“Por Mis Derechos Lo Mas Grande”

A Study of Havanan Independent LGBT-Activism and Contentious Claim-Making in a Non-Democratic Regime

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Title:

"Por mis derechos lo mas grande" loosely translates into: 'for my rights, the greatest of all'. This was one of the slogans chanted by Havanan independent LGBT-activists during a march in May 2019, in which they articulated their frustrations over the recent commotion regarding the legalization of same-sex marriage in Cuba.

Cover picture:

LGBT-activists gather in front of the statue of national hero José Martí on Parque Central, Old Town Havana, for the first independent LGBT-march in the history of the Cuban Revolution.

- Photograph taken by the author on 11 May 2019.

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Abstract

In July 2018, the Cuban government announced a constitutional reform process in which the possibility of same-sex marriage was included. Despite Cuba's reputation as relatively tolerant country, accepting of the LGBT-community, this proposition caused much commotion and an unusual spur of contention among the population. This thesis explains how Havanan independent LGBT-activists were able to make claims to enhance their rights within the non-democratic regime of Cuba after this proposed legalization of same-sex marriage. By using contentious politics theory, this research contributes to the relatively underdeveloped body of literature using this theory to examine non-democratic regimes. In addition, three factors acknowledged to influence the development of LGBT-rights in Latin America are integrated in this research. Given the limited studies into the LGBT-rights in Cuba, this research therefore also contributes to the literature on Latin America's 'gay-rights revolution'. The research shows that despite the fragmented and disadvantageous position of Havanan independent LGBT-activists, they use four approaches that still enable them to make contentious claims. Furthermore, the research underscores the need to understand the pervasive power of the Cuban government on contention, which impacts the applicability of the three factors about Latin America's 'gay-rights revolution'.

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Introduction

> "Here, everything was: 'Diversity Cuba', 'For my rights the greatest', 'For Cuba the greatest', 'Where is my ring', 'Yes to equal marriage', the demands of the community. Which is [like] a message we are sending to the state, the Party, to CENESEX, to the Ministry of Health, is 'look what is happening, what we are asking'. It is like a rebirth, it is like, now, we are freeing ourselves and we are going to claim what is ours. That is why the march emerged."[1]

At 3.30 pm, the 11th of May 2019, it is still rather quiet at *Parque Central*, one of the main squares in *Havana Vieja*. Three people arrive, two of them holding rainbow-flags, the other in a multicolored dress. Today they will march. Some photographers already present approach them to take pictures, while a few other activists join the group. Within seconds, a crowd of about 25 journalists and photographers, mainly working for international media outlets, surround the handful of marchers. In front of the statue of José Martí, a national hero and a symbol of Cuba's independence, they are asked about the upcoming event. I witness the gathering from the side of the square and try to estimate what will become of the situation. At the start, with more press than demonstrators, the march does not seem to become more than an attractive story for the media – but then, all the sudden, a group big enough to march gathers and they start to walk. Direction? From the square over *el Paseo del Prado* – a one-kilometer long, Ramblas-style promenade – towards Havana's famous boulevard, *el Malecon*. I decide to walk along with the marchers, and someone gives me a tiny rainbow-flag as I join the group. The energy is vibrant, and the over-a-hundred marchers are excited. They chant while waving rainbow-colored flags and they stop regularly to pose for pictures. Meanwhile, police officers keep an eye on the situation, and a police-car with a surveillance-camera attached to the roof rides along the train of people – although I get a little nervous, the marchers do not seem to be bothered by this. Things are going smoothly, but just before reaching the Malecon, security-officers abruptly stop the march. Not allowed to walk on, the marchers chaotically try to continue towards a different street. Within the commotion several demonstrators at the forefront of the march are being dragged away by undercover policemen – which turn out to have been among the group from the beginning. The atmosphere changes again and the demonstrators seem unsure what to do; some attempt a sit-in, some walk around trying to get information,

[1] Author's interview with Renier

others seek comfort among their friends. A man in uniform with a starred cap gives a statement: the march is unauthorized, and the people are not allowed to continue. Slowly but steadily, the officers surround the group, as to make sure the marchers do not go any other way than the one opened for them by the police – back in the direction of Parque Central and away from the Malecon. The uncertainty continues, the march has no leaders, since the initiators are anonymous, and it is unclear what will happen next. After some hesitation, three couples, heavily cheered on by the remaining group, stage a public kiss. Another rainbow flag goes up in the air – it is like a signal for the ending of the march. People start to walk back slowly, and, except for some whims of people trying to go against them, the police gently disperse the group.[2]

In the days after the march, several LGBT-activists expressed their joy and pride about their participation to me. They accomplished something unique; they participated in a rare expression of independent[3] civil society on the island. One of them, Renier, said to me: "Look, the march was a historical thing, it is unique because it is the first time that we did an independent march in 60 years!"[4] International press saluted the participants of the march, suggesting how unusual it is for Cuban activists to defy their government in such a manner (Marsch, 2019; Weissenstein, 2019) - "It could be a sign of Cubans' growing ability to mobilize for causes even in the face of resistance from the one-party state that has for decades held public spaces under tight control" (The Guardian, 2019). At the same time, there were worries among some Cubans that this focus on the defiance of the government and the intervention of the police could provoke a backlash. Gerardo, connected to the Cuban government, voiced these concerns, saying: "People are so enthusiastic about the march, but I think it is going to be really, really bad. It is going to start a regressive process towards LGBT issues in Cuba, because it is already toxic."[5]

This last part of his statement, about 'it already being toxic', refers to recent developments revolving Cuba's constitutional reform. This collective action of Havanan independent LGBT-community[6] did not come out of nowhere. In the months before, a legal

[2] Reconstruction based on author's fieldnotes and pictures of 11 May 2019, as well as articles published by Reuters: https://www.reuters.com/article/us-cuba-lgbt/cuban-lgbt-activists-defy-government-hold-unprecedented-indie-pride-parade-idUSKCN1SH0JJ & El Estornudo: https://www.revistaelestornudo.com/la-marcha-imposible-del-orgullo-gay/

[3] For an explanation of what is meant by independent claim-making please see Chapter 1.2.2 of this thesis

[4] Author's interview with Renier

[5] Author's interview with Gerardo

[6] In this usage of the term, independent LGBT-activism refers to LGBT-activists that operate independently from the Cuban government.

redefinition of marriage, which could give same-sex couple the right to get married, was suspended. In July 2018, the Cuban government attempted to pave the way for the legalization of same-sex marriage by proposing a constitutional redefinition of marriage as "a union between two people."[7] This redefinition was not received well on the island. It created much commotion among the Cuban public and faced significant efforts of the Protestant Church to counter the development. When it was ultimately decided to define marriage as a union between two spouses, this was seen as a set-back by a large share of the island's LGBT-community. So, when just weeks later, it became clear that the Conga, a celebrative and public procession in honor of the LGBT-community (Smith, 2018), was also cancelled (CENESEX, 2019a)[8], this was the so to say "last straw that broke the camel's back." [9] With everything that happened in the previous months, the 11th of May was a response of the LGBT-community publicly display themselves.[10]

Empirical Complication

The description above shows that the LGBT-community has a contested place within the Cuban society. It also shows that their public display through a march is highly uncommon on the island. The complication that derives from the above described event therefore has a dual character: it encompasses both the position of the LGBT-community in Cuba, as well as the space granted in Cuba to publicly voice demands.

To understand the first aspect, a brief overview of the relation between the Cuban Revolution and the island's LGBT-community is needed. In the beginning of the Cuban Revolution in 1959, homosexuals were perceived as anti-revolutionary. Being gay meant to be at risk of being sent to one of Cuba's *Unidades Miltares de Ayuda a la Produción* (UMAPs), forced labor-camps aimed at rehabilitation and communist instruction (Browne, 2018, p.73). This hostile position started to change at the end of the 1970s, with the decriminalization of same-sex activities in 1979 (Kirk, 2011, p.154). The island nowadays "supports gay rights and positions itself as a regional leader of a progressive socialist approach to inclusion and equality" (Browne, 2018, p.73). In 2010, Fidel Castro publicly took responsibility for the mistreatment

[7] See article 68 of the Cuban Constitution as adopted in April 2019 http://www.parlamentocubano.cu/wp-content/uploads/Tabloide-Constitución.pdf

[8] Author's interview with Alba and Renier, as well as WhatsApp-conversation with Luciano on 8 May 2019

[9] Author's interview with Dassiel

[10] Author's interview with Renier

of homosexuals under his regime, which proved a shift in the island's official position towards the LGBT-community (Browne, 2018, p.73; Kirk, 2011, p.145).

Its *Centro Nacional de Educación Sexual* (CENESEX), a sex-education center led by former president Raúl Castro's daughter Mariela Castro, positions itself as a strong advocate for equality and the development of LGBT-rights (Kirk, 2011, p.73). "In a country in which machismo and homophobia have been widely condemned, changes in the approach to accepting sexual diversity have been significant on both the public and governments levels" (Kirk, 2011, p.144). Especially in comparison to other islands in the region where same-sex relationships are often still punished, the position towards the LGBT-community on the island is thus rather positive (Browne, 2018, p.73; Kirk, 2011, p.144; Piatti-Crocker & Pierceson, 2010, p.11). The recent developments with regards to the legalization of same-sex marriage and the last-minute canceling of the Conga, are therefore quite unexpected.

The second aspect, the space to make public claims in Cuba, is interesting because Cuba is often understood as a non-democratic country with limited political and civil rights. In its most recent report, the Freedom House (2019) warns that the country's civil society is systematically repressed. It indicates, for instance, how the right to freedom of assembly is restricted, with "security forces and government-backed thugs routinely break up peaceful gatherings" (ibid, E1). In addition, it points to a law, installed in 1985, that enables the Cuban government to refuse the registration of any non-governmental organization that is not subjected to state supervision (ibid, E2). Similarly, the 2019 Human Rights Watch-report about Cuba shows that the freedom of expression on the island is low, stating that: "The Cuban government continues to repress and punish dissent and public criticism" (Human Rights Watch, 2019). Whenever there are public marches on the island, like the annual parade celebrating Labor Day and the earlier referred to Conga organized by CENESEX, these are organized by the Cuban state or an institution connected the state.[11] To engage in a public event without the government's support is very difficult. The fact that the LGBT-community managed to march for about 1 kilometer without authorization of the state is thus surprising. It implies that the LGBT-community managed to find ways in which they can still voice their demands, despite the restrictions of the government.

[11] Author's interview with Barbara and Juan

Academic Significance

To understand the academic relevance of researching this complication, two bodies of literature are introduced: the academic research into the Latin America 'gay-rights revolution', and the study into what is called contentious politics.

Particularly since 2010, a growing number of political scientists conducted research on the uneven expansion of LGBT-rights in Latin America (Corrales, 2015, p.53). These academics are interested in what is sometimes called the Latin American 'gay-rights revolution': the powerful and fast embrace of LGBT-rights[12] which made the region the "gay rights leader in the global South" (Encarnacion, 2016, p.3). Although LGBT-rights are implemented widely within the region, different Latin American countries find themselves at various stages with regards to this type of legislation (Encarnación, 2018, p.195). To account for this uneven spread, three main factors have been identified which help to explain the progression of LGBT-rights in the region: the positive impact of elite allies, the impeding role of religious groups, and the importance of modernization (Corrales, 2015, p.54).

Although Cuba takes a unique position in the region, particularly because of their position as forerunner in social policies, relatively little is known about Cuba's position in this Latin American 'gay-rights revolution'. Some scholars working within the field have briefly touched upon Cuba's position towards LGBT-rights to present the reader with a general overview the region's LGBT-landscape. Pierceson, Piatti-Crocker and Schulenberg (2010), for instance, acknowledged Cuba's exceptional status towards the LGBT-community (p.10), yet do so after saying that they will not further explore this position (p.3). Corrales (2017) pointed out that Cuba, despite it secular character, lacks progress (p.72), while Moreau (2017), on the other hand, stated that the recognition of same-sex relationships "has been comparatively well received" on the island (p.442) – these contradicting statements are, however, not substantiated with further explanations to clarify them.

There are also scholars who dedicated a full article or chapter to the developments of LGBT-rights in Cuba. Kirk (2011; 2017) for example, explored the role of CENESEX within the Cuban society, Garcia (2017) focused on the island's sexuality law with regards to transgenders, and Browne (2018) paid attention to Cuban lesbian- and bi-women and their stance towards family-law. These academics conclude that Cuba has showed great progress in

[12] Based on the work of Omar Encarnación (2016), I use this term throughout the thesis in reference to policies and legislation intended to eradicate discrimination based on sexual orientation and/or sexual identification.

the acceptation of the LGBT-community, yet do not link their research to this larger idea of the Latin American 'gay-rights revolution'.

It would thus be interesting to position Cuba's current developments regarding the legalization of same-sex marriage within this larger body of literature. Particularly, because the developments do not seem to align with the usual understanding of Cuba as secular, and LGBT-friendly country.

The second academic debate showing the relevance of researching LGBT-claim-making in Cuba is contentious politics theory. This theory originates from earlier work on social movements, and builds on the intersection between contention, collective action, and politics (Demmers, 2017, p.92). Its main aim is to answer questions about how people articulate demands in which the government is involved either as target or as a third party (Tilly & Tarrow, 2015, p.7). Researchers working on the theory, find that the type of claim-making is likely to vary between different regime-types. McAdam, Tarrow, and Tilly (2009) state that: "Social movements flourish in democracies" (p.79), because here they are provided with the structures needed for peaceful forms of claim-making (p.279). At the same time, non-democracies often suppress these needed infrastructures, often leading to more confrontational ways of contention (ibid, p.262).

As said above, Cuba is often seen as a non-democratic regime by international non-governmental organizations such as the Freedom House and Human Rights Watch. In academic literature, the classification of Cuban regime is surrounded by "terminological battles" (Whitehead, 2016, p.1667). The island is described by a variety of terms, such as a totalitarian regime, an authoritarian regime, or an illiberal state (e.g. Hoffman, 2016; Grenier, 2018). There, however, seems to be consensus about it not being a democracy in the traditional understanding of the term (Backer, Sapio, & Korman, 2019, p.2).[13] Given the non-democratic nature of Cuba's regime, it is remarkable that Havana's independent LGBT-activists managed to organize a public march in the center of the city, without authorization of the government. It would thus be interesting to see how the current knowledge about contention in non-democratic regimes applies to the claim-making of the independent LGBT-community in Cuba.

