminations based on gender identity or sexual orientation. These efforts have different origins: some of them were originated in the early 70s by the spread of USA-based 'gay pride' movements, with a strong focus on gay male identities. The influence of Sexpol theories and European liberation ideologies can also be traced in the work of some pioneers of the homosexual movement in the country, such as León Zuleta (Zuleta 1996). However, particular versions or liberation theories and collaborations of homosexuals with other social movements such as workers and communism existed in the region before the spread of the Stonewall-Gay Pride model.

Lesbians have their own history in the Latin-American feminist movements with alliances because of shared causes, such as the fight against patriarchy, but also tensions because of heterosexism inside women´s organisations (Mogrovejo 2001). Some transgender women, particularly *travesties*,[8] have organised themselves around sexual work at least since late 1990s.[9] In the late 80s and 90s the fight against HIV-AIDS created a new frame for collective actions and demanded ways to relate with State and public actors, particularly with health policies and laws, using public policy frameworks. This last aspect was not exclusive of Colombia but a regional trend (Rios 2006).

Around 2,000 local and national organisations of lesbians, gays, bisexuals and transgender persons allied around the Project *Planeta Paz*, an experience for the inclusion of socially excluded sectors in the peace process in the country.

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8   Here I prefer to use the term 'travesti' because I am referring basically to male-to-female persons in sexual work and they prefer to use that word. The notion of 'transgender' started to be used by Colombian LGBT activists and politics in line with international trends. In our context, 'transgender' and it inclusion in the LGBT acronym has emerged as a category of collective identities and political activism that recently started to be institutionalised by public policies.

9   I base this affirmation in conversations with transgender leaders in Bogotá, particularly with Diana Navarro.

This alliance allowed framing their concerns and grievances in a wider and more open discourse of social justice (Serrano 2003). In this process they entered in dialogue with other social movements working on race, gender, class, unionism, and peasants' mobilisation. It was in this scenery that the acronym LGBT was incorporated, putting the word L at first, as an affirmative action against the discrimination faced by lesbian women (*ibid.*). It was also the moment in which bisexuality as an identity in need of recognition started to be mentioned and that several activists made themselves visible as bisexuals (*ibid.*). The LGBT acronym facilitated the construction of a shared experience of oppression, useful for collective action.

To create an articulated national agenda was not an easy task and the results were contradictory (Serrano 2003). However, the experience in *Planeta Paz* improved the political discourses of LGBT organisations and activists, nurtured alliances with persons in decision-making positions and created conditions to claim the responsibility of the State in the transformation of discrimination and exclusion based on gender identities or sexual orientation. The first attempts to demand actions by public institutions in Bogotá were based on the experiences and documents produced by participants in the *Planeta Paz* experience.

However, the sense of collective created in the mentioned process was undermined by internal tension due to class, regional, ethnic and gender differences, among others factors. The conversion of grievances on gender and sexual diversity to a frame based on political identities has been contested inside organisations working on the topic as the imposition of a modern and urban model of activism (Serrano 2003). In much of Colombia gay identities and LGBT activism are still considered a product of middle class affiliations and life in capital cities. The invisibility of topics related with race and ethnicity inside LGBT organisations also reveals the implicit racism present throughout Colombian society.

The acronym LGBT has been useful as a way to organise and to promote alliances among the social mobilisations seeking to change discrimination and exclusion based on gender and sexual diversities. It has been also useful for visibility and to obtain a political presence in between social movements and state agents. However, it also tends to assimilate the needs and demands of a diverse range of groups. Discussions inside LGBT groups and activists in the city and the country had clearly stated that the needs of lesbians are not the same as those of gay men, nor do theirs equate with the needs of transgender persons; even more, inside transgender communities there are important differences between trans women and trans men.[10] The acronym LGBT is under permanent discussion in the local and national mobilisation for gender and sexual diversity rights, making evident its instability and fictional but strategic condition.

