

# CHAPTER I

## INTRODUCTION

### 1.1 Background

Nowadays, the struggle for LGBT rights is a trend that has been going on for the past few decades and has received global recognition. The rise and increased exposure of the LGBT community can be seen as a big part of Western influence and globalization, although its effects could be said to have been contradicting.<sup>1</sup> Gender identity is becoming increasingly important in global conversations concerning human rights and societal progress. These debates are particularly vehement in a number of Commonwealth of Nations member countries. Conflicts over gender identity are reoccurring with alarming frequency in various national settings throughout the world. This arises as a result of moral discourses that involve the exclusion of certain same-sex sexualities and gender forms that are characterized as Western and foreign.<sup>2</sup>

In many communities, LGBT people are subjected to bigotry, violence, torture, and even state-sponsored execution. For certain violations of human rights, there are laws by which countries punish perpetrators for such abuses, but for LGBT people in most countries, violence against LGBT people are not seen as human rights violations. Some nations, such as Iran and Saudi Arabia, have legislation providing for the execution of "homosexual practices."<sup>3</sup> But things have started to

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<sup>1</sup> Reid, Graeme. 2011. "A Globalized LGBT Rights Fight." *Human Rights Watch*, November 2, 2011. <https://www.hrw.org/news/2011/11/02/globalized-lgbt-rights-fight>.

<sup>2</sup> Corinne Lennox and Matthew Waites, *Human Rights, Sexual Orientation and Gender Identity in The Commonwealth: Struggles for Decriminalisation and Change* (London: CC BY-NCND 4.0, 2013), DOI 10.14296/518.9781912250134 (accessed September 27, 2021).

<sup>3</sup> Suzanne M. Marks, "Global Recognition of Human Rights for Lesbian, Gay, Bisexual, and Transgender People," *Health and Human Rights* 9, no. 1 (2006) : 34.

change with the advent of new social movements on gay and lesbian issues in American society. A politics of identity dominated social movements for civil rights and inclusion in many Western societies with prominent and active gay communities such as the United States. Moreover, these movements have often opposed prevailing arrangements of authority in their cultures, including the conventional methods of organizing and debating sexuality.<sup>4</sup>

One great power known for its influence in the scope of gender identity is the United States of America. Aside from their economic and military power, the United States' cultural impact extends across the globe with the majority of the world speaking an Americanized version of English.<sup>5</sup> By the end of 2016, 20 states and the District of Columbia have prohibited discrimination based on sexual orientation and gender identity or expression in employment, housing, and public accommodations, while three other states had granted insufficient statewide nondiscrimination protections. All individuals, including homosexual and transgender people, should be treated fairly and equally by their state's laws, and should be given the chance to make a living, find housing, and participate fully in society. That same year, state legislatures throughout the US and Congress presented measures that would have protected LGBT persons from discrimination, while others would have repealed current safeguards for gay and transgender individuals.<sup>6</sup>

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<sup>4</sup> Peter M. Nardi, "The Globalization of the Gay & Lesbian Socio-Political Movement: Some Observations about Europe with a Focus on Italy," *Sociological Perspectives* 41, no. 3 (1998): 567-586. <https://www.jstor.org/stable/1389564> (accessed February 28, 2021).

<sup>5</sup> BBC, "The USA's international influence," accessed October 2, 2021, <https://www.bbc.co.uk/bitesize/guides/z6frqp3/revision/2>.

<sup>6</sup> ACLU, "PAST LGBT NONDISCRIMINATION AND ANTI-LGBT BILLS ACROSS THE COUNTRY," accessed October 2, 2021, <https://www.aclu.org/other/past-lgbt-nondiscrimination-and-anti-lgbt-bills-across-country-2016?redirect=map/non-discrimination-laws-state-state-information-map>.