[13] For a more elaborate explanation of the Cuban regime-type, see Chapter 5.1

Research Question

The discussion above shows that the status Cuba's LGBT-community is rather ambiguous; on the one hand the island is perceived as tolerant and a forerunner when it comes to social policy, on the other hand the legalization of same-sex marriage has been obstructed due to commotion among the Cuban population. These developments seem contradictive to the general knowledge about Latin America's 'gay-rights revolution', and the body of literature does not include sufficient knowledge about Cuba to account for this contradiction. Simultaneously, the non-democratic character of the Cuban regime indicates the exceptionality of a march such as the one organized by Havanan independent LGBT-activists on 11th of May. It would be interesting to use the recent developments leading up to this LGBT-march to learn more about how Havanan independent LGBT-activists are able to make claims about the development of their rights in Cuba. Therefore, this thesis aims to answer the following research question:

> *How are Havana's independent LGBT-activists able to make claims within the non-democratic regime of Cuba, after the start of the constitutional reform-project in July 2018?*

The academic significance of the research is two-fold. To begin, the research adds to literature on contentious politics in non-democracies. Despite the consensus about the differences in claim-making among democracies and non-democracies, most of the existing research into contentious politics is focused on democracies (Alimi, 2009, p.19). Scholars have however become increasingly interested in the question of how contention comes about in non-democracies (Della Porta, 2013, p.5). About this, Osa and Schock (2007) state that: "While there is significant variation within non-democracies – which include military and personalistic dictatorships, one-party states, Leninist regimes, monarchies, and theocratic regimes – the variation between democracies and non-democracies is greater" (p.127). By using contentious politics theory as the analytical frame to research the claim-making abilities of Havanan independent LGBT-activists, the research contributes to the body of literature on contentious politics in a non-democratic regime.

In addition, this adds to the body of literature on Latin America's 'gay-rights revolution'. By integrating the factors generally understood to influence this region's LGBT progression into the analysis of Havanan independent LGBT-activists' claim-making, the study

positions Cuba within its region and displays how the island relates to and differs from other Latin American countries when it comes to LGBT-rights legislation

Chapter Outline

This thesis is structured around the following three sub-questions that were used to guide the research-process:

1. What are the interactions in which Havana's independent LGBT-activists makes claims about LGBT-rights?
2. How do different aspects of the Cuban regime provide Havana's independent LGBT-activists with both openings and constraints in their claim-making efforts?
3. What are the relatively familiar and standardized ways in which Havana's independent LGBT-activists make claims about LGBT-rights?

The outline of the thesis is as follows. The next chapter, Chapter One, is used to present and discuss the most relevant aspects of both the literature about the Latin-American 'gay-rights revolution', as well as of contentious politics-theory. Subsequently, Chapter Two accounts for the methodological choices made in designing the study, as well as during the collection and analysis of the data. Hereafter, Chapter Three functions as an empirical chapter, in which the relevant developments of the research' time frame are set out. Chapter Four is based on the first sub-question and discusses the contentious field in which Havanan LGBT-activists work. It introduces a distinction within the independent LGBT-activism and examines the different groups in the Cuban society with which they are confronted and shows how these can be linked to the literature on the Latin American 'gay-rights revolution'. Chapter Five is dedicated to an analysis of Cuba's political opportunity structure. It answers the second sub-question by clarifying how the work of Havanan independent LGBT-activists is shaped by the Cuban regime. In Chapter Six an overview and an analysis of the claim-making performances encountered during the research is presented. This chapter therefore answers the third sub-question. In addition, some remarks are given on the potential public of these claim-making events. Chapter Seven, consisting of the conclusion, combines the outcomes of the different chapters and presents both a discussion of the findings and an answer to the research question. It also explicates how the research contributes the bodies of literature set out in Chapter One.

Chapter 1: Theoretical Framework and the Operationalization of Key Concepts

As discussed in the previous chapter, this thesis builds on two bodies of academic literature: the theory on contentious politics and the scholarly insights about the development of LGBT-rights in Latin America. The research question has been formulated based on concepts derived from contentious politics, as these enable the analysis of how claims can be made. At the same time, to be able to position the research in the whole of Latin America's 'gay-rights revolution', the main factors are used to analyze the context in which Havana's independent LGBT-activists operate.

The aim of this chapter is to elaborate on both these theories, by discussing their main arguments and displaying how an integration of the key concepts is beneficial to this research. At the same time, this chapter presents an explanation of how these key concepts are operationalized.

1.1 Contentious Politics

As stated in the introduction, contentious politics is used to comprehend the claim-making abilities of Havanan independent LGBT-activists. To explain why Cuban independent LGBT-activism fits within the notion of contentious politics, a more extensive understanding of the theory is needed.

Contentious politics theory builds on the juncture of contention, collective action, and politics and is focused on explaining collective claim-making (Tilly & Tarrow, 2015, p.7). The theory stems from research into social movements and collective action and has been a dominant influence in understanding the social and political structures and practices shaping collective claim-making (Demmers, 2017, pp.91-92). It is about the "interactions in which actors make claims bearing on other actors' interests [contention], leading to coordinated efforts on behalf of shared interests or programs [collective action], in which governments are involved as targets, initiators of claims, or third parties [politics]" (Tilly & Tarrow, 2015, p.7).

The three criteria stated above can be used to show that the work of Havana's independent LGBT-activists in Cuba indeed fits within contentious politics. Firstly, as they demand the adoption of LGBT-rights legalization and improvements for the LGBT-community, they are engaged in contention. Secondly, they make these claims to improve the rights of their community and are thus make "efforts on behalf of shared interests" (Tilly & Tarrow, 2015, p.8). Lastly, although not all claims are explicitly directed towards the Cuban

state, the government is the one responsible for the outcomes of their demands, as they are the ruling power in Cuba, and are thus always implicitly addressed.

The theory on contentious politics provides a variety of concepts which can be used to analyze various aspects within claim-making processes. In this study three main components of contentious politics-theory are used: the notion of political actors and their contentious field, contentious performances, and political opportunity structure. These concepts enabled me to incorporate the different interactions in which Havana's independent LGBT-activists engage, as well as the impact of the non-democratic structure of Cuba's government, in analyzing the ways in which they make claims. These concepts were used to formulate the research question presented in the introduction: *How are Havana's LGBT-activists able to make collective claims within the non-democratic regime of Cuba?* and are discussed below.

1.1.1 Political Actors and their Contentious Field

Contentious politics theory involves "collective making of consequential claims by connected clusters of persons on other clusters of persons" (McAdam et al., 2009, p.261). These clusters of people engaging in contentious claim-making, are called political actors (Tilly & Tarrow, 2015, p.236). According to McAdam et al. (2009), there is a tendency among contentious politics scholars use the notion of social movements to refer to groups involved in claim-making, but they oppose such general usage of this term (p.277). Instead social movements are understood as a historical and non-universal category of contention. They claim that such understanding of all political actors as social movements would obstruct the analysis of contention, as it would complicate the comparison between several types of contention (ibid, p.277; Tilly & Tarrow, 2015, p.236). Besides, there are also people who join together to make claims but operate in "loosely organized networks" (Den Hond & De Bakker, 2007, p.9). Following these arguments, the different actors engaged in collective claim-making are understood as political actors.

To understand their claim-making, the interactions in which political actors operate must be considered (McAdam et al., 2009, p.261). As claims are being made bearing on the interest of others, political actors never are alone in their field. Their interactions are important, because they shape the relations between the different political actors (ibid, p.261) To answer the research question a concept is thus needed to incorporate the other actors in the field the of Havana's independent LGBT-activist, as "models of political action that take up just one actor at a time cannot explain such interactions or their outcomes" (ibid, p.261).

The idea of a contentious field provided by Taylor and Zald (2010) can be used to include such interactions in the research (p.308). A contentious field encompasses the "structured arena of conflict that includes all relevant actors to whom a social movement might be connected [...] including the agencies, organizations, and counter movements that resist or aid the movement in pursuing its claims" (ibid, p.308). Among these relevant actors are the audiences witnessing the claim-making activities (Santoro, 2008, p.1395). During contention, an audience exists of the general public of bystanders, confronted with the contention of political actors (ibid, p.1395). They play an important part in the understanding of contention, as "the audience primarily moderates the effect of movement and countermovement actions on policy outcomes" (ibid, p.1395).

Hence, to understand the abilities for contention of Havana's independent LGBT-activists, the different groups with which they interact in their contentious field must be considered. To answer the first sub-question: *What are the interactions in which Havana's independent LGBT-activists makes claims about LGBT-rights?* both the definition of a contentious field and of an audience can be used. The indicators derived from these definitions include the identification of other groups operating in Havana which either foster or constrain the demands of the independent LGBT-activists. However, to be able to position this research within the larger body of literature on the Latin American 'gay-rights revolution', these indicators are further specified in part 1.2 of this chapter.

1.1.2 Contentious Performances

Political actors engage in contentious claim-making through interactions in their contentious field. These claims are "calls for action [...] that would, if realized, affect that object's interests" (McAdam et al., 2009, p.261). Claims can be made in a broad variety of ways, ranging from peaceful collective expressions, to more violent manifestations (ibid, p.261) – including "public meetings, petitions drives, street demonstrations, varieties of armed attack, shaming ceremonies and magical rituals" (Tilly, 2008, p.7).

The ways in which claims are being made are called contentious performances by Tilly and Tarrow (2015, p.14). These are "relatively familiar and standardized ways in which one set of political actors makes collective claims on some other set of political actors" (ibid, p.14). Traditionally, three criteria are used to identify such claim-making events: performances are collective, include a claim about altering or maintaining the system, and are public (Taylor & Van Dyke, 2004, p.267; McAdam et al., 2009, p.261).

Over the years, academics have criticized these criteria for two reasons. First, there have been academics that said that claim-making acts can also be performed less publicly (Taylor & Van Dyke, 2004, p.268). Tarlau (2015) for instance concludes, after a research into successful contention of the Brazilian Landless Workers Movement, that "successful social movement strategies do not only involve public displays of contention" (p.117). Thus, questions have been raised about the possible limitations on analysis if performances can only be public (Taylor & Van Dyke, 2004, p.268).

In addition, multiple scholars pointed out that the understanding of performances should include their role in identity building. Taylor and Van Dyke (2004), for instance, claimed that performances are not only instrumental, aimed at changing or preserving the system, but also expressive, constructing a collective identity among the political actors (p.267). To illustrate, in 2008 Armstrong and Bernstein stated that LGBT-activism about AIDS often "sought change in governmental and corporate policies, while [..] challenging classification systems and affirming gay identity" (p.88).

This contribution of claim-making to collective identity is often linked to a culturalist approach to contention. However, Staggenborg and Lang (2007) have showed that, depending on the situation, "cultural production activity can be a political strategy or provide support for contentious politics" (p.179). They conclude that such identity-building performances can indeed be understood as a contentious performance, but only if they are intended to contribute to the political agenda of their initiators (ibid, p.179).

To incorporate these critiques, Taylor and Van Dyke's (2004) slightly altered criteria to recognize performances are used as indicators in this research: contestation, intentionality, and the construction of collective identity (pp.268-270). Contestation is seen as action "used to pursue or prevent changes in institutionalized power relations" (ibid, p.268), intentionality, refers to the "strategic decision-making [in] collective claims-making" (ibid, p.269), and the construction of collective identity implies that the performances "also have an internal movement-building dimension" (ibid, p.270).

In Chapter Six, the different performances of the independent LGBT-activists operating in Havana are presented. Here the third sub-question: *What are the relatively familiar and standardized ways in which Havana's independent LGBT-activists make claims about LGBT-rights?* is answered. To be able to identify rightly which actions of these independent LGBT-activists were contentious performances the criteria of Taylor and Van Dyke (2004) were used throughout the research.

1.1.3 Political Opportunity Structures

Contentious politics research shows that political actors cannot engage in an unbounded range of performances, but rather have access to a limited variety of performances lumped in what is called a repertoire of contention (Tilly & Tarrow, 2015, p.49) This contentious repertoire is shaped by the circumstance in which political actors operate, and to a large degree dependent of the configuration of the existing political regime (ibid, p.49; Tilly, 2008, p.19). A democratic regime, for instance, is more likely to provide space for peaceful claim-making opportunities, while political actors in a non-democratic regime might have to draw from different, less peaceful, contentious repertoire (Tilly & Tarrow, 2015, p.189). As displayed in the introduction, the case of the independent LGBT-activists in Havana is particularly interesting because of the nature of the Cuban regime. Because of this key role given to the Cuban POS in understanding the abilities for contention of the political actors, the concept is elaborated upon below.

The political regime in which political actors make claims thus shapes the available opportunities for claim-making. Opportunities are the "constraints, possibilities, and threats" (Koopmans, 1999, p.96) that shape the chances for political actors to achieve their goals. Different regimes are associated with different opportunities for claim-making, and based on their position within the field, different political actors also have different opportunities within the same regime (McAdam et al., 2009, p.264).

The features of a regime shaping the claim-making opportunities for political actors are captured in what is called a political opportunity structure (POS) (Tilly & Tarrow, 2015, p.49). Within the more traditional understanding of contentious politics, there is consensus about six features of a regime that are most influential to a POS (e.g. McAdam et al., 2009; Tilly, 2008; Tilly & Tarrow, 2015). Tilly (2008) summarizes these as: "the openness of the regime, coherence of its elites, stability of political alignments, availability of allies for potential challengers, repression or facilitation, and pace of change" (p.91). Any changes among these features will thus either constrain or foster opportunities for claim-making and therefore affect the types of performances available to political actors (ibid, p.91).