Organisations interrelated using the LGBT acronym reproduce in their own rights discourses the system of hierarchies of difference established by

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10   I base this affirmation in the following of discussions in two mail lists with national and local focus: lgbt-bogota@yahoogroups.com and planeta_paz@yahoogroups.com.

diversity policies in Colombia. This relates to social structure differences among lesbians, gay men, or transgender men and women owing to gender hierarchies that maintain male dominance over other community members. It is also produced by the prevalence of identity discourses over gender order discussions which created a fictional alignment in the LGBT acronym (Connell 2010). This prevalence of identity discourses has been made clear in the implementation of the PPDLGBT: messages and images produced focus on the recognition of LGBT people while there is silence or erasure of diversity among heterosexuals or their possibility as allies for social transformation.

Differences in the LGBT alliance are not only in terms of the different identities which conflux there. Apart from the class, regional and ethnic differences mentioned before, there are also differences created by levels of articulation in activist organisations and in ways to express grievances. There are different ways of understanding collective action for social transformation by people located in different positions in the social and gender order. Following the work of Fetherston (2000) I see LGBT activists and organisations developing both counter-hegemonic and anti-hegemonic strategies based on rights discourses to promote justice and social change.[11] However, anti-hegemonic strategies, such as those used by *travesties*,[12] are not part of formal LGBT agendas, while counter-hegemonic practices developed by established LGBT organisations are the ones leading litigation and public policies. Transgender experiences, especially of Transgender women, are positioned in a subaltern position in LGBT[13] agendas.

Some *travestis* or queer youth in sexual exploitation do not express their needs in the languages or mechanisms of participation established by public institutions, basically because of mistrust and lack of knowledge about them.

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11   In an attempt to understand how power relations can be transformed in the search for social change, Fetherston (2000) proposes two possibilities: 'anti-hegemonic projects' and 'counter (local)-hegemonic projects'. Following Davina Cooper, the first ones are defined as '[…] ' "localized episodes" of confrontation and change which do not privilege any particular social force and are, therefore, not "uni vocal"' (*ibid.*: 209). Those projects are mainly actions of contestation and deconstruction oriented to the opening of spaces for difference. The possibility of social change in this kind of strategy is minimal among other reasons because there is not any attempt to accumulate actions or concentrate more collective efforts for change. Some performative actions of LGBT groups such as parades, kiss-ins or drag shows can have this impact. The other possibility mentioned by Fetherston, 'counter-(local) hegemonic projects' finds a maximal reach of transformation. In order to achieve this '[…] a *counter-hegemonic project* aims to build a consensus among non-dominant groups which articulates an alter native direction for social life' (*ibid.*). The consideration of these projects as 'local' recognises the possibility of particular groups creating wider changes through their agendas (*ibid.* 211). Moreover the concept of 'local hegemony' does not require a 'unitary agency' but allows the presence of more 'fragmentary means' to achieve power transformations (*ibid.*). The PPDLGBT can be considered an example of the second possibility mentioned to achieve change, since it results from the consolidation of a political agenda consolidated through years of activism and negotiated using lobby strategies, legal frames and interaction with political institutions and structures, as was described above.

12   I retain the Spanish term as it has cultural nuances not conveyed by 'transvestite' or 'transgender'.

13   Some Colombian Transgender Women hyphenate the acronym to form 'LGB-T', separating 'T' to call attention to the difference and subordination of their needs and grievances.

Other persons do not articulate their needs in terms of agendas, plans or clear demands able to be solved by State agents but more in terms of dreams, fantasies or high scale social and cultural transformations. Even more, at the moment in which the Bogota public policy scheme was being designed, activism was not present among intersex and transgender men activism in the same way as among gay, lesbian or trans women. This absence meant that, despite some efforts to make visible their voices, their needs were under-represented.[14] Looking from a 'gender politics' (Connell 2003) perspective, the subjectivities which based and at the same time are transformed by a policy like the one studied here, are not just the result of identity discussions but are strongly connected with gender dynamics at the intimate and national-regional level (Connell 2010).

