

Trinidad and Tobago: A Nation in the Closet

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The country is one of seven Caribbean countries that criminalises same sex relationships.

Jowelle de Souza is Trinidad and Tobago's most high-profile transgender person.

The political and animal rights campaigner lives in San Fernando, the country's second city, where she owns a beauty salon and is well known as a civil society activist. But her public life illustrates the contradictions over LGBTI rights in Trinidad and Tobago, one of seven Caribbean nations that criminalises same-sex relationships.

She had gender reassignment surgery in 1993 at the age of 19, the first citizen to undergo the procedure in her country's history. In 1997, de Souza also became the first trans person to sue the state for a violation of her constitutional rights after she was arrested during a protest and officers subsequently spent hours taunting her about her sexuality and gender identity. The lawsuit was settled out of court.

But de Souza resolutely declines to view herself as a champion of LGBTI rights.

"Transphobia has never affected me," she said, speaking in her salon decorated with images of Hindu gods, a jade Buddha and an image of Christ. A portrait of Pope Francis is placed, like an amulet, under a security camera.

"I sued the government, but it wasn't an LGBTI issue. It was about civil rights."

Two years ago, she ran for parliament as an independent candidate. In her campaign poster, she posed wielding a hammer with the slogan, "Build with me." Although she failed to win office, she continued to be active in political campaigning, particularly on animal rights. LGBTI issues, however, remained off her agenda.

"It hasn't been difficult for me to be a transgender woman," de Souza said, noting that "you only get into trouble if you're involved in a public incident. And there has never been a prosecution".

In Trinidad and Tobago, consensual same sex acts carry a possible penalty of up to 25 years in prison, while anal sex is subject to a maximum sentence of life in prison. These laws have not been enforced in the last four decades, but remain on the statute books. Trinidadian law also denies any LGBTI person entry to the country, although this law is not known to have ever been enforced.

Campaigners on the islands differ in what they consider the best approach to social change.

In February 2017, Jason Jones, a Trinidadian LGBTI activist who currently lives in the UK, sued the state over its homophobic laws. His case is due to be heard by November this year. But others advocate a more delicate approach over LGBTI rights.

Colin Robinson is executive director of the Coalition Advocating for Inclusion of Sexual Orientation (CAISO), one of the country's leading LGBTI organisations.

Robinson argued that legal changes were not fundamental to improving the status of LGBTI people on the islands. Sitting in his organisation's headquarters in the Port of Spain neighbourhood of Belmont – where for security reasons, there is no sign identifying their office – he said that CAISO chose to engage in media advocacy, public education, lobbying, documentation and faith-based organising.

“The law doesn't make people homophobic, culture and religion do. There is currently no legal procedure pending against a gay person for having consensual and private sex,” he said, adding, “[Jones'] lawsuit is a good strategy, but it's just one of many options. The sodomy law isn't necessarily what most affects LGBTI people in their daily lives.”

However, Jones argued that the LGBTI community needed to take a more proactive, campaigning stance. He said he felt let down that de Souza had failed to use her public status to advocate for change.

“Besides living openly as a transgender woman, she [de Souza] hasn't done much for our LGBTI community,” he said. “Two years ago, she said the country wasn't ready for same sex marriage.”

Pointing to the importance of taking a stand, Jones said that after launching his case he had been contacted by three young men who had been considering suicide but regained hope for their future after seeing him in court.

As for the work of communal organisations, he continued, “I'm very disappointed with CAISO. They don't fight for same sex marriage. Robinson also said that my lawsuit was useless, because it wouldn't change people's hearts and minds .”

It is impossible to know how widespread discrimination is in Trinidad and Tobago as there are no statistics about hate crimes against LGBTI citizens.

But Jones said that also received dozens of death threats after launching his lawsuit against the state. Two in particular, he said, were so graphic that they convinced him he needed to leave the country.

“I'm currently working on ten asylum requests from LGBTI Trinidadians,” Jones said. “Many have been expelled from their families.”

The government itself has long sent out contradictory messages over LGBTI rights.

In 2007, a campaign led by the local Anglican church opposed the visit of gay singer Elton John to perform in the country, but government officials supported his visit and his concert went ahead as planned.

In December 2008, the government was not among the 66 countries that signed a UN statement calling for the decriminalisation of homosexuality.

But in both 2008 and 2009, Trinidad and Tobago signed Organization of American States (OAS) resolutions calling for the prohibition of violence motivated by the victim's sexual orientation or gender identity.

Then, the following year, the Trinidadian cabinet approved a National Policy on Gender and Development, which reaffirmed the government's opposition to same-sex relationships and its refusal to consider same-sex marriage.

In 2012 the then-prime minister Kamla Persad-Bissessar claimed that the Roman Catholic church was pressuring the Trinidadian government to maintain the sodomy law. The archbishop of Port of Spain, Joseph Harris, denied this statement.

“Our doors are open to any boy or girl we feel are equipped to help, irrespective of race, religion, sexual orientation, physical ability or socio-economic status,” Harris said later.

And prime minister Keith Rowley told parliament last year that the state had a duty to protect all citizens “regardless of whom they sleep with” but has not supported the repeal of the contentious laws.

For now, in the absence of an open LGBTI scene, the dating app Grindr acts as a virtual gathering point for gay men in Trinidad seeking chat, casual sex and some kind of social connection.

A man going by the username Ed Edison said that the situation was worse elsewhere in the Caribbean.

In August this year, Jamaican fashion designer and renowned LGBTI activist Dexter Pottinger was stabbed to death on the island, and Edison noted, “We live better here than in Jamaica. They attack you there.”

A Venezuelan, who gave his name as David, said he had been living in Trinidad and Tobago for 13 years. There was a party and performance scene, albeit tiny.

“There are drag queens in Port of Spain,” he said. “You don't see them everywhere, only at gay parties... well, [there's] just one.”

A different Grindr user, who gave his age as 26 but asked to remain anonymous, said, “Life is hard for a gay man in Trinidad and Tobago. People talk. You can’t live openly. Religion says you’re a sinner. And a family doesn’t want a sinner as a son.”

Another user had the LGTBI rainbow flag as his profile pic.

“But I’m not an activist,” he said. “And even if I were one, I’d be a silent activist.”

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