Although POS is seen as one of the most influential concepts in understanding contentious claim-making, traditional contentious politics-scholars, like Tilly and Tarrow (2015), have been criticized for their emphasis on POS. These critiques and some ways to bypass such critiques are discussed below.

1.1.3.1 Criticism and the Development of POS

Ontologically speaking, contentious politics theory takes an interactive approach in understanding social life, acknowledging both the importance of structures and agency in understanding social practices (Demmers, 2017 p.92). However, due to the importance given to POS, traditional scholars such as Tilly and Tarrow (2015), have been accused of disregarding the non-structural aspects of contention (e.g. Jones, Mozaffari, & Jasper, 2017, p.3)

Already in 1996, POS was claimed to be "in danger of becoming a sponge that soaks up virtually every aspect of the social movement environment, [becoming] an all-encompassing fudge factor for all the conditions and circumstances that form the context for collective action" (Gramson & Meyer, in Kriesi, 2004, p.69). As a result, academics have shifted their focus to the importance of agency, either by focusing rational choice (e.g. Kriesi, 2004), collective action frames (e.g. Benford and Snow, 2000), and strategic decision-making (e.g. Jasper, 2004). Other academics, however, tried to improve the application of POS. Since the main argument to substantiate the critiques on POS' explanatory power was the lack of consistency in what exactly is entailed by a POS (Della Porta, 2013, p.3; Osa & Schock, 2007, p.124), these scholars have tried to nuance the concept (e.g. Kriesi, 2004; Koopmans, 1999; Osa & Schock, 2007).

Given the key role played by Cuba's POS in understanding the claim-making abilities of the Havanan independent LGBT-activists the outcomes these attempts to improve the concept from within are elaborated below.

1.1.3.2 Long-term structures versus short-term openings

The first solution to prevent POS from becoming a concept that explains too much, is to make a distinction between long-term and short-term characteristics of a regime. Without this nuance, the use of POS blurs the distinct opportunities for claim-making offered by these distinct aspects of a regime (Jasper, 2011, p.11). Long-term structures are relatively fixed and stable features of a regime, and political actors often adapt themselves to the opportunities within these structures (ibid, p.12; Koopmans, 1999, p.99). However, within such long-term structures timelier possibilities for contention also come along. These can be seen windows of opportunities that open and close (Jasper, 2011, p.12). Unlike the long-term opportunities, these short-term opening require political actors to respond rapidly to be able to benefit from them.

In acknowledging these different options for claim-making in both the long-term and short-term features of a regime, the structural character of POS provides space to strategic

decision-making of the political actors (Koopmans, in Jasper, 2011, p.14). Researching the performances of Havanan independent LGBT-activists, tells something about the opportunities they see and how they decide to take advantage of these opportunities. Or as pointed out by Tilly (2008): "POS can only shape contention through human agency" (p.91).

1.1.3.3 POS within a non-democratic regime

The second way to improve the effectiveness of POS, is by making a distinction between regime features that are relevant within a democracy, and those which are relevant in a non-democracy (Osa & Schock, 2007, p.124). Although most contentious politics scholars agree that contentious repertoires differ among democracies and non-democracies, most of the theory is based on research within democratic regimes (Alimi, 2009, p.19).

Osa and Schock (2007) have pointed out that some of Tilly's six characteristics of a regime influencing a POS are much more relevant within democracies than within non-democracies (p.128). To analyze the impact of the POS in a non-democratic regime they suggest a different set of five characteristics that must be considered (ibid, p.129). Based on Tilly's list, they state that contention can be fostered or restrained by "divided elites, influential allies, media access/information flows, repression dynamics, and the existence of social networks" (p.129). These characteristics of the long-term structures within a non-democratic regime have served as the indicators to analyze Cuba's POS and are therefore explained more into detail below.

The first, elite divisions, is interesting for political actors operating in non-democratic regimes, as they signal a vulnerability and possible openings within the political system (Osa & Schock, 2007, p.129). These divisions are more common within democracies, but they are especially valuable in in non-democracies. Osa and Schock (2007) point out that: "The lack of regular and institutionalized methods of elite competition may result in more intense conflicts and presumably more consequential opportunities for mobilization" (p.130).

The second feature, influential allies, refers to potential allies that can lower "the discrepancies between challengers and the state [because of their] organizational expertise, economic assistance, or leadership" (Osa & Schock, 2007, p.130). Establishing such relations is beneficial for contention, as these allies provide resources which strengthen the position of political actors (ibid, pp.130-131). As many potential allies are subjected to state control within non-democratic regimes, it is particularly interesting to see if and with whom political actors can engage in such connections (Osa & Schock, 2007, p.131).

A third variable influencing the opportunities for contention is media access. Whereas this is freely accessible in democracies, political actors in non-democratic countries are often faced with state-controlled media and limited access to information flows (Osa & Schock, 2007, p.132). According to Tilly and Tarrow (2015), there are several ways in which the media play a role in claim-making. It functions as an informative tool to learn expand one's contentious repertoire (ibid, p.16), it can be used to mobilize people (ibid, p.55), and it is a way to "broadcast the nature of claims" (ibid, p.159). At the same time, the media can also be used as a repressive tool by governments, manipulating the course of events by underestimating and misrepresenting contentious groups and claim-making events (ibid, p.37). The high level of media-censorship often diminishes access to information flows, which impedes the development of contention (Osa & Schock, 2007, 132).

Repression refers to the "actions by the state that raise the costs of collective action" (Osa & Schock, 2007, p.133). Osa and Schock (2007) identify four categories in which these actions can be divided: "negative sanctions, violence, coercion, and violence by proxy" (p.133). Repression can take place in both democracies and non-democracies, yet in the latter it "is far more pervasive, since any overt challenge can be constructed as illegal and regime threatening" (ibid, p.133). The exact effect of repression on contention is highly debated, with researches finding negative relations, as well as a positive relation between the two, and even outcomes in which contention is the highest at moderate levels of repression (ibid, pp.133-134). The exact impact of repression on contention thus seems to be context specific.

Lastly, Osa and Schock (2007) point out that social networks have a different function in democratic and non-democratic regimes. In the former these "are usually conceived as 'mobilizing structures' for movements" (p.137), these are mainly considered in respect to social movements. In non-democracies however, social networks play a different role in which they are perceived more as something self-contained. Aside from a mobilizing structure, they also contribute to the circulation of information and resources, as well as to the creation of social identities and risk reducing co-operations (ibid, p. 138). Because of these expanded functions, "social networks can provide opportunities for mobilization in the most repressive circumstances" (ibid, p.138).

The second sub-question: *How do different aspects of the Cuban regime provide Havana's independent LGBT-activists with both openings and constraints in their claim-making efforts?* is answered in Chapter Five and based on the discussion of POS as an explanatory concept above. First a distinction was made between short-term and long-term features of the regime, and then the five variables of Osa and Schock were used as indicators to analyze the impact of Cuba's regime on the independent LGBT-contention in Havana.

The discussion of contentious politics theory shows that the work of Havana's LGBT-activists can be understood as contentious claim-making. The notions of political actors and their contentious field, contentious performances, and the political opportunity structure, are useful to the research as they provide clear indicators for a study in the field. The criteria articulated by Taylor and Van Dyke (2004) are useful to identify the performances of these LGBT-activists. And after acknowledging the differences between the long-term structures and short-term openings, the five features of Osa and Schock are clear indicators which can be used to analyze Cuba's POS. In addition, Taylor and Zald's (2010) understanding of a contentious field, in combination with Santoro's (2008) explanation of the audience, help to understand the interactions in which Havana's independent LGBT-activists operate. However, to be able to position the research in the larger body of literature on the region, these indicators are further specified in the elaboration of Latin America's 'gay-rights revolution' below.

1.2 Latin America's 'Gay-Rights Revolution'

In recent years, academics have showed a growing interest in the development of LGBT-rights in Latin America. While at the beginning of the 21st century most Latin American LGBT-communities still had no legal protections (Corrales, 2017, p.55), the region recent witnessed a remarkable and "unprecedented extension of rights in some jurisdiction to sexual minorities" (Diez, 2013, p.213; Piatti-Crocker, 2013, p.3). These developments are particularly interesting, because its spread has not been even around the region (Encarnación, 2016, p.7; Petkus, 2014, p.3). Despite the communalities among Latin American countries, for instance with regards to culture and history, "individual countries are developing distinct gay rights landscapes" (Encarnacion, 2018, p.195). This fast, but uneven, embrace of LGBT-rights has been labelled by scholars as the Latin American 'gay-rights revolution'.

The inconsistencies and uneven development of 'gay-rights revolution' cannot be explained based on transnational explanations[14] for LGBT-advancement alone (Encarnación, 2016, p.7; Petkus, 2014, p.3). Instead, Encarnación (2016) argued that region-specific research is needed to "demonstrate how the domestic environment has mediated external influence with respect to gay rights across Latin America" (p.7). Based on a review of the region-specific conducted researches, there seems to be consensus about the relevance of three factors in the adoption LGBT-legislation. These are the importance of modernization, the supportive impact of elite allies, and the obstructive role of religious groups (Corrales, 2015, p.54).

These factors can be used to further develop the understanding of the different interactions in the contentious field of Havana's independent LGBT-activists. The contentious field is defined as "structured arena of conflict that includes all relevant actors to whom a social movement might be connected [...] including the agencies, organizations, and counter movements that resist or aid the movement in pursuing its claims" (Taylor & Zald, 2010, p.308). Below the three factors are explained and linked to this definition of the contentious field.

1.2.1 Modernization-Theory, Elite Allies, and the Power of Religious Groups

To begin with, most scholars agree that the existence of a LGBT-movement alone is not enough. It is found that the existence of a social movement advocating for LGBT-rights is crucial, but that the actual effectiveness of a movement depends on whether they have influential allies (Corrales, 2015, p.54). It turns out that when movements are able to establish strong ties with national level parties, they are more likely to succeed in establishing their claims (Diez, 2013, p.216; Corrales, 2015, p.54; Schulenberg, 2013, p.40). In his analysis of the adoption of same-sex marriage in Buenos Aires and Mexico City, Diez (2013) summarizes: "The passage of these pieces of legislation owes largely to the ability of well-organized activists to present an effectively framed policy" (p.213) in which "activists relied on [...] alliances they forged with key state and nonstate actors" (p.216). Hence, elite allies with strong ties to national state parties

[14] In his book 'Out in the Periphery: Latin America's Gay Rights Revolution', Encarnacion (2016) shows how the notion of global queering, the idea that Latin America has been influenced by internationalization of Western LGBT-identities, general theories on the socialization of international human rights regimes, and modern-day theories on policy diffusion also present are not sufficient in understanding Latin America's gay-rights revolution, because they do explain the inconsistencies. For a full explanation of these transnational concepts and their flawed explanatory power in the case of Latin America, see Encarnación, 2016, p.17-48.

are usually seen as the supportive actors in the contentious field of Latin American LGBT-activists.

The second factor impacting the development of LGBT-right, is the power of religious groups in vetoing progress (De la Cruz, 2013, p.324; Corrales, 2015, p.54; Piatti-Crocker & Pierceson, 2010, p.8; Petkus, 2014, p.48). Through influence on judicial and legislative processes and public protesting, these groups have often opposed the adoption of LGBT-rights legislation (De La Cruz, 2013, pp.350-351). There are two main explanations for why religious groups have such an influence on the course of LGBT-rights implementation in the region. To start, the fact that most Latin American governments have historically been either directly or indirectly 'dominated' by religious entities (ibid, p.350). Instead of a separation between state and church, scholars like De La Cruz (2013, p.350) and Corrales (2017, p.75) find a high connection between religious groups and political parties in Latin American countries. At the same time, it is found that the ideology carried out by these religious entities aligns with most of the public's traditional views on sexuality. Because of this, the religious rhetoric resonates with a large part of the population (De La Cruz, 2013, pp.350-351).

Aside from these explanations, a recent shift from Catholicism to Protestantism in the region also seems to play in a role. Christianity is the dominant religion in Latin America, with an estimation of 90% of the population being Christian in 2010 (PEW, 2012). Most Latin American countries have predominantly been connected to the Catholic Church, but recent research indicates that a religious shift is taking place with "the number of self-declared Catholics [...] dropping dramatically, while the number of Evangelicals is rising" (Corrales, 2017, p.71). This is an important shift, as the Protestant Church tends to oppose the development of LGBT-right more strongly than the Catholic Church (Lodola & Corral, 2013, p.44; Chaux & León, 2016, p.1255). Although both articulate strongly against the legalization of same-sex marriage, the Catholic Church seems to take a more flexible stance towards anti-discriminatory legislation than the Protestant Church (Corrales, 2017, p.72). Corrales (2017) suggests that: "In Protestant, and especially Evangelical-dominant countries, the chances of expanding LGBT rights are considerably lower as these countries exhibit the powerful combination of both clergy and laity forming a strong lobby and electoral pressure group to block LGBT rights" (p.74). Within the contentious fields of Latin American LGBT-activists, religious groups, and particularly the Protestant Church, are thus often seen as those groups within society that resist the claim-making efforts of such activists.

Lastly, it is found that the degree of modernization, "encompassing questions of secularization, democratization, and economic development" (Pecheny & De La Dehesa, 2014,

p.108) matters (Lodola & Corral, 2013, p.45; Piatti-Crocker & Pierceson, 2010, p.10). Several researchers argue that a higher level of economic and societal developments is likely to result in a higher level of tolerance towards LGBT. Because people worry less about other aspects of their lives, they are more open to the advancement of other issues (Corrales, 2015, p.54). Corrales and Pecheny (2010), for instance, point out that "the struggle for LGBT-rights is often a post-materialist concern. It is likelier to rise to the top of the agenda when material concerns become less urgent" (p.18). Additionally, Chaux and León (2016, p.1254) and Dion and Diez (2017, p.92), find that people embracing democratic values, show a greater acceptance of the legalization of same-sex marriage. Although there are some countries that do not follow this argumentation, like Ecuador and Costa Rica, which reduces the power of the claim, it is generally agreed that the socioeconomic status of a country does impact the space for LGBT-rights advocacy (Corrales, 2017, p.58; Piatti-Crocker & Pierceson, 2010, p.8). This audiences to claim-making efforts are more likely to support Latin American LGBT-activists, if the operate in favorable conditions including secularization, democratization, and economic development.