Another factor that makes this situation harder is that state agents and institutions tend to stress the dialogue with LGBT activists or those who can speak the same language of institutions and have programmatic agendas. The effect of this situation is the hearing of just certain voices considered the bearers of truth about people´s needs and that access to grassroots communities is mediated by those experts. The ones who do not see themselves through identity labels or are not connected with LGBT organisations and activists could not feel part of these policies.

In an attempt to avoid those risks the consulting processes done for the design of the PPDLGBT coordinated by the *Instituto Distrital para la Participación y la Acción Comunal* – IDPAC, were organised not only by identities but also by social conditions such as generation, ability, or restriction of liberty. Talking not only with participants of organisations but also with people who are not participating in any group or mobilisation process has been another strategy used, basically with an implicit principle of expanding the base of actors consulted in each participation. In other cases particular conditions for the participation of certain social actors have been created. That is the case of the consultations and dialogue with LGBT hearing impaired persons, in which interpreters where allocated and specific meetings where arranged with them. Similar conditions were created for consultations with *travesties* in sex work, arranging the meetings not only in places close to their working areas but also in moments that did not compete with their working hours.

Currently, some organisations in the city are creating their own spaces to coordinate, interact and participate without using the traditional structures of hierarchical organisation or identity organisation. They tend to privilege the sharing of specific interests, such as working with arts, or to collaborate in particular moments and activities, keeping their specificities. In this way, they work not only as 'laboratories of self interest' and 'politics of transformation' as Cornwall and Coelho (2007) mention, but also as peer learning and small coalitions organised by new generations of leaders to gain the experience and knowledge that previous representatives have.

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14   This lack of representation can be seen in the participatory processes that based the PPDLGBT policy scheme and in the title itself, which does not include a mention to Intersex people.

4.3 Where a policy like this acts?

Early in 2007, when interrogated about its defense of LGBT rights, the Mayor of the city said he imagined Bogotá having a gay district like Chueca in Madrid or Castro in San Francisco and that they inspired his approach to LGBT policies.[15] Chapinero, a mixed commercial and residential middle class area, was the place he named to host that gay district. Reactions did not wait and media debates increased regarding an 'invasion' of gays to that area and the 'displacement' of its traditional inhabitants. Some activists considered it a ghetto strategy, opposite to the idea of living freely throughout the entire city. The declaration of the Mayor, which had the intention of creating public debate: was based on the fact that Chapinero has concentrated a vibrant gay circuit of bars, restaurants, discos and services.

There was another factor underlying that claim to have a gay district in the city: public policies at that time had an interest in reaching the territories where people live. Challenging a traditional approach in which services where concentrated in certain areas and citizens had problems accessing them, territorialisation was not only a decentralised action but also a strategy to connect people in their own territories with institutions. Because of this emphasis institutions develop maps, cartographies and other ways to georeference communities, vulnerable areas, concentrations of services and in general mechanisms to place policies in territories.

However, it was not the first time than queer people and communities had a presence in territories. In a compilation of essays on space, geographies and queer subjects, Ingram, Bouthillette and Retter (1997) identify different ways in which those subjects create and appropriate spaces, giving them a sexual and gender meaning. For them, queer spaces destabilise heteronormativity on territories and open the possibilities of homoerotic expression. Queer spaces are not just physical areas but include networks, nodes, queerscapes and commuties as much as actions of placemaking, appropriation and territorialisation (*ibid.*: 449). Considering this it is clear that sexual and gender diverse minorities have a presence in public spaces that has been previous and parallel to its political recognition. However, this experience of the city was also affected by differences among those minorities. Trans women doing sex work, for example, have claimed that their experience of the city follows two trends (Gil and Navarro 2008): one, some of them arrive to the city and to the areas where they work and live as displaced from other cities or areas of the city; the areas where they live are partially safe because of a long experience of appropriation of spaces and because they are the officially recognised areas for sex work. However the other trend is that once there, they are *emplazadas* – located because of restrictions and discrimination. Moving out of those areas implies a risk of violence. In this case, queer spaces do not just destabilise heteronormativity but reinforce it because of segregation and city planning.