The LGBT movement in the U.S. serves as a model for many gays and lesbians throughout the world. With the symbols and expressions of the U.S. movement, international bodies and local gay groups have become more political and recognizable as they are attempting to restructure the fundamental values and attitudes of their communities towards homosexuality. The gay and lesbian movement has profoundly influenced their personalities, policies, societies, markets and intellectual programs that nowadays literally know no national boundaries. The interconnectedness of the world has become an increasingly evident factor. Gayness has been globalized. This globalization is demonstrated in part by the propagation of the idea of gay identity, the circulation of gay culture in the world on articulate and symbolic media, and the appearance of organized social movements with a view to legal and social changes. However, these innovations, images, and ideas are not shared by all countries. The globalization of homosexuality does not inherently translate into a single universal gay identity and politics. Globalization emphasizes localism, a distinct politics that legitimizes local uniqueness. For example, despite the mutual similarity and aims, the emergence of new social movements and their organizations differ from one community to another.<sup>7</sup>

And although the U.S. is a pacesetter when it comes to the trend of the LGBT movement, it is not totally, fully accepted by all in the nation. There have been strong tensions among and within the major parties over the last few years in public debates on the issue of LGBT. These divisive public conversations on religious

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<sup>7</sup> Nardi, "The Globalization of the Gay & Lesbian Socio-Political Movement," 569.

liberties, traditional ideals, and civil rights problems for LGBT people have emerged between the Democrats and the Republicans.<sup>8</sup>

As the U.S. is a democratic country, citizens' opinions must have some part in determining policy results, especially in foreign policy. The ability of the public to acquire and retain knowledge, as well as utilize it to develop coherent judgments, is undoubtedly essential to the functioning of democracy. According to Baum and Potter, Madison, Hamilton, and other like-minded federalists were skeptical of the public's ability to make meaningful contributions to political decision-making, particularly in foreign affairs. In contrast, a lengthy liberal tradition—tracing its roots back to Kant, Rousseau, Bentham, and Mill, and more recently represented in the extensive literature on the democratic peace—sees public involvement as critical to well-thought-out policy and amicable international relations.<sup>9</sup> In the United States, there is a substantial body of study on the connection between public opinion and foreign policy, as well as the nature of popular opinion on international affairs.<sup>10</sup> The United States' role in the world refers to the general nature, purpose, or direction of the United States' engagement in international affairs, as well as the country's overall connection with the rest of the world. The United States' position in the world may be regarded as creating the general background or framework for U.S. policymakers to design, implement, and assess the success of U.S. policies and actions on specific international problems, as well as for foreign nations or other

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<sup>8</sup> Pew Research Center. 2016. “Deep divides between, within parties on public debates about LGBT issues.” Accessed February 27, 2021. <https://www.pewresearch.org/fact-tank/2016/10/04/deep-divides-between-within-parties-on-public-debates-about-lgbt-issues/>.

<sup>9</sup> Matthew A. Baum and Philip B.K. Potter, “The Relationships Between Mass Media, Public Opinion, and Foreign Policy: Toward a Theoretical Synthesis,” *Annual Review of Political Science*, (November 2007): 39, 43, 10.1146/annurev.polisci.11.060406.214132 (accessed October 17, 2021).

<sup>10</sup> Stuart N. Soroka, “Media, Public Opinion, and Foreign Policy,” (January 2003): 27, <https://doi.org/10.1177/1081180X02238783> (accessed October 17, 2021).

observers to interpret and comprehend U.S. actions on the global arena.<sup>11</sup> Thus with the world watching them, every action they take has a significant impact, especially with the way they handle gender identity issues.

The U.S. had not properly addressed discrimination against the LGBT until Barack Obama stepped into position. Obama himself developed the model for change. When Obama ran for office, it was not even possible to know how much he would make progress on LGBTQ matters. Obama had explicitly suggested, on the campaign trail, that his government would do LGBTQ people a better job but how much better they were unknown. Since 2009, wins for LGBTQ have been at a staggering pace. The Supreme Court imposed in the Constitution the right to same-sex marriage — first by lifting the federal prohibition on same-sex marriages in 2013, and the ban on national marriages in 2015. The Congress enacted in 2009 a federal law on hate crime defending LGBTQ people, and in 2010 abolished the ban on gay soldiers serving openly in the repeal “don't ask, don't tell,” or DADT.<sup>12</sup>