In this discussion of the research into Latin America's 'gay-rights revolution', it has become apparent that the three factors with explanatory power in understanding the region's (lack of) LGBT-rights progress can be placed in the understanding of a contentious field. In employing these factors in the analysis of the contentious field of Havana's independent LGBT-activists, this research aids in positioning Cuba's development of LGBT-rights within the wider perspective of the Latin American region.

Chapter 2: Methodology

This chapter explains the decisions made to guide the research process. To begin, the ontological and epistemological stances taken in this study are explained, followed by a consideration of the methodological approach to the research. Next, the research design is clarified, which includes both the demarcations to the research question and the techniques and methods used to collect and analyze the data. The chapter ends with some notes regarding the limitations of this research.

2.1 Ontology, Epistemology, and Methodology

The ontological and epistemological stance adopted in this research are in line with those often taken in contentious politics theory. Although the research aims to contribute to both the body of literature on Latin America's 'gay-rights revolution' and contentious politics theory, the research is set-up based on concepts derived from the latter – the research should thus be consistent with this theory.

Following Tilly and Tarrow's ontological stance, I adopted an interactionist ontological approach in my research. These scholars look at social life acknowledging the "fundamentally *social/relational* nature of human existence" (McAdam, in Tilly and Tarrow, 2015, p.14, emphasis theirs). They therefore take an interactionist stance, recognizing the role of both structures and agency. Similarly, this study aimed to bridge the divide between structures and agency – on the one hand, I aimed to understand the agency of Havanan independent LGBT-activists by researching their claim-making abilities, on the other hand, the political opportunity structure (POS) shaping these abilities was seen as a crucial tool to explain the types of claim-making.

Epistemologically, I took an interpretivist stance. Tilly and Tarrow (2015) are often perceived to bridge the divide between positivism and constructivism, interested in the "*how* of joint actions" (Demmers, 2017, p.92). In this research, I used the insights about claim-making obtained through interviews with my research participants, to say something about the impact of the structures on these claim-making abilities. I thus combined understanding 'from within', to be able to explain 'from without' (ibid, p.16).

Based on this epistemological and ontological stance, I adopted a qualitative research strategy. According to Snape and Spencer (2003), a qualitative methodology enables researchers to observe as well as understand, as it provides tools to study the interrelations

between various aspects of social life (p.7). Through this type of methodology, researchers can describe their field of interest in the terms of the people living in this field, and then explain these phenomena by going back and forth between data collection and analysis (Boeije, 2010, p.32).

Qualitative research can thus be used by researchers who "attempt to provide a holistic understanding of research participants' views and actions in the context of their lives overall" (Snape & Spencer, 2003, p.7). As I aimed to do exactly this, bridging the gap between agency and structures by analyzing the interpretations of my interviewees within the larger perspective of their contentious field and Cuba's POS, a qualitative methodology seemed the appropriate choice for my research.

2.2 Research Design

In this description of my research design I account for the demarcations of the research question, including the research population, the setting of the research, and its time frame, and explain the choices for my data collection methods. An implication of qualitative research is the need for flexibility in the field (Lewis, 2003, p.47). The choices and decisions discussed below are thus the result of an ongoing process of reviewing my design in interaction with my field.

2.2.1 Demarcations of the Research Question

As introduced at the beginning of this thesis, the research question at the foundation of this study is: *How are Havana's independent LGBT-activists able to make claims within the non-democratic regime of Cuba, after the start of the constitutional reform-project in July 2018?* Below I account for the demarcations imposed on the research by this research question.

To begin, the research question demonstrates a focus on independent LGBT-activists. Before I entered the field, I aimed to analyze the contention of both the Protestant Church and of the LGBT-activism in general. During the research, however, it became apparent that the contentious field was more complex, existing of CENESEX, the Protestant Church, and many independent LGBT-activists.[15] It is important to note that the usage of 'independent' here does not mean that they work alone. These activists refer to themselves as 'independent', because they do not work for CENESEX or the state. Although I managed to collect data about all these different groups, I realized that this was too much to assimilate into one thesis. As I collected

[15] An elaborate and extensive description of this field is presented the next chapter of the research

the most data about the independent LGBT-activists, I decided to focus on this group in particular, and use my additional data to understand the context in which they operate.

Secondly, my choice for Havana as the research location also demarcates the outcomes of my research. The reason for this decision was that most of the contention about Article 68 took place in this city. Due to a relatively tolerant mind-set, Havana is home to some of the most active independent LGBT-activists on the island. Besides, CENESEX' office is located in Havana and their annual Jornada Against Homophobia and Transphobia[16] also takes place here. Furthermore, several of the churches campaigning strongly against the adoption of Article 68 were also located in Havana. I was thus sure that I would be able to encounter different political actors involved in claim-making if I would conduct my research in Havana.

The last demarcation is the period about which data was collected, starting with the beginning of the constitutional reform in July 2018 and ending just after the Jornada in May 2019. I decided on this time frame, because in these months many Cubans talked about, and engaged in contention about the possible legalization of same-sex marriage. This period thus suited my research, because it provided data both on contention in a non-democratic regime and the development of LGBT-rights in Cuba. At the same time, this demarcation helped me to get a sufficient, yet manageable amount of data to base my thesis on.

2.2.2 Sampling Methods, Data Collection, and Data Analysis

To collect and analyze my data effectively, this research was set up in three phases: a contextualization phase, a data-collection phase, and an analysis-phase. In the description below I elaborate upon these phases, discussing the sampling methods and the data collection and analysis techniques used throughout the research.

2.2.2.1 Contextualization-phase

The first phase consisted of three weeks before going to the field. Through desk research I obtained a deeper understanding of the Cuban society and the position of the LGBT-community in this society. To comprehend the recent developments regarding the constitutional reform, I collected the newspaper-articles published since July 2018 by two international and two Cuban

[16] An annual two-week event with "the object to promote the free and responsible expressing of one's sexual orientation and gender identity, and to educate the citizens about respecting sexual rights. [Existing] of different activities in two provinces, characterized by development of academic, community, artistic, recreative and communicative spaces" (CENESEX, 2019b) – Hereafter referred to as 'Jornada'

media outlets.[17] In addition, to learn about human rights and contention in Cuba, I read the most recent rapports of four international human rights-organizations reporting on this matter.[18] Furthermore, to familiarize myself with Cuba's LGBT-rights, I read one Cuban and one Dutch research into the island's acceptance of the LGBT-community[19], and I explored several Facebook-pages actively posting about LGBT-rights in Cuba.

In this phase I also tried to set up initial connections with potential research participants on the island. I contacted another researcher, who put me in touch with a woman working at the University of Havana, who agreed to meet with me upon arrival. I also had an informal meeting with a Dutch journalist who provided me with the contact details of two potential research participants: one journalist in Cuba, and one Cuban LGBT-activist in exile in the Netherlands. I managed to conduct an interview with this LGBT-activist before leaving going into the field, who provided me new contacts and with valuable additional information about Cuba's LGBT-activism.

2.2.2.2 Data Collection-phase

After arriving in Havana, the second phase started. In this phase data was collected about the performances of independent LGBT-activists, their interactions with other groups, and the impact of the Cuban regime on their claim-making possibilities.

To find informants I used a purposive sampling method, as respondents needed to be actively involved in the contentious field of interest. The main strategy to do so was snowballing, which entails asking interviewees if they know about other potential research participants (Ritchie, Lewis & Elam, 2003, p.94). A limitation of this method is that it can result in an un-diverse set of research participants, "because new sample members are generated through existing ones" (ibid, p.94). I have limited this short-coming to an extent, by using different people to start several snowball-chains.

As indicated above, the research initially focused on Havana's independent LGBT-activists, CENESEX, and the Protestant Church. Therefore, I established contacts within all three groups throughout this research-phase. Through the contacts obtained in the contextualization phase I managed to start three snowball-chains which put me in touch with

[17] International newspapers: Reuters and the Guardian – National newspapers: Granma and El Toque
[18] Published by The Freedom House (2018), Human Rights Watch (2019), Amnesty International (2019), and the Universal Periodic Review of the United Nations (2018).
[19] Published by CubanCentro de Estudios de Población y Desarrollo and LGBT Asylum Rapport

two networks of independent LGBT-activists, an employee of CENESEX, and several experts on family- and sexuality-law in Cuba. To get access to the Protestant Church was a bit more difficult, however. I visited several churches and established some contacts, but it was not until I met another researcher who put me in touch with his network, that I managed to set up another chain of interviews.

To triangulate my data, I used two main data-collection methods: unstructured interviews, and participant observation. Interviews are a commonly used method to conduct qualitative research, as they enable "detailed investigation of people's personal perspective" (Ritchie, 2003, p.36). Participant observations, on the other hand, provide the opportunity to observe phenomena while at the same time gaining "additional insights through experiencing the phenomena" (ibid, p.35). The two methods are elaborated below.

The unstructured interviews I conducted helped me to get the perspectives of the independent LGBT-activists on their claim-making abilities in Cuba's regime. During the interviews I used a topic-list to make sure that all relevant issues were covered at the end of the meeting. This topic-list was based on the operationalization of the sub-questions, using the indicators presented in Chapter One (See Appendix 1). Most of the interviews were conducted in Spanish, unless an interviewee indicated that he/she felt comfortable speaking English. The interviews were recorded if the interviewee gave informed consent, and if this was not possible, I made notes of what was said. All interviews were transcribed as soon as possible after the appointment. The ones conducted in English were transcribed by me, but as I noted that transcribing in Spanish took a lot of time, I hired a Cuban woman trained as a translator working at the Faculty of Foreign Languages at the University of Havana to do this for me.

In the interviews, I heard about upcoming events and performances, which I then attended to conduct participant observations. These enabled me to compare, to a degree, the information obtained in interviews with real life situations. Throughout such participant observations I took fieldnotes, which I tried to process as soon as possible afterwards.

Because I organized and processed my data throughout this phase, I was able simultaneously collect and reflect on the data. This allowed me to identify areas of interest in which information was still missing and areas in which I already collected sufficient information. Through this back and forth I collected a nuanced set of data, based upon which my sub-question and research question could be answered.

Ultimately, I conducted 24 unstructured interviews with people involved in the contentious field of interest and did 8 participant observations (See Appendix 2). Additional information was obtained through informal conversations, either in real life or on WhatsApp

and Facebook, and materials such as leaflets, stickers and posters used in the claim-making efforts.

2.2.2.3 Data Analysis-phase

The third phase started after finishing the fieldwork at the end of May. To be able to effectively analyze the data, I further organized and coded it. Then, I analyzed the data using the key components of contentious politics theory and placing it within the larger body of literature on the Latin American 'gay-rights revolution'. Below I elaborate on this process.

First, I explored the most prevalent themes in the data and estimated their relevance in answering the sub-questions. During this process I realized it would be complicated to focus my analysis on all groups in the contentious field and still write a concise thesis. Instead, as stated above, I decided to alter my research question slightly and to focus solely on the independent LGBT-activists. However, I still analyzed the data collected in the interviews with CENESEX and the Protestant Church, to understand the context of the claim-making efforts of the independent LGBT-activists.

Next, I coded my collected data. I created a coding tree in NVivo12, based on the outcomes of the initial reflection in combination with the key concepts of contentious politics theory. NVivo12 was then used to code my data and helped me structure my data effectively. Throughout this process I have adjusted the coding tree a few times and went back and forth between the data and the codes, until I was sure that all the data was coded adequately (See Appendix 3). As the coding tree incorporated the key concepts of contentious politics theory, the process of coding my data helped me to further analyze it.

After everything was coded, I combined the new insights with my initial thoughts developed throughout the research process. I went back to the key concepts of both the bodies of literature explained in Chapter One and compared my findings to academic insights about LGBT-activism in Latin America and contentious politics in non-democratic regimes. This last step of integrating the different ideas led to the outcomes presented in this thesis.

A few remarks must be made about the writing process of the thesis. Firstly, all the quotes stated originally in Spanish, have been translated into English by me. Secondly, due to the sensitivity of some of the topics discussed in the thesis, I promised my respondents to preserve their privacy. To guarantee this anonymity of my respondents, their names have been replaced by pseudonyms, and their connection to certain initiates has been kept vague. Lastly, for readability of the footnotes, I decided not to include additional information to the names.

Instead I included an overview of the conducted interviews and participant observations including dates and details in Appendix 2.

2.3 Limitations

In this last section, the limitations dealt with during the research process, including the demarcations of the research question, impartiality, and the sensitivity of my research-theme, are considered.

To start, my time in the field to collect data about the research population was limited. Due to travel-regulations, my visa only allowed me to stay in Cuba for 60 days. As I aimed to collect a diverse range of data, talking to a wide range of people, I did not have the time to conduct follow-up interviews. Given the complexity of my research question, particularly regarding the impact of Cuba's regime, it would have been interesting to return to some of the interviewees at a later stage in the research. This would have enabled me to deepen my understanding of the claim-making abilities even further.

Next, because of my use of purposive sampling, the research is not statistically representative (Ritchie & Lewis, 2003, p.78), and that the findings of the research cannot be generalized for Cuba as a whole. This limitation is amplified by the decision of Havana as the research location. Several interviewees have pointed out to me that Havana is quite tolerant of the LGBT-community in comparison with the rest of Cuba. The experiences of an LGBT-activist in Havana are therefore likely to differ from the experiences of LGBT-activist in other parts of the country.

In addition, I should discuss my position as a Dutch-researcher and the implications of this status on my perceived impartiality. I noticed how sometimes my respondents assumed I would be biased about Cuba's political ideology because of my Western background. Similarly, the reputation of the Netherlands as the first country to legalize same-sex marriage helped me to get access to the LGBT-community but made it harder to connect with the Protestant Church. I managed to deal with these obstructions by always making clear, before starting an interview, that I was here solely to learn about their perspectives. Taking on my role as a researcher, I detached myself from my own ideas as much as I could and avoided getting into a discussion at all costs.