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15   An extensive defence of his position about this was done in the opening event of an international event on LGBT public policies held in Bogota in 2007. See Serrano (2008: 12).

The consideration of Chapinero as a gay district by politicians follows a similar heteronormative pattern but using different rules. What the Mayor did not mention is that most of those circuits are basically targeting gay men and follow global trends of a gay market. According with the June 2010 edition of *ConXion*, a gay map of Bogotá, in Chapinero 72 there are places for gay socialisation including bars, discos, saunas, shops, restaurants and hotels. The city´s first LGBT Community Centre was opened there in 2006. It has been because of this added commercial value to the presence of gay men that public presence is possible in that area of the city.

However, it is important to mention that there are resistances to this commodification of the presence of some actors included under the LGBT acronym. In a city with almost eight million inhabitants and highly segregated because of class conditions, other areas have their own circuits, not only of commerce but also of public presence. Festivals, interventions in public spaces, and walks are some of the initiatives created by gender and sexual diverse communities in working class areas to gain public recognition not just through commercial circuits. In 2010 an Itinerant LGBT Community Center was implemented as part of the PPDLGBT with the intention to decentralise services, to promote the visibility of LGBT people in localities and to support the role of public servants in territories to implement the PPDLGBT. New groups claim their belonging to their *barrios* and localities as a way to challenge invisibility and the idea that gay topics are just for the wealthy areas.

4.4 How does a policy like this acquire public value?

Discourses about diversity have been strategic for LGBT organisations and activists to reposition themselves in the landscape of political subjects, in a context in which diversity, especially in cultural terms, has a significant value. The PPDLGBG and its associated practices are full of a language of diversity. The Office created to coordinate the policy is called *Dirección de Diversidad Sexual* – Sexual Diversity Unit. The motto of the LGBT Community Centre is 'An encounter point with diversity'. Diversity is often an adjective associated with the names of several LGBT organisations as well as a generic term often used in institutions to talk about LGBT persons and social sectors. 'Bogotá, territory for diversity' was at the starting of the PPDLGBT a motto promoted by the City Hall and the programmes in the current Development Plan of the City are under the title 'Bogotá Diversa'. The City already has a circuit of Festivales de la Diversidad – Diversity Festivals all through the year. In them, gender and sexual diversity is celebrated using arts, performance, providing information about LGBT services, activities and organisations. These festivals are an important opportunity to interact with communities and people not usually close to LGBT topics and to make public gender and sexual diversity at the level of localities and neighbourhoods.

However, diversity discourses also have the risk of emptying political struggles based on the expression of social inequities. When it is one of the most common used terms and even a euphemistic way to talk about lesbians, gays, bisexual or trans persons, diversity tends to acquire a blur meaning. Ward

(2008: 15–17) in a study of diversity cultures in LGBT activist organisations found that their appropriation of a discourse about diversity gives them the chance to be more competitive with other social organisations, to augment their reputation and moral value and to became experts in the topic. Instrumentalisation of diversity is part of neoliberal ways to understand difference (*ibid.*). Considering this, it is not strange that the PPDLGBT was developed in the midst of a turning toward neoliberal policies and insertion in global market at both national and city levels, in which representations of Bogotá as multicultural, respectful of rights and promoter of diversity are productive and useful.