Obama stepped in where courts and lawmakers did not act. He had signed Executive Orders banning the discrimination of LGBTQ people by federal employers and contractors. In the course of 2016, North Carolina passed a law to prohibit people from using bathrooms that anchored their gender identity. Obama's administration interpreted the Federal Civil Rights Act, which would protect people from discrimination at work, at homes and at schools. It would ultimately bring the administration into the middle of a political and legal storm. And after repealing

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<sup>11</sup> Ronald O'Rourke and Michael Moodie, *U.S. Role in the World: Background and Issues for Congress*, (Independently Published, 2019), 2.

<sup>12</sup> Lopez, German. 2016. “The Obama administration's guidance for transgender people and school bathrooms, explained.” *Vox*, August 22, 2016. <https://www.vox.com/policy-and-politics/2017/1/17/14214522/obama-lgbtq-legacy>.

"Don't Ask, Don't Tell," the Administration eliminated military regulations which prohibited trans persons from serving openly.

Obama's rhetoric was unprecedented in its friendliness and inclusiveness, especially compared to those of previous presidents. That alone was critical for the movement, according to the supporters, by helping to legitimize opinions that were highly divisive to the public just a few years earlier. And although Obama could never do anything directly about marriage — as restrictions on homosexual marriage are usually at the state level — his team took a few measures to bring an end to these prohibitions. In 2011, the government said that the Protection of Marriage Law – the federal prohibition of same-sex marriages — would no longer be defended — taking a hit at the legitimacy of the Act. In 2015, as a part of his administration and pursuit for all-inclusivity, Obama nominated openly gay diplomat Ted Osius, who was the sixth openly gay diplomat to be nominated by the president and the ninth gay ambassador to serve. Since 2013 Obama nominated five openly gay diplomats as ambassadors, while only three of them served overseas as ambassadors.<sup>13</sup> Although Osius is the sixth gay ambassador to be nominated by Obama, he was the first to be appointed to Asia.<sup>14</sup> Prior to this, Osius had served as a career diplomat in the Asian countries of Indonesia, India, Thailand, the Philippines, and Vietnam.<sup>15</sup> Due to this reason, the author was intrigued to observe his influence in Asia as a whole following his appointment as an ambassador.

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<sup>13</sup> Cassell, Heather. 2014. "Obama nominated sixth gay ambassador." *Bay Area Reporter*, May 21, 2014. <https://www.ebar.com/news//244496>.

<sup>14</sup> Duffy, Nick. 2014. "US: Obama nominates gay man as ambassador to Vietnam." *Pink News*, May 18, 2014. <https://www.pinknews.co.uk/2014/05/18/us-obama-nominates-gay-man-as-ambassador-to-vietnam/>.

<sup>15</sup> Cassell, Heather. 2014. "Obama nominated sixth gay ambassador."

Osius grew up in Annapolis, Maryland and became a member of the foreign service in 1989. He is married to the U.S. State Department Bureau for African Affairs officer Clayton Bond, and the couple have two children together. He spent most of his career in India, Thailand, Philippines, and also served as a diplomat in many other countries. Before becoming an ambassador to Vietnam, he held his post in the U.S. Embassy in Indonesia where he was Deputy Mission Director from 2009 to 2012. Osius was also one of the few who co-founded Gay and Lesbian in Foreign Affairs Agencies (GLIFAA) in 1992,<sup>16</sup> where he had also met his husband.