Another difficulty was the sensitivity of my subject, which impacted my research-process in two ways. My interest in Cuba's POS meant that I had to talk about topics such as the government, human rights, and democracy, which are sensitive issues in Cuba.

Firstly, it seemed like Cubans found their way in talking about these themes, which sometimes resulted in answers to my questions that actually did not provide any information. I noticed that I could by-pass this barrier by letting my respondents choose the location of an interview. This way, we would have the meeting in an environment where they felt comfortable to talk. Another way to handle this was through rephrasing and repeating my questions about the Cuban government. However, in interviews with state-supporters I occasionally felt like this made them suspicious of my intentions and bias towards Cuba's socialistic regime. In these interviews I therefore was more hesitant in my articulations about certain topics.

Lastly, as also pointed out by Kruijt (2015), researchers face the difficulty to abstain from choosing a side in the ideologically discussions prevalent both on and outside of the island (p.133). By basing my conclusions on a nuanced data-set, I hope to avoid falling into this trap. I have built this nuanced data-set, by researching a diverse range of people, varying from working for the state, with the state, and independent of the state, and collecting data among people with different ideological stances.

Chapter 3: Three C's – Constitutional Reform, Popular Consultation, and Contention

This chapter exists of a description of the most relevant developments with regards to LGBT-rights within the timeframe of this research. The developments mainly revolve around the constitutional reform process which was initiated on the 22 of July 2018. The description given in this chapter serves as a starting point for the next chapters of the thesis. It is important to note that, although the description aims to give a complete and nuanced reflection of events, it remains a reconstruction, based mostly on the interpretation and comparisons of individual perspectives as obtained during field research.

In 2018, after the installation of the first non-Castro president in the history of the Cuban Revolution, a modernization of Cuba's Constitution was presented to the public. On the 22nd of July, the Cuban National Assembly agreed on a draft-version which could replace the Constitution drawn up in 1976 (ANC, 2018a). However, before the definite enforcement of this new Constitution through a national referendum, Cubans were granted four months to comment on its content (Acosta & Marsh, 2018). A special committee was installed to arrange community-based meetings and collected the public's opinions about the draft. These comments would then be considered by the National Assembly and assimilated into a definitive version of the Constitution (ibid).

The most controversial article included in the draft turned out to be Article 68. This article presented a reconceptualization of marriage, in which it would no longer be understood as a union between a man and a woman[20] but rather as a union between two persons[21] (Marsh & Acosta, 2018). With only 15 percent of the countries worldwide having legalized gay-marriage (PEW, 2019), this would be quite an advanced step in the adoption of LGBT-rights in the country. However, despite the general reputation of Cuba as a gay-friendly country, it was Article 68 in particular that caused much commotion on the island (ANC, 2018b). It was widely debated in public consultations, covered in the (inter)national press, and several clergies of the Catholic Church denounced the proposal in open letters published online. Most surprising though, according to several of my interviewees[22], was the mobilization of the Protestant Church on the island, which engaged in an "unusually strong non-governmental political campaign for the Communist-run island" (Acosta & Marsh, 2018).

[20] See article 36 of the Cuban Constitution of 1976
[21] See article 68 of the Draft Constriction as presented to the Cuban public in 2018
[22] Author's interview with Juan, Laritza and Renier

The Protestant Church spoke out strongly and publicly against the proposed redefinition (Acosta & Marsh, 2018), "to manifest God's plan with regards to marriage [and] to look for the unity of the family, [...] from a natural, biblical and rational point of view."[23] For the first time in the history of the country the biggest 21 denominations on the island united in a campaign to defend the family as it was 'designed by God'.[24] The defense of this, in their view fundamental issue, existed of special services, posters (e.g. See Appendix 4.1) and banners displaying their idea of a family, and a petition calling for the return to the previous definition. This type of public display is highly uncommon in a country where the only advertising in the streets is about the Revolution and the Cuban 'patria'.[25] Some of the denominations, like the Methodist Church in Havana, even wanted to take to the streets and asked the government's permission to organize a peaceful march.[26] When this permission was not granted, they sought to achieve their goal in a different way. A service was held in which each attendant received a small poster which they held up while collectively walking home.[27] And on another occasion, the members did gather in one of Havana's most prominent streets "but it was not like a march, it was like, the whole church got to the street and [started] teaching people, talking and like that. It was not with the banners and, no nothing like that, it was very quiet and simple."[28]

Whereas the Protestant Church managed to unite themselves strongly and to present themselves as one front, the Cuban LGBT-community struggled to do the same.[29] They initiated several small initiatives and activities in favor of Article 68, yet these were not organized collectively or in co-operation with each other.[30] And in responding to the Protestant Church, CENESEX and the independent LGBT-activists took a different approach.

These approaches differed in their level of publicness and confrontational nature. CENESEX, on the one hand, focused specifically on information and education.[31] Instead of combatting the contention of the religious groups, they collected educational materials to inform people about why the legalization of same-sex marriage should be supported. At the same time, they continued to lobby within the political system, and tried to get the National

[23] Author's interview with Edward
[24] Author's interview with Emely, Edward, and Léon
[25] Author's interview with Juan and Javier
[26] Author's interview with Roberta, Edward, and Marta
[27] Author's interview with Edward
[28] Author's interview with Jorge
[29] Author's interview with Guillermo & Lucas, Laritza, Luciano, Renier, and Tomas
[30] Author's interview with Renier
[31] Author's interview with Tomas

Assembly on their side.[32] The approach of CENESEX thus was more low-key and non-confrontational.

However, as most of these efforts were not very public, many of the Havanan independent LGBT-activists felt like they were not being supported by CENESEX' work.[33] They, on the other hand, attempted to organize themselves more publicly, both in the streets and online, to stand up against the campaign of the churches. Offline, some activists asked permission to hold a march, while others tried to organize a public kissing in front of a church.[34] These activities were, however, not allowed by the state, and thus did not have much impact.[35] The distribution of posters and stickers of a campaign in favor of Article 68 (e.g. See Appendix 4.2), responding to the banners and posters of the church, was also not allowed by the government.[36] Online, people started sharing pictures of themselves advocating for Article 68, using the hashtag '68va'.[37] Another campaign, called 'Mi Familia Es Muy Original', was launched by ABC, a project starting dialogues with religious and social institutes to guarantee inclusiveness and respect for the rights of the LGBT-community. Their campaign existed of a series of videos showing the diversity of Cuban families, and was a direct response to the Protestant Church' call for the 'original design' of the family.[38] Although the extent of online contention was bigger than offline, the more confrontational approach of these independent LGBT-activists was still quite weak compared to the scope of the Protestant campaign.

When the public consultations ended in November 2018, almost 25 percent of the comments received by the committee were about Article 68 (ANC, 2018b). A government official later said: "It was the first topic proposed to be changed, to be removed, or to be left the way it was before – it was the most controversial issue."[39] In December 2018, the National Assembly gathered for one week to discuss all articles and corresponding comments. It was decided to move the matter of marriage from Article 68 to Article 82, and out of respect for all different opinions the definition was changed again (ANC, 2018c). The ultimate definition of marriage as "a union between two spouses"[40] is vaguer, as it is unclear who is allowed to become a spouse. To specify this unclarity, a maximum of two years was granted to start a

[32] Author's interview with Tomas and Yadira
[33] Author's interview with Alba, Guillermo & Lucas, Javier, Juan, and Laritza
[34] Author's interview with Guillermo & Lucas and Luciano
[35] Author's interview with Guillermo & Lucas and Luciano
[36] Author's interview with Javier and Juan
[37] See Facebook-page: https://www.facebook.com/68VaCuba/
[38] Author's interview with Sonia
[39] Author's interview with Luciano on 7 May 2019
[40] See article82 of the Cuban Constitution as adopted in April 2019

reform-process of the Family Code. It was also decided that in order for this Family Code to be established, it will be subject to another popular consultation and a final vote in another national referendum.[41] Hence, following the popular consultation, the Constitution does not provide a definitive answer about how marriage is understood within the Cuban society.

This decision was met with another episode of contention by both the Protestant Church and the LGBT-community in the beginning of 2019. This time they focused on the voting in the upcoming referendum. On the one hand, the Protestant Church disagreed with the wording of the article, as it is still open to the legalization of same-sex marriage.[42] Several pastors called for a no-vote in their services, saying it was unjust to ignore the request to leave the definition of marriage unchanged, which brought forward by the popular consultation.[43] To invigorate their position, a public renewal of vows of more than fifty couples was organized some days before the voting at the Malecon.[44] At the same time, there was also a part of the LGBT-community calling on people to vote no, but for a different reason. Some of the respondents said that they thought it was unfair that their right to get married was put up for negotiation, and they were angry about the consulting process concerning the reform of the Family Code.[45] Independent LGBT-activist Laritza said: "I continue to show that I am against [it]. The state really has the duty to protect my rights and to not put them up for a referendum, but if the state understands this differently, making our rights relative in an attempt to defend other social, political, economic interests, well then I am not stopping."[46] Some of the independent LGBT-activists even interpreted the decision to change Article 68 a strategic one. They accused the government of adapting it to get the new Constitution to be accepted with as many yes-votes possible.[47]

At the same time, another part of the LGBT-advocates saw the outcomes as a positive development, and even as a more appropriate result of a constitutional reform.[48] They pointed to other changes in the Constitution, which together, or so they believe, will result in a legalization of same-sex marriage in the Family Code.[49] The state now has a constitutional duty to protect the rights of its people, taking into account that no discrimination based on gender,

[41] Author's interview with Luciano
[42] Author's interview with Edward
[43] Author's interview with Edward, Marta, and Roberta
[44] Author's interview with Edward and Roberta
[45] Author's interview with Guillermo & Lucas, Laritza and Sonia, as well as fieldnotes taken on 31 April 2019
[46] Author's interview with Laritza
[47] Author's interview with Juan, Ramira, and Vincente
[48] Author's interview with Guillermo & Lucas, Luciano, Tomas, and Yadira
[49] Author's interview with Luciano, Tomas, and Yadira

sexual orientation, and gender identity is allowed – three criteria that had not been included earlier.[50] Additionally, in Article 81 of the Constitution, it is stated that the state recognizes and protects all Cuban families, it being a plural concept instead of something singular as was the case in the previous Constitution.[51] Among this more positive perspective on the new Constitution was the official position taken by CENESEX, who launched a campaign encouraging people to vote 'yes' in the constitutional-referendum.[52]

With the referendum in February 2019 , the new Constitution was approved with nearly 87 percent of the votes and after a final voting of the National Assembly, it officially entered into effect in April 2019 (Frank & Acosta, 2019).[53] With this official instalment, the different political actors have been granted a maximum of two years to prepare themselves, advance their claim-making strategies, and convince the Cuban population of their stance with regards to the Family Code.[54] The Protestant groups seem to be bracing for a new campaign, as said by seminary-director Edward: "When we know what is in the proposal, which we do not expect to be beneficial for us, we will have to make a new campaign, a new response, so the Family Code will not be modified [because] it will be something bad and manipulated."[55] Meanwhile, CENESEX continues to advocate for an inclusive Family Code and to prioritize (public) education to increase the acceptance of the LGBT-community.[56] At the same time, the independent LGBT-activists seem to have realized that they should work together more effectively to increase the impact of their work[57] – some even already started doing so, because as said by LGBT-activist Renier: "We cannot make the same mistakes again."[58]

In the aftermath of the constitutional reform, different people had different explanations for the commotion surrounding the legalization of same-sex marriage. Some interviewees said that Article 68 was criticized this much because of the machismo heritage on the island, and that Cuba is not ready for such a change.[59] Others stated that there are many Cubans who fear for the safety of the family, if same-sex couples would be allowed to get married. Therefore, the

[50] See article 13, 40, 41 and 42 of the Cuban Constitution as adopted in April 2019
[51] See article 81 of the Cuban Constitution as adopted in April 2019
[52] Author's interview with Tomas
[53] Author's interview with Guillermo & Lucas
[54] Author's interview with Juan, Marta, and Yelena
[55] Author's interview with Edward
[56] Author's interview with Luciano, Tomas, and Yadira
[57] Author's interview with Alba, Guillermo & Lucas, Laritza, and Renier
[58] Author's interview with Renier
[59] Author's interview with Jorge, Juan, Luciano, Laritza, Renier, and Roberta

campaign of the Protestant Church resonated heavily among the island.[60] There were also informants who pointed out that the popular consultations had been set up in a faulty manner, with the subsequent outcome as a result. They claimed that the people were only asked to express themselves when they disagreed with something, which meant that they could not voice their contentment about Article 68.[61] In addition, they had to give their name before commenting on an article, which, taken together with the fact that the consultations were organized in their communities or at their workplace, made some Cubans feel like they were being registered rather than granted anonymity to voice their critiques.[62] Given the relatively safe nature of the topic of marriage, some of my interviewees suggested that the Cuban public rather commented on Article 68, than on an article addressing a more explicit political issue.[63]

Regardless of the underlying reasoning, most of the respondents within the LGBT-community expressed a feeling of being taken aback by the strong opposition against the legalization of same-sex marriage, and the accompanying feeling of intolerance towards LGBT-issues within the Cuban society.[64]

[60] Author's interview with Edward, Marta, Jorge, Léon, and Roberta, as well as informal conversations with Carla and David
[61] Author's interview with Javier and Renier
[62] Author's interview with Ramira and Jorge
[63] Author's interview with Ramira and Javier
[64] Author's interview with Juan, Laritza, Luciano, and Sonia

Chapter 4: The Contentious Field of Havana's LGBT-Activism

To understand the contention of a specific group, the interactions within the contentious field in which they operate must be taken into account. As pointed out by McAdam et al. (2009), focusing on one political actor, in this case Havanan independent LGBT-activists, without regard for their interplay with others, cannot result in an effective analysis of claim-making possibilities (p.261). This chapter provides an overview of the contentious field of LGBT-activism in Havana. First, the independent LGBT-activists are studied more in-depth, in which an important distinction among them is introduced. Afterwards, three groups with which Havana's independent activists are confronted within their contentious field are addressed. These groups are discerned from the description of the constitutional reform presented in Chapter Three. Here, it was indicated that the activists are mainly confronted with CENESEX, the Protestant Church, and the Cuban public. Their position in the field, as well as their impact on the LGBT-activists is discussed. At the end of the chapter, this analysis of the contentious field is placed within the literature on the Latin American 'gay-rights revolution', to see in how far the field matches with the influential factors identified in this body of literature.