Non heterosexual sexualities and transgender identities are included in logic of diversity promoted and recognised in the public sphere which normalises them. If in the case studies by Ward (2008) normalisation is made mainly by the insertion in the market, it could be said that in the case of Bogotá normalisation is made by the instrumentalisation of diversity in public policies. Because of that the recognition of differences is erased in diversity policies when it is defiant, difficult to organise or unpredictable (*ibid.*: 2). The risk faced by the PPDLGBT is that because of its emphasis on identity policies, recognition and individual rights ended up in the creation of a 'normal gay' who does not challenges heteronormativity (Seidman 2005: 59). Normalisation of gays means a dissociation of them with the 'bad sexual citizen' (*ibid.*). In 2007 and 2008, at the time of the formulation of the PPDLGBT, debates around sex in public and (hetero) *swinger* bars increased, leading to the shooting down of some of those places in Bogotá and the promotion of controlling national laws.[16]

Framing their grievances into discourses of rights offered LGBT activists and organisations a useful vehicle for social transformation. However, in their focus on law reforms and engagement with the state, Colombian LGBT activists have reproduced the 'liberal myth of rights' (Hunt 1990), leaving uncontested basic assumptions of those discourses. Current rights approaches in the country, especially the ones used for subordinated social sectors are based on pronouncements about 'diversity' and 'plurality' proclaimed in the 1991 Colombian Constitution (Zambrano 2004; Bonilla 2007). These notions were developed under global politics of multiculturalism and State. The interactions between those regimes of multiculturalism, diversity and law restrict the possibilities for LGBT individuals to be subjects of rights other than under certain official regimes of truth (for that concept: Blasius 2004).

4.5 How did actors relate to a policy like this?

A policy like this based much of its potential in the protagonist participation of the LGBT organisations and activists. Participation in democracy was a right established by the 1991 Constitution and is a logic that structures current tendencies in public policies. Despite of the problems it can imply or the

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16 This debate can be traced in the electronic archives of *El Tiempo*, a national leading newspaper.

different ways to understand it, participation is in one way or other almost a condition in public policies. The city of Bogotá has not only a scheme of policies to guarantee participation but also an institutional structure to promote it. According to that, participation is considered a pivotal tool to exercise democracy toward the construction of collective wellbeing (IDPAC 2007: 13). Participation strengthens the relations between state and society through the involvement of citizens in the definition and deliberation of collective issues (*ibid.*: 14). As part of their rights based approach in social policies, city policies consider participation not only a right but also a key mechanism to involve citizens in the ruling of the city. Because of the exclusion faced by certain social sectors, strengthening their participation is fundamental to improve their life conditions (*ibid.*).

However, accounts on the benefits of participation have several normative assumptions (Cornwall and Coelho 2007: 5). One is the idea that citizens are ready to participate once opportunities are offered (*ibid.*). This assumption is based in another implicit one: people already consider themselves citizens and subjects of rights. As I could see during my experience in the implementation of the PPDLGBT, both assumptions create a paradox: in some cases, new spaces for participation are empty because people still see themselves far from those mechanisms, while in others they are filled with the same people that could be seen in parallel processes of participation. The result is a tendency to have the same voices adjusted to new spaces, while others ways in which people express their needs are not considered.

The previous case can happen to several different social actors: youth, women, civic leaders. However, the participation of gender and sexual diverse people faces specific challenges. One was mentioned before: gender and sexual minorities in contexts like the one I am considering have a long history of being positioned at the margins of citizenship. As human rights reports have found, people have poor information about their rights and consider the experiences of discrimination and exclusion to be part of their life conditions. In this way, one of the challenges they face is to relate with the state and institutions as subjects of rights and not as outcast sectors. If participation implies that people recognise themselves as citizens (Cornwall and Coelho 2007: 7) it also requires visibility and voice from them. In order to participate, people should go the spaces promoted by institutions and use the predefined mechanism for it. However, this is problematic in the case of gender and sexually diverse sectors or other sectors that have faced restrictions in their access to the public sphere. In the case of gay, lesbian, transgender or bisexual people their visibility in participatory spaces can imply risks for their own safety, as I have already heard in the case of some participants in the PPDLGBT policy. When they make themselves visible in their communities as representatives or participants of LGBT sectors they are exposed to discrimination, intimidation and exclusion. This risk for personal security can be experienced by other community leaders and representatives, however with different effects at the level of intimacy, identity and private life. During the design and implementation of the PPDLGBT one of the strategies to face this situation was the use of chats and other electronic means which allow people to participate and give opinion without the risk of being exposed. However, these means are limited in

their access and concentrated in certain populations with access and literacy to use technologies.