By 2014, Ted Osius, who previously served as a Deputy in Indonesian and Indian Embassies, was selected to replace Ambassador David Shear as an Ambassador to Vietnam. During his nomination, he went on to state that Obama loves and cares about Vietnam, and seeing that Osius had experience working there, the former U.S president vouched for him in that position. As ambassador, Osius claimed that he would primarily be implementing a comprehensive agreement between the two countries signed in 2012 by Obama and Sang. It encompasses a variety of areas of cooperation including economic and political stability.<sup>17</sup>

Prior to his appointment as ambassador to Vietnam, Osius served as deputy director of the State Department's Office of Korean Affairs, regional environment officer for Southeast Asia and the Pacific, and Vice President Al Gore's senior advisor on Asia and trade. Osius had held a variety of positions in the private sector since leaving government, including Vice President for Government Affairs and Public Policy at Google Asia-Pacific and senior advisor at the Albright-Stonebridge

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<sup>16</sup> Lavers, Michael, K. 2014. "Ted Osius says Vietnam ambassadorship 'dream come true'." *Washington Blade*, November, 20, 2014. <https://www.washingtonblade.com/2014/11/20/exclusive-ted-osius-says-vietnam-ambassadorship-dream-come-true/>.

<sup>17</sup> Lavers. "Ted Osius says Vietnam ambassadorship 'dream come true'."

Group. Additionally, he has held positions in education, including Vice President of Fulbright University Vietnam and Associate Professor at the National War College.<sup>18</sup> And due to concerns of the policy directions during the administration of the Trump administration, Osius along with other senior Foreign Service officers decided to leave and to serve a better purpose, the United States of America.<sup>19</sup> Now, Osius had taken the position as the President and CEO of the United States-ASEAN Business Council.<sup>20</sup>

## 1.2 **Research Question**

This research is focused on discussing mainly the case of Ambassador Ted Osius and his influence on gender identity debates in US foreign policy and also towards the global LGBT movement. Hence, the following questions arose during this research.

1. How does the appointment of Ambassador Ted Osius as an openly gay diplomat influence gender identity issues in US foreign policy?
2. What is the implication of the appointment of Ambassador Ted Osius to the global LGBT movement?

## 1.3 **Research Objective**

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<sup>18</sup> Iseas. “The Winding Road to US – Vietnam Reconciliation: Reflections from Ambassador Ted Osius - Iseas-Yusof Ishak Institute.” ISEAS, November 1, 2021. <https://www.iseas.edu.sg/mec-events/the-winding-road-to-us-vietnam-reconciliation-reflections-from-ambassador-ted-osius/>.

<sup>19</sup> Ted Osius, “Respect, Trust and Partnership: Keeping Diplomacy on Course in Troubling Times,” accessed April 23, 2021, <https://www.afsa.org/respect-trust-and-partnership-keeping-diplomacy-course-troubling-times>.

<sup>20</sup> Iseas. “The Winding Road to US – Vietnam Reconciliation.”

In accordance to the research questions stated above, the objectives of this research is:

1. To explain how the appointment of Ambassador Ted Osius influences gender identity debates in US foreign policy.
2. To determine whether the appointment of Ambassador Ted Osius can strengthen or undermine the global LGBT movement.

#### **1.4 Research Significance**

This research is meant to provide insight to future researchers that are interested in the topic of gender study and how it relates to US foreign policy. I hope that through this research, people of interest will be enlightened to how a person as a representative of their state can affect the global LGBT movement and the debates about gender identity. And lastly, this research should prove to be significant for those who are interested in this particular case study, or for those who are seeking to find sources and findings related to this topic.

#### **1.5 Structure of Thesis**

The first chapter of this thesis discusses the background, research questions, research objectives, and research significance in order to inform the reader about what will be discussed in greater detail later in this research.

The second chapter of this thesis will be divided into two sections: a review of the literature from books and journal articles on topics related to this research, and a discussion of the theoretical concepts that will serve as a framework to further

discuss how Ambassador Ted Osius influences gender identity debates in US foreign policy and what his implication on the global LGBT movement is.

The third chapter discusses the methodology used to complete this research, including the research method, data collection technique, and data analysis technique used to collect data for this research.

The fourth chapter analyzes the collected data on how Ambassador Ted Osius influences gender identity debates in US foreign policy and his implication on the global LGBT movement.

The fifth chapter summarizes everything discussed in this thesis. This concluding chapter will examine how Ambassador Ted Osius influences gender identity debates in US foreign policy and what his implication the global LGBT movement is.