Although, as the ruling power on the island, the Cuban government also impacts the claim-making abilities of the independent activist, this actor is not addressed in this chapter. Instead, the state is the subject of the next chapter about Cuba's political opportunity structure (POS). CENESEX, which is connected to the state, but not part of its governing system, is discussed in this chapter, due to its prominent role in Cuba's LGBT-advocacy.

4.1 Independent LGBT-Activism

> "The Constitution did not influence the disunity, no, no, the disunity is part of us because we do not dedicate ourselves to unite. And that obviously made it way harder to face the problems of the Constitution."[65]

This quote of LGBT-activist Alba suggests that there is a disunity within Havana's independent LGBT-activism. The activists have in common that they advocate for LGBT-rights without being employed by CENESEX, however, during my field-research, it became clear that they are not united as a movement. Most of Havana's independent activists that I spoke to did know each other and each other's activism, but they did not act as one group. Instead, they seemed to

[65] Author's interview with Alba

operate in small, separate initiatives with their own activities to make claims. This is line with the idea of Tilly and Tarrow (2015) that not all contention takes place within a social movement. It also corresponds with Osa and Schock's (2007) claim that within a non-democratic regime social networks fulfill an important role, which can even replace the existence of a coherent social movement (p.137). To understand this social network of these activists, it is important to see how the different LGBT-activists relate to each other.

Although the independent LGBT-activists are not united as a coherent movement, there was much appreciation of and support for each other's initiatives. Due to the qualitative nature of my research, I would often ask interviewees if they had any suggestions about who to approach next. This question was almost always answered with a story about another LGBT-activist of whom they thought fondly. Laritza, for instance, told me that I should get in touch with Renier, to learn about the relevant work he does for their community.[66] Renier, in this turn, expressed his respect for Dassiel, saying how inspired he was by him.[67] Similarly, Luciano told me about his admiration for the work of Emely and said that he was disappointed that he could not be there to support her more often.[68]

Such participation in support of other activists' initiatives was not uncommon. When I went to an activity organized by independent LGBT-activist Enrique, in which they formed a living rainbow flag, both Guillermo and Renier were there to represent a color.[69] Similarly, during a two-day event initiated by Renier, Laritza contributed to the program with one of her initiatives, and Anay was there to perform.[70] Another clear, and a more formal illustration of this underlying support, is the connection between ICM and ABC. They both have their roots within a same church in Matanzas, and where founded as different means to strengthen the LGBT-community. Whereas the initiatives of ICM are aimed at providing an inclusive religion, the work of ABC is aimed at the integration of LGBT-rights in general. However, they are supportive of each other's work, and help each other out where necessary.[71]

At the same time, the conversations with the independent LGBT-activists during the research also showed that there was a lot of criticism among them. Whereas the they were supportive of some activists, they virtually always also expressed depreciation about the initiatives and intentions of others. When speaking to Emely about the rainbow-flag event of

[66] Author's interview with Laritza
[67] Author's interview with Renier
[68] Author's interview with Luciano
[69] Fieldnotes taken on 31 March 2019
[70] Fieldnotes taken on 18 April 2019
[71] Author's interview with Emely and Sonia

Enrique, for instance, she shook her head, sighing: "Ah the boys..."[72] More explicitly was Renier's critique on the work of Luciano, who as a government official should be doing much more in his eyes. He concluded that if he would have similar opportunities, he would make sure to use them.[73] Luciano, in his turn, commented negatively on the march on the 11th of May in an interview with international media. He said that some of the activists were paid to march, discrediting their intentions and the authenticity of the march (Lavers, 2019). This shows that among the activists there is also a lot of skepticism about the effectiveness and the intentions of claim-making initiatives. Hence, the illustration of the interplay between the independent LGBT-activists shows a network of small and separate initiatives, in which they support some, but are also skeptic of the efforts of others.

The difficult interplay between support and skepticism can be traced back to an important distinction within field of independent LGBT-activism. It turns out that there are LGBT-activists who occasionally co-operate with CENESEX, and ones who do not do this. Activists in the first category emphasize that they do not work for CENESEX, because they want to remain independent. Yet, they do see benefits in occasionally working together with them.[74] CENESEX might support them in setting up a network, finding a location for an event, or in providing them with some of the means required for the organization of an event.[75] An example of this are the chairs used during the services at ICM – a inclusive church, open to the LGBT-community – which are provided by CENESEX.[76]

The LGBT-activists that do not work with CENESEX, do not feel supported by the organization and are quite critical of their work. Guillermo and Lucas, for instance, explained to me that they tried to work with them, but that they got rejected each time: "They have the tools to do very big things, but they are always talking close doors with a very small group [...] and they never allow different opinions about politics."[77] Another example is when a former employee of CENESEX accused the organization of opportunism, saying: "Unfortunately, the theme of LGBT does not interest CENESEX, they only care to receive money from outside to organize the Jornada, but they do not care about the health, the development of the activists in the networks."[78] The main arguments for not feeling supported seem to be that CENESEX is

[72] Author's interview with Emely
[73] Author's interview with Renier
[74] Author's interview with Anay, Luciano, Sonia, and Emely
[75] Author's interview with Anay, Luciano, Sonia and Emely
[76] Fieldnotes taken on 15 April 2019
[77] Author's interview with Guillermo & Lucas
[78] Author's interview with Alba

not sincere in their concern about LGBT-rights, and that they favor certain a political ideology, excluding independent LGBT-activists with a different political stance.

In sum, the discussion of the independent LGBT-activism in Havana shows that it exists of activists who are both supportive and skeptic of the other activists. This fragmentation can be traced to a distinction between LGBT-activists who work together with CENESEX, and LGBT-activists who do not work together with CENESEX. This distinction became most clear to me, in the weekend of the 10-12th of May. In this weekend several activities had been planned as part of CENESEX' Jornada. On Friday, the annual Gala Against Homophobia and Transphobia was planned, and on Saturday the Conga, the festive pride-like parade, would take place in the afternoon, followed by a party in the evening. However, as indicated in the introduction, the Conga was cancelled a few days before, and an independent LGBT-march had been announced instead.

Luciano had insisted I should come to the gala, as it would be an exciting evening with shows of famous Cuban artists, drag queens and transformista's[79]. This night I walked into Sonia and Emely taking pictures in front of a banner stating 'all rights for all people' and watched Anay perform as her alter-ego Roberto. Interestingly enough, there was no mention of the cancelation of the Conga. Instead, several posters announcing the rescheduling of the party from Saturday-evening to Saturday-afternoon at 16.00 – the same time as the independent march. This sparked my interest as it came across as a way to divide the LGBT-community into those going to CENESEX' party, and those attending the independent march.[80] The next day, on the 11th of May, the first independent march for the rights of the LGBT-community took place. Here, Renier, Guillermo, Laritza, and Dassiel were present, waving their flags, giving statements to international media, and calling for their rights, cheering for a diverse Cuba and chanting 'For Cuba the greatest'.[81] Renier later on explained that this showed that their intentions were not political, which, according to him, showed the genuine intention of the march – that is was about LGBT-rights and nothing else.[82]

This weekend displays the fragmentation among the Havanan independent LGBT-activists, and its relationship to CENESEX. None of the independent activists that I have interviewed were at both the Gala and the march, instead it almost came across as having to pick a side. This indicates that, even though they all work for the enhancement of LGBT-rights

[79] Men crossdressing as women, and women crossdressing as men
[80] Fieldnotes taken on 10 May 2019
[81] Fieldnotes taken on 11 May 2019
[82] Author's interview with Renier

within Cuba, they are associated with different segments of the field. In Chapter Five, it becomes apparent that this fragmentation, and the decision to either co-operate or not to co-operate with CENESEX, can be further analyzed and understood based on the Cuban POS. Before doing so, however, the other groups within the contentious field deserve some additional attention.

4.2 CENESEX

The next group in the contentious field of Havana's independent LGBT-activists is CENESEX. This organization, as Cuba's national sex-education center connected to the Ministry of Health, is the formal advocate of LGBT-rights in Cuba. As the only institution recognized by the state in their LGBT-advocacy, and their role in the fragmentation of the independent LGBT-activism, they deserve additional attention.

The center was founded in 1977[83] with the aim "to devise and oversee a sweeping national sexual education effort" (Kirk, 2011, p.150). From here, the institution has evolved into an organization working to establish gender equality and equal rights for the Cuban LGBT-community (ibid, p.145). After 2004, their main focus became "the employment of an integral approach to achieve juridical and societal respect for sexual diversity" (ibid, p.152). Browne (2018) summarizes the position of the center saying: "CENESEX is government-funded but positioned outside the state, fulfilling many of the roles occupied by civil society and non-government organizations in other countries" (p.74).

Over the years, the center has initiated many projects to accomplish this goal. In 2005, for instance, the center proposed modifications to the Family Code, focusing on both the recognition of same-sex couples, and the possibilities to make use "reproductive technology" (Kirk, 2011, p.156). Although the recent developments surrounding the legalization of same-sex marriage indicates that this proposal was not adopted, they have had a positive impact on the acceptance of the LGBT-community in other ways. With the signing of a resolution in 2008 for instance, gender reassignment surgeries and hormone transplantation therapy became freely available for transgenders (ibid, p.154). Several independent LGBT-activists have, however, also pointed out that is extremely complicated to qualify for such an operation, questioning the effectivity of the resolution.[84] Another strategy has been the annual Jornada, which was referred to several times already in the thesis. This two-week event is an important factor in creating

[83] Then called the National Group on Sexual Education (GNTES) (Kirk, 2011, p.150)
[84] Author's interview with Laritza and Dassiel

visibility for the LGBT-community.[85] Other examples of their work include lobbying with the Cuban government[86], an LGBT-film festival[87], and research on sexuality which is published in their journal called Sexología y Sociedad (Kirk, 2014, p.437).[88]

There are two explanations for the extensive range of CENESEX' work. Firstly, with it being the only LGBT-advocacy recognized and authorized by the Cuban government, they are also the only organization receiving money from the Cuban state to fund their activities. Due to its reputation in other countries in the world, CENESEX also receives much of the foreign funds allocated in Cuba.[89]

Secondly, the director of CENESEX is Mariela Castro, daughter of former-president Raúl Castro and feminist Vilma Espín, which gives the center much authority. As a psychologist, sexologist, and deputy in the National Assembly, she has dedicated her career to getting equality for Cuba's LGBT-community (Kirk, 2011, p.157). In an HBO documentary dedicated to her work, she says: "I decided to fight this prejudice knowing that in Cuba's macho society it would be difficult. Even if your last name is Castro" (Castro, 2016).

This research showed that the effect of the Castro-name on the position of the LGBT-community cuts two ways. On the one hand, her position as a deputy and her connection to Cuba's Communist Party (PCC) makes her an elite ally to Cuba's LGBT-community. Both the literature on the Latin American 'gay-rights revolution', and in the literature on contentious politics, stress the effectiveness of an elite ally in the success of activism.

On the other hand, her 'elite'-status also has a negative effect, as it diminishes the credibility of the work of CENESEX. Some of the people opposing the 'gay-rights revolution' pointed out that this public LGBT-activism never would have happened without her.[90] They claimed that the real ideology of the PCC is not supportive of such advancements. Yet, that other state officials were afraid to against her because Raúl Castro supports her. Going against them, means going against the political party and that is not possible.[91] Others in favor of the legalization of LGBT-rights, questioned her intentions, claiming that instead of truly fighting for the cause she is just following the plans of the state.[92]

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[85] Author's interview with Tomas
[86] Author's interview with Tomas
[87] See: https://www.facebook.com/pg/CineNordicoLGBTIQ/about/?ref=page_internal
[88] For an overview of the published research visit: http://revsexologiaysociedad.sld.cu/index.php/sexologiaysociedad/issue/archive
[89] Author's interview with Alba, Dassiel, and Vincente
[90] Author's interview with Marta and Roberta, as well as informal conversation with David
[91] Author's interview with Gerardo and Luciano
[92] Author's interview with Alba, Guillermo & Lucas, and Laritza

In sum, CENESEX, as the only formal advocate for LGBT-rights in Cuba has a lot of influence on the developments in the contentious field. This is mainly because of two factors: the funding they receive, and the elite status of their director Mariela Castro. There are also people who do not believe that CENESEX' intentions for the LGBT-community are just. Using contradicting arguments, they blame Mariela Castro for either forcing the advancements upon the party, or for following the party to much without real regard for the LGBT-community.

4.3 Activism of Religious Groups

The description of the constitutional reform process in Chapter Four also showed the impact of the Protestant Church on the legalization of same-sex marriage.[93] This religious group is the third important player in the contentious field of Havana's independent LGBT-activism. The only Protestant Church that spoke out in favor of the articles was ICM. This church is not addressed here, as it is seen as part of the independent LGBT-activism discussed under 5.1. The other two main religious groups on the island, the Catholic Church and an Afro-Cuban religion called Santeria, are also not addressed too extensively, as they did not engage in public and collective action during the time of the research.

Cuba's religious landscapes was always diverse and open, but when the Cuban Revolution took a Communist turn, the position of religion on the island was put under pressure. For many years, people who practiced their religion, could not do so in public, and would be discriminated against if they did (Kuivala, 2017, p.20). Many religious leaders left the country, churches were confiscated, and the practice of faith mainly went underground.[94] In 1976, with the installation of a new Constitution, Cuba was even declared "an atheist state and the Communist Party banned believers from membership" (Chomsky, 2015, p.124).