Even more, what is starting to appear now is a certain distance and weakening of the commitment of the LGBT movement because of an excess of mechanisms and spaces of participation. This can be caused by some aspects of the PPDLGBT itself such as the proliferation of spaces for participation that cannot be fulfilled by LGBT representatives, the moving of some LGBT leaders to the public sector as implementers of the PPDLGBT and a certain depolitisation of the movement caused by the institutionalisation of its demands.

In a context of reduction of the State and labour flexibilisation, some grassroot organisations became Non Governmental Organisations hired by public institutions to implement programmes and projects, which directly or indirectly leads to a partial colonisation of their agendas and a blurring of differences between civil society and state agents. This transfer of responsibility from State to private sector, civil society organisations or grassroot organisations has happened all though the implementation of the PPDLGB and has been identified in other countries in the region, such as Dagnino (2005) found in Brazil. That situation not only creates hierarchies amid civil society organisations but also makes the political landscape more confusing, ending up in new ways of State control of social mobilisations for change. This situation has been already presented in gender and women's policies where their institutionalisation favours their depolitisation (Cornwall and Molineux 2008). Even more, as I could see in the case of the PPDLGBT, when resources are limited, the transfer of responsibilities and the transformation of community organisation into service providers can directly or indirectly increase tensions and conflict between civil society actors.

5 Conclusion

All through this working paper I have tried to state how, in a context where demands for rights and litigation are still nonviolent ways to promote social change and justice, a public policy scheme like the PPDLGBT has a very important symbolic meaning. It entitled subordinated social sectors such as gender and sexual diverse people as subjects of rights. The PPDLGBT appears in a context where there are no 'welfare states' and where liberal rights democracies are far from being fully realised. They are part of the struggles for creating certain idea of human dignity that sustains the project of nation expressed in the 1991 Constitution and in the social creativity to overcome violence.

However, according to the notion of 'hybrid new democratic spaces' I mentioned at the beginning (Cornwall and Coelho 2007), the description I have given raises several questions in terms of the autonomy of such a policy scheme and the effects of its interfaces with broader political processes. If we follow Chambers' (2007) ideas of how subversion works as a political project of

erosion of power relations such as heteronormativity, it is not possible to consider the PPDLGBT really subversive. Heteronormativity is such a powerful structure and so embedded in social, political and cultural organisation that, as I have presented, it can adjust and reshape fast and in unexpected ways. Public policies are so strongly tied to it that the possibilities for change they open are limited. Even just their need for planning, calculation, measuring or anticipating of effects is contrary to politics of subversion which act as incalculable, non-programatic and 'ungrounded politics of possibility' (*ibid.*: 661). However, as the same author says, incalculability does not mean unthinkable or indescribable. The case I have mentioned goes far from that since it has already created some real changes in the lives of real people and particular organisations.

The sense of collectivity on which the PPDLGBT is based is unstable and fictional but useful to connect actions. From the point of view of those implementing policies, the instability of political subjects raises several questions. The subjects referred in the PPDLGBT are not fixed or easy to define in stable categories, particularly in the case of bisexual or transgender people, as Monro (2005) notes. In terms of design and evaluation of inter-ventions, the difficulties of identifying the subjects of the PPDLGBT complicate aspects such as the cost-benefit balance of actions or the measure of the impacts and changes created. Another unclear aspect is the participation – or not – of heterosexual people, especially in the services provided by the PPDL-GBT. In the evaluation of the first two years of the LGBT Community Centre, for example, the participation of straight people in the activities offered in the centre was a topic of vibrant discussions. In conversation with public employees in charge of the implementation of the PPDLGBT policy the lack of a message that involves straight people and informs them on how that policy could be to their benefit has been a matter of discussion as well. Until now, one of the arguments developed by LGBT activists and leaders is that these kinds of policies are part of the development of democracy and citizenship and in that way it is not just a 'gift' or privilege to certain social sector. Since LGBT people have been representing themselves as 'historically discriminated against' the idea of certain particular conditions that differentiate them from others supports the need of specific services.

Regardless of the correctness or not of this argument, there is not yet a clear way in which non-conforming heterosexual or just straight people can feel part of the intended change promoted by the PPDLGBT. Creating a more inclusive and positive discourse about sexualities and gender identities which surpasses victimisation and contestation to exclusion is, I think, one of the main challenges of a initiative like the one currently implemented in Bogotá.

This last idea can be connected with the need to explore more what a rights based policy means. As Cornwall and Molineaux (2008: 8) point out, rights in themselves are not inherently transformative. It is not in the adscription but in the ways they are used, in the kind of process they mobilise, that their trans-formative potential can be seen. Because the PPDLGBT is an action regulated by planning logics, implemented through bureaucracies and public institutions, the transformations created do not have the subversive potential of other

strategies for change. In other words, there is not an automatic connection between a policy like this, as a 'new democratic space' and a 'space for change', as several of the essays in the compilation done by Cornwall and Coelho (2007) explore. In fact, the description I have given until now should lead to a change in the title I initially used. Instead of asking if the PPDLGBT reshape or challenge heteronormativity, I should say that both movements are undertaken at the same time. Change toward justice and equity can run parallel to adjustments in institutionalisation of social relations and new exercises of authoritarian power.

Even if it is not yet clear what a rights policy scheme for gender and sexual diversity means, it can erode heteronormativity by keeping and developing that focus on rights, social transformation and democracy. The PPDLGBT has a potency to promote change by questioning normative systems that not only exclude and discriminate against lesbian, gay, bisexual, queer or transgender people but also heterosexuals, in their own diversity. Making public policies in the city to talk about gender and sexual diversity in a language of rights has an impact that is not easy to measure yet but that is already promoting changes in institutions and in the way citizens relates with them.

However, as I noted in the examples, a scheme like this can also reshape heteronormativity, especially when the inclusion of LGBT people as subjects of policies is not contested or challenged. Because of its origin in the social mobilisation and in the work of activists, the PPDLGBT can establish a new regime of proper subjects, such as those who feel themselves compelled with identity politics or those who follow the new model of the proper sexual citizen created against the improper queer subject (Warner 1999). In a context of globalised sexual identities and homonormativity (Duggan 2004) already acting in the city landscape, this is a risk to be considered carefully. The fact that this scheme deviates from other traditional policies which invisibilise or even facilitate discrimination against sexual minorities, does not necessary mean that it transform normative systems.

Identity or visibility politics can be useful and strategic. Inclusion policies are important to reduce socioeconomic exclusion and to promote justice and equity. They can expand public agendas with topics previously ignored and facilitate resources not easy to find. These kinds of policies are not in themselves a problem but can be in the ways they become regulatory practices. As in the case of identity policies, recognition of diversity is not a problem in itself but instrumentalisation of diversity can be. What needs to be challenged is the notion of normativity behind them, the 'conventional forms of association, belonging and identification' (Halberstam quoted by Ward 2008: 134), that those actions make valuable and legitimate. The promise of participation, extension of citizenship and deepening of democracy in a policy like this, confluxes with the reconfiguration of the state, the shrinking of its responsibilities and its exemption from its role as guarantor of rights (Dagnino 2005: 158). That is why citizens and their organisations are now facing the need to move their strategies for change from inclusion into policies to enable different projects of inclusive citizenship that are not homogenic or normalising and that not only engage with the state but also with other social sectors and mobilisations.

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