This tense relationship improved in the 1990s. After the collapse of the Soviet Union, Cuba's most important ally, the country inserted a period of societal reform (Sweig, 2016, p.155). Part of these reforms were the result of the 'Special Period', the country's response to a severe economic crisis in which there was a lack of all necessities (Castro & Brenner, 2018, p.260). In these years, religious groups re-emerged in the public, "to fill [this] void of ideological and existential searching among Cubans, caused by the collapse of the Soviet Union, the Special Period and the removal of the atheist ideal from the Cuban constitution" (Kuivala, 2017, p.20).

[93] Author's interview with Edward, Jorge, Marta, and Léon
[94] Author's interview with Edward

Ever since, religious groups have taken a special place the Cuban society, contributing to "the development of the civil society [and] providing for services otherwise unavailable" (Kuivala, 2017, p.22). Particularly the Catholic Church has secured such a position, which is demonstrated, for instance, by the fact that they are allowed to publish two magazines, organize charity-events, and operate as a non-governmental organization (Castro & Brenner, 2018, p.270; Kuivala, 2011, p.22). They also played an important role in assisting the negotiations between Cuba and the USA (ibid, p.22). As the Catholic Church received more freedom, the Protestant Church demanded the same.[95] In 1999, the first open-air services of the Protestant Church were allowed, and ever since the Protestant Church experienced a revival, expanding its religion on the island (Esqueda, 2007, p.99).

As political actors, the Protestant Church is a strong player. Their special position in the Cuban society grants them more freedom to mobilize themselves. Several interviewees pointed out that because of this, the Protestant Church faced less obstruction of the Cuban state during their campaigning against Article 68, such as with the distribution of posters.[96] In addition, they have more access to resources, receiving both international funding from churches in other parts of the world, as well as contributions of their members.[97] Similarly, they have a broad public of believers, which are easily reached through the church-services.[98] Because of this, they had a large audience, which were likely to support their campaign against Article 68.

4.4 The Cuban Public

The final group that is taken into account is the Cuban public. In this thesis, the Cuban public is understood as the audience of contention – as those who "moderate the effect of movement and countermovement actions on policy outcomes" (Santoro, 2008, p.1395). Rather than political actors who are actively involved in claim-making, they are the spectators witnessing the contention of different groups in the contentious field. The constitutional reform process indicated that they are quite influential in the course of LGBT-rights adoption. As they could use their voices, both in the popular consultations as well as the referendum about the new Constitution, they affected much of the final outcomes with regards to the legalization of same-sex marriage.

[95] Author's interview with Edward
[96] Author's interview with Guillermo & Lucas, Javier, and Juan
[97] Author's interview with Laritza, Luciano, Renier, and Roberta
[98] Author's interview with Dassiel, Gerardo, Laritza, Luciano and Renier

It is important to note that, as this thesis presents a qualitative research, the following findings about the position of the public are not grounded in statistically representative methods. The insights are based on informal conversations with random people, as well as on questions posed to the interviewees about how they perceive the public's position towards LGBT-rights. Due to their impact on the course of LGBT-rights adoption, it was still decided to include the Cuban public in this discussion of the contentious field.

As demonstrated in the introduction, the Cuban public is often understood as rather tolerant towards the LGBT community (Kirk, 2011, p.144). A national survey conducted in 2016 underscores this, showing that 77 percent of the Cuban population agrees with the idea that the LGBT-community should have the same rights as the rest of the population (ONEI, 2018, pp.23-24). However, the commotion surrounding Article 68 indicates that at least part of the Cuban public does not fully support LGBT-rights. This is also underscored by this 2016-survey, as it shows that only 49 percent of the Cuban population still agrees with equal access to rights when it comes to the right to get married and to adopt children (ibid, p.24).

Aside from a religious worry about the safeguarding of the family, three other factors influencing the position of the Cuban public on the LGBT-community became apparent. They referred to machismo, a lack of modernization, and other priorities, to account for the commotion regarding Article 68. These three factors are shortly addressed below.

First, machismo[99] is prevalent within the Cuban society, and does not align with LGBT-acceptance. Several people have pointed out that there still are strong ideas about what makes a man a man, and what makes a woman a woman – and homosexuality does not fit into these ideas.[100] As explained by Juan, the Cuban filmmaker working on a documentary about Article 68: "I think the Cuban man always has a pattern, a classification for men. If you cry sometimes, you are not a man. If you talk all the time, you are not a man. If you let the wives rule the house, you are not a man. [...] I think that, in theory and in practice, the Cuban machista's are totally against the LGBT-community, because most of the precepts and codes that they use to feel men, are opposed to customs of the gay-community."[101]

The second argument often used to account for the commotion, was that Cubans are not ready for a change as proposed under Article 68. There seemed to be a general reasoning,

[99] Machismo is a complex and culturally dependent concept. Although there is much more to it, it can generally be understood as to refer to "the idealized man as hyper-masculine, virile, strong, paternalistic, aggressive, sexually dominant, and unfaithful" (Kirk, 2011, p. 146). It also includes the understanding of women as honorable, modest, and submissive to men (Castillo, Perez, Castillo, & Ghosheh., 2010, p.164).

[100] Author's interview with Jorge, Juan, and Luciano

[101] Author's interview with Juan

particularly among the religious citizens I interviewed, that, as modernization in Cuba falls behind in many respects, there is no need to rush into such a development.[102] During my conversation with Jorge, youth-leader of an Evangelical Church, he explained: "We are not used to being so progressive. If you go to Centro Havana, you can see, it is like being in Jurassic Park, super old cars, all the buildings, old everything, I mean the physical, but the mentality is old too. So, [first] we need to change that."[103]

Lastly, some of the interviewees pointed out that they have other concerns which they prioritize over the adoption of LGBT-rights. Because of their focus on issues such as putting food on the table, a certain disinterest in the matter of LGBT-rights existed.[104] Although the debates surrounding the constitutional reform for a large part have been about the legalization of same-sex marriage, I encountered several Cubans that did not know the actual outcome of it all. Some thought that it was legal now, others that it was completely of the table.[105] Like a Havanan student, for instance, who said that he would not mind it if same-sex marriage would be legalized, but did not show much concern for the actual outcomes of the reform.[106] Some of the Havanan independent LGBT-activists expressed worries about this. They thought that as a result, the Cuban people can be susceptible to all kinds of statements about LGBT-rights.[107] As explained by Alba: "[The people say] it is all the same to me, I do not care, so if he speaks badly [about it], I will go there, I do not care, whatever happens."[108] They worried that if they did not present their points of views as an option, the public would automatically follow the Protestant Church as a result of this disinterest.[109]

In sum, three factors became apparent through interviews and informal conversations, which might have played a role in the commotion about Article 68. Although the Cuban public does not operate as a political actor in the contentious field, as audiences that could vote in a referendum, they still have had a significant impact on the outcomes of the constitutional reform.

[102] Author's interview with Roberta
[103] Author's interview with Jorge
[104] Author's interview with Ramira, as well as informal conversation with Guillermo, Marta, and Rene
[105] Informal conversation with David and Yunier
[106] Informal conversation with Rene
[107] Author's interview with Alba, Luciano, and Renier, as well as informal conversations with Guillermo
[108] Author's interview with Alba
[109] Author's interview with Alba, Luciano, and Renier, as well as informal conversations with Guillermo

4.5 Conclusion

This review of the contentious field discussed the fragmented social networks of Havana's independent LGBT-activists, and the most relevant characteristics of other groups they are confronted with. Several conclusions can be drawn from this discussion, both about the separate groups in relation to each other, as well as in light of the Latin American 'gay-rights revolution'. These conclusions are discussed below.

To be begin with, the empirical evidence presented in this chapter clearly depicts that the independent LGBT-activists do not operate as a coherent social movement. Among them there are LGBT-activists that support each other, while at the same time criticize others about their work and intentions. This is in line with the argumentation of Osa and Schock (2007) that in a non-democratic regime social networks tend to play an important role in contention, and that they can even replace more formal social movements (p.138). This also justifies the decision to follow McAdam et al.'s (2009) usage of political actors to refer to the independent LGBT-activists (p.277). The divide between the different LGBT-activists can be linked to their position towards the work of CENESEX. The next chapter presents a further analysis of this fragmentation by placing it within Cuba's POS.

Next, he discussion of the other relevant groups in the contentious found that CENESEX and the Protestant Church are the other main political actors making claims about LGBT-rights, while the Cuban public plays the role of the audience. McAdam et al. (2009) stated that, because of their different positions towards a government, different political actors in the same field often have access to distinctive repertoires (p.264). This is also true in the Cuban society. CENESEX benefits from their formal status as LGBT-advocate, in which they obtain power through their connections with the state. These connections enabled them to engage in less public, but perhaps more effective performances, such as lobbying and educational campaigns, which are inaccessible to the independent LGBT-activists. Similarly, the Protestant Church also takes a distinctive place, because of the complex relationship between the Cuban government and religion. This could for instance explain why the Protestant Church was allowed to put up posters, while the independent LGBT-activists were not.[110]

Additionally, it was found that the Cuban public, as an audience, had much power in the possible legalization of same-sex marriage. In both the constitutional reform, as well as the future reform of the Family Code, they are granted influence through a popular consultation

[110] Author's interview with Javier and Juan

and a referendum. They seem divided over the matter of LGBT-rights and their voting might be influenced by machismo, backwardness, and other priorities. Because of this uncertainty among the population, there is much to gain with contentious claim-making. The different groups need to convince the population of their side of the story to 'win' the outcome of the upcoming reform of the Family Code.

On a more overarching level, the contentious field of Havana's independent LGBT-activists can be placed within the literature on the Latin American 'gay-rights revolution'. In this body of literature, there is consensus about three factors which influence such progression, namely: social movements should establish strong ties with influential allies, modernization matters, and religious groups are the strongest veto-players to obstruct development (Corrales, 2015, p.54). This review of the contentious field indicates that these factors indeed have explanatory power in understanding the developments in the constitutional reform.

To begin with, the Protestant Church, as a religious group, was indeed the strongest voice against the implementation of Article 68. Although Cuba used to be an atheist state, this history actually resulted in more influential power of the churches. Next, in discussing the position of the Cuban public towards the legalization of same-sex marriage, there is an indication that at least part of the public uses the lack of modernization to explain the opposition to Article 68. Lastly, with their position in the Cuban society, CENESEX acts as an elite ally with strong ties with the government. Following the literature, this would imply some advantage to the LGBT-activists in their fights for equal rights, as they can rely on this ally in their contention. However, in discussing the independent LGBT-activists, it became clear that not all of them feel supported by CENESEX. At the same time, not all LGBT-activists believe in the sincere intentions of CENESEX. This ally, thus, seems to have a more dividing effect, rather than a strengthening impact on the independent LGBT-activism. This could explain why the two other factors, the opposition of the Protestant Church, and the divided population, outweighed the contentious power of Havana's LGBT-activism, CENESEX included, in advocating for Article 68. This emphasis on the more dividing, rather than a uniting impact of CENESEX is explained more in-depth in the next chapter.

Chapter 5: Cuba's Political Opportunity Structure and Independent LGBT-Activism

> "There is no community and there is no social movement of sexuality. It does not exist, because they do not allow us to exist. [...] We will never be a community, how am I going to be a community if I do not have the legitimacy nor a way to legitimize myself in the first place?"[111]

This statement of independent LGBT-activist Laritza underscores the conclusion of the previous chapter, that there is no unity among the Havana's independent LGBT-activists. In addition, she points out that they lack legitimacy, and that they are not allowed to exist as a social movement. This indicates that there is something bigger than the lack of coherence among the LGBT-activists alone. To comprehend these frustrations, an understanding of the political opportunity structure (POS) shaping the independent LGBT-activism in Cuba is needed.

This chapter examines those aspects of the Cuban POS that constrain and support the independent LGBT-activists' possibilities for contention. To begin with, the decision to understand Cuba as a non-democratic regime is justified by a discussion of both empirical and academic data. Hereafter, following the theoretical discussion in Chapter One, the analysis of the Cuban POS is divided into the long-term structures and short-term openings. First, the long-term structures are discussed based on the five variables of Osa and Schock (2007). This part also demonstrates the impact of Cuba's master-narrative of "with the Revolution, everything, against the Revolution, no rights at all" (Castro, in Grenier, 2018, p.271). Then, the constitutional reform is addressed as a short-term opening, and placed within a larger strategy of the Cuban state to provide political actors with such openings.

5.1 The Cuban State and its Regime

Throughout this thesis, Cuba is understood as a non-democratic regime. As the regime-type of a state shapes the POS in which the independent LGBT-activists operate, this decision deserves some additional attention.

[111] Author's interview with Laritza

5.1.1 Cuba and Democracy

In Cuba, the opinions about the regime-type of the country varies. The official position of the government is that the state is organized as a socialist democracy.[112] The most influential power in the ruling of the island is the Cuban Communist Party (PCC). This party was founded in 1965 and has always served as a "board of directors and political guide for the government" (Castro & Brenner, 2018, p.268). In article 5 of the Cuba's Constitution, it is stated that: "The Communist Party of Cuba [...] sustained in its democratic character and the permanent link to the people, is the superior political power of the society and the state"[113], which indicates the intended democratic nature of the party.

On the island, there are indeed strong believers of the democratic nature of the Cuban system. Like government official Luciano, for instance, who sees more democracy in Cuba, than in democratic countries like Spain and the USA.[114] "I always say, and I am sure that when I say this [abroad] they will attack me for it, because many people say that there is no democracy in Cuba. [But here] the popular vote is the most important. So, in Cuba, Cuba has its peculiar system [...] the population vote to choose the deputies, and the deputies can vote for the president."[115] The official understanding is thus that the island is ruled along the lines of a socialist democracy, in which there should the population is of key importance.

It seems to be inappropriate to talk differently about the system in public. Once, during a walk along the Malecon with a Cuban filmmaker, I mentioned the word undemocratic and he quickly warned me not to say this too loud.[116] Still, there are Cubans who express their doubts about the effectiveness of seemingly democratic processes such as the popular consultations and the referendum about the Constitution. About this, LGBT-activist Vincente said: "The reality is, we have a referendum but not democratic – yeah, we have an assembly, you can speak free, but [...] it is only paper, there is not something happening, anything changing. Even if I have the majority of the population with the same opinion it is not happening."[117] Another expressed worry was the timing of democracy. Particularly among some of the independent LGBT-activists, there was a feeling of randomness in the application of democratic processes.[118] They wondered why their possible right to get married should be up for a

[112] See article 101 of the Cuban Constitution as adopted in April 2019
[113] See article 5 of the Cuban Constitution as adopted in April 2019
[114] Author's interview with Luciano
[115] Author's interview with Luciano
[116] Author's interview with Juan
[117] Author's interview with Vincente
[118] Author's interview with Guillermo & Lucas, Javier, Laritza, and Sonia

referendum, when other laws are passed through the National Assembly without consultations.[119] Hence, the empirical data indicates that there are mixed opinions about the island's level of democracy. On the one hand, there is a formal position of Cuba as a democratic system, in which the popular vote is the most important. On the other hand, there are Cubans that express their doubts about the effectiveness and appropriateness of these democratic processes.

Outside of the island, the country is often not perceived as a democracy. A democracy is generally understood as a political regime in which "rulers are held accountable for their actions in the public realm by citizens, acting indirectly through the competition and cooperation of their elected representatives" (Schmitter & Karl, 1991, p.76). Similarly, Tilly and Tarrow (2015) label a regime as non-democratic when "political rights are narrow and/or unequal, consultation of citizens is minimal, and protections are fragile" (p.57). In their analysis of a regime, they use the safeguarding of political rights and of civil liberties as indicators for democracy – about Cuba they conclude that the island has "the lowest possible ratings on both" (ibid, p.67).

Based on these definitions, three criteria: electoral accountability, and the access to both political and civil right, should uphold for Cuba to be considered a democracy. The first is under pressure in Cuba, given the constitutional assertion of the PCC as the superior party leading the country. The population thus cannot vote for a different one. The Freedom House (2019) substantiates this saying that the PCC dominates Cuba's politics, and that other political parties are illegal (B1-B2). The other two criteria have been criticized over the years by different non-governmental organizations. Human Rights Watch (2019) warns about restricted freedom of expression, arbitrary arrests, and the harassment of human rights defenders. Comparably, The Freedom House (2019) labels the island as 'Non-Free', rating the country as 'least free' for both political and civil liberties, So, indeed, if a democracy is defined by the ability of a population to hold their rulers accountable through the elections, and the safeguarding of political and civil rights, it seems like Cuba is not a full democracy.

5.1.2 Cuba and Non-Democracy

If Cuba cannot be understood as a democracy in the traditional sense of the term, the question remains how it should be defined instead. Given the broad range of labels that have been used

[119] Author's interview with Juan, Laritza, and Sonia

by academics to describe the regime, this turns out to be a challenging task. Backer et al. (2019), for instance, understand Cuba as an illiberal state in which some democratic procedures are installed (p.2). Grenier (2018), on the other hand, suggests that Cuba's regime is one of "post-totalitarianism as a renovation of totalitarianism" (p.279). Using a straight-forward definition of totalitarianism, the island would then be understood as "a state [that] recognizes no limits to its authority in any sphere" (Conquest, 200, p.74). Given Cuba's one-state system with political dominance in all spheres of society, this label could be justifiable. However, according to Whitehead (2016), this label does not fit, as "even at its most ambitious the Castro regime allowed more debate, and tolerated more private dissent, than this terminology would suggest" (p.1681). In his article, he instead refers to island as an authoritarian one-party regime. In a response, Hoffman (2016) even concludes that none of the contemporary descriptions of non-democratic regimes are suitable to capture the ongoing political transformations in Cuba (p.1740). Hence, there is a much debate among academics about the categorization of the Cuban regime, without a clear conclusion (Whitehead, 2016, p.1667).

Understanding Cuba's regime is crucial to explain Havanan independent LGBT-activism, as it shapes the repertoires of contention available to the political actors. Yet, the discussion above shows that it is complicated to characterize Cuba's regime, since it entails democratic, totalitarian, and authoritarian characteristics. In contentious politics, however, the most important distinction is the one between democracies and non-democracies. Still, the above does show that Cuba is not a full democracy. Thus, based on this somewhat rambling conclusion about Cuba's regime type, it was decided to analyze the POS as a non-democracy in this thesis.

5.2 Long-Term Structures and a Master Narrative

The POS of a country exists of those aspects of a regime that shape the opportunities for contention (Tilly & Tarrow, 2015, p.238). Chapter One explained that a distinction between long-term structures and short-term openings must be made, as these provide different opportunities for claim-making (Jasper, 2011, p.11; Koopmans, 1999, p.99). To understand the impact of Cuba's POS on the contention of the independent LGBT-activists in a nuanced way, this distinction has been incorporated below.

5.2.1 Long-term Structures

Long-term structures are the more stable characteristics of a regime, which encourage "certain kinds of action, while discouraging or preventing others" (Jaspers, 2011, p.2). The variables of Osa and Schock (2007) are elements of the long-term structures to which the independent LGBT-activists must adapt. However, before analyzing how the independent LGBT-activists can use these variables, the impact of Cuba's political ideology on contention must be explained.

Earlier research into contention in Cuba, found that the political ideology of Cuba's Revolution resulted in a government imposed "discursive dichotomy [...] between those who are 'with Cuba' ('good revolutionaries') and those who are 'against Cuba' (traitors and mercenaries')" (Grenier, 2018, p.243). This idea of an ongoing revolution, in which all challengers of the government are counterrevolutionaries, is referred to by Grenier (2018) as the island's 'master narrative' influencing all possibilities for dissent on the island (p.271). An illustration of how this narrative plays out was given by independent LGBT-activist Vincente. When, already a few years ago, he started a campaign for the legalization of same-sex marriage, he was accused of being anti-revolutionary. "I said come on, an enemy of the revolution? Two or three gays, [...] who are working for their rights, this is enemy of the revolution?"[120] Still, he had to stop his efforts. This example demonstrates that this master narrative has the power to define "what can be said and done, how, where, and when" (ibid, p.271).

However, this dichotomy does not mean that dissent is not at all allowed on the island. It does mean that, to be able to engage in contention, political actors must be careful stay within line (Grenier, 2018, p.272). Grenier (2018) notes how Cubans are allowed to "constructively highlight problems in Cuba without discussing their political root causes" (p.272). Meaning that state repression of dissent depends on how well political actors (are willing to) play the "game between conformity and contention" (Geoffray, 2015, p.233).

As a result, different political actors take distinct "political positions and strategies vis-à-vis the Cuban government" (Geoffray, 2015, p.229). Both strategies have consequences for the effectiveness of their activism. In her analysis, Geoffray (2015)[121] shows how critics that strike the right balance and remain within approved borders, have more space to voice their

[120] Author's interview with Vincente

[121] Although Geoffray (2015) indicates that the segmentation within her research has become less articulated over time, especially with the introduction of the Internet, in this research it becomes clear the fragmentation within the LGBT-activism is still prevalent and highly influential on the outcomes of their contention.

criticism publicly (p.231). At the same time, they have to accept that are probably tolerated because they are "perceived by the authorities as not too harmful" (ibid, 234).

Their more controversial counterparts often criticize this strategy for being too soft, and instead cross the boundaries of the state (Geoffray, 2015, pp.230-233). As a result, however, they are faced by more repression and have less freedom to express themselves (p.230). Several independent LGBT-activists pointed out that they can even be labelled as counterrevolutionaries, and because of that be delegitimized entirely in their activism.[122] The label is then used to construct such LGBT-activists as enemies of the state, with whom others should not want to engage. As said by Laritza: "If you initiate an event, [the government] is in charge of knowing who will come and [...] calls them and tells them: so-and-so is counterrevolutionary, this does not suit you..."[123] As a result, LGBT-activists that are usually accepted by the state for their compliance with the 'rules' of contention, cannot co-operate with these other LGBT-activists, as this would affect their position vis-a-vis the state (ibid, pp.233-234).

The master narrative of either being with the state, or being completely against it, thus has a significant impact of the contention in Cuba. By including this master narrative into the discussion of Osa and Schock's (2007) variables, it becomes clear that the ideological dichotomy helps to explain how Havanan independent LGBT-activists are able to make claims.

5.2.2 Long-Term Characteristics Shaping Cuba's POS

The long-term characteristics shaping contention in a non-democratic regime can be analyzed using the five variables of Osa and Schock (2007). These variables entail: influential allies, the existence of networks among political actors, the access to media and information flows, the dynamics of state repression, and the degree of elite divisions. In this section the first four of these are discussed with regards to Cuba and within the time-frame of this research. Elite divisions have not been referred to by any respondents, except for one state official, who signaled a growing discontent within the National Assembly about Mariela Castro's advancements for the LGBT-cause. I however do not want to draw any conclusions based on this limited information, so this last variable is left out.

[122] Author's interview with Dassiel, Laritza, and Renier, as well as fieldnotes taken on 31 March 2019
[123] Author's interview with Laritza

5.2.2.1 Influential Allies

To begin with, the existence of influential allies creates opportunities for contention. As defined in Chapter Two, influential allies refer to those allies that lower "the discrepancies between challengers and the state [because of their] organizational expertise, economic assistance, or leadership" (Osa & Schock, 2007, p.130). Access to such an ally increases the opportunity for contention, as it strengthens the position of political actors in their claim-making efforts.

This organization can be understood as an influential ally of Havana's independent LGBT-activists. As showed in the previous chapter, there are independent LGBT-activists that co-operate with CENESEX because it is beneficial to their activism As said by Sonia for instance: "It is very difficult to work on LGBT in Cuba without having a contact with CENESEX [...] you can work independently, but when you need a room or a space for which you need some sort of permission, it is very good to have a dialogue with an association of the state."[124]

However, the chapter also showed that CENESEX is not an ally to all independent LGBT-activists. Some do not see CENESEX as a sincere representative of the LGBT-community.[125] While others find that even if they would want to work with them, the organization is excluding them.[126] After the 11th of May-march, Dassiel for instance said about co-operating with CENESEX: "[We should try] because they have power and we can use that. The thing is it would be so hard to work with them, because they are not representing our rights."[127] There thus is an influential ally for the independent LGBT-activists in Havana, but not all LGBT-activists have equal access to this support.

This unequal access to CENESEX as an elite ally can be explained through the island's master narrative. Within this dichotomy, CENESEX should be understood as a political actor that acts within the set boundaries for contention. They aim to improve the situation of the LGBT-community following the course of the Cuban government. To co-operate with this elite ally, independent LGBT-activists have to decide to follow this strategy. Those who do not believe in the sincerity of the government's and CENESEX' intentions for the LGBT-community, tend to abstain from conformity and thus cannot rely on the ally.[128] At the same time, as the dichotomy works both ways, CENESEX also makes decisions about with whom

[124] Author's interview with Sonia
[125] Author's interview with Alba, Guillermo & Lucas, and Vincente
[126] Author's interview with Dassiel, Guillermo & Lucas, and Laritza
[127] Author's interview with Dassiel
[128] Author's interview with Juan

they do and do not want to be associated. As said by independent LGBT-activist Laritza: "CENESEX does not allow me in their networks because I think differently, so they discriminate, they discriminate based on ideology [and] based on political positions."[129]

So, there is an elite ally which provides support and opportunities for claim-making. However, whether the LGBT-activists can benefit from this ally, depends on their willingness to stay within the state's boundaries for contention.

5.2.2.2 The Importance of Networks

The next variable is the existence of social networks among the independent LGBT-activists. Osa and Schock (2007) state that the existence of social networks is especially important within non-democratic regimes, as these can create possibilities for contention within closed political structures (p.138). Social networks "substitute for media and often formal SMOs in that they are used to circulate uncensored information, to identify and distribute critical resources, to reduce the risk of illicit associations and political activities, and to create collective identities" (ibid, p.138).

The previous chapter concluded that the independent LGBT-activists in Havana, indeed, are organized more as social networks, rather than a coherent social movement. Through the interviews with several LGBT-activists, it became clear that these networks indeed strengthen the opportunities for claim-making, for instance through mutual support[130], but also through the exchange of resources.[131] However, the chapter also showed how there is distrust and even discrediting among the independent LGBT-activists within the networks. When they do so, they are likely to diminish the effect of LGBT-contention as a whole, because the public is exposed to a fragmented field opposing each other, rather than a coherent message. The existence of a network in this case thus positively influences the opportunity for contention, but at the same time could negatively impact the outcomes of the contention.

A similar explanation as provided with the uneven access to CENESEX as an elite ally, also accounts for this fragmentation. The independent LGBT-activists come from different ideological stances and deploy different strategies to cope with the master-narrative imposed by the Cuban government on contention. As a result, the LGBT-activists that are articulated more strongly against the government, are likely to understand the work of LGBT-activists who

[129] Author's interview with Laritza
[130] As demonstrated in Chapter Four
[131] Author's interview with Dassiel, Emely, Laritza, and Sonia

co-operate with CENESEX as less effective. The other way around, the LGBT-activists that decided to operate within the boundaries of the state, cannot afford to be associated with contention of LGBT-activists that might be perceived as counterrevolutionary. As a result of these tensions, which makes it harder for them to unite.

5.2.2.3 Access to Media and Information Flows

Another variable to consider is access to media and information flows. As indicated in Chapter One, the media can take several roles in contention. It can be used to mobilize potential allies, and inform people about claims and possible performances, but also to downgrade the impact of contention (Tilly & Tarrow, 2015, p.16, 37, 55, 159). As the access to media and information flows in non-democracies is often low, the impact of the media on claim-making plays an important role in such regimes (Osa & Schock, 2007, p.132).

To understand the claim-making opportunities through the usage of media in Cuba, a distinction must be made between access to offline and to online media. The offline media in Cuba are completely within control of the state (The Freedom House, D1). Several LGBT-activists pointed out that their activities are kept outside of these media-channels, and that it therefore does not provide opportunities to the independent LGBT-activists.[132] About this, independent LGBT-activist Renier said: "The national press is never going to get involved in actions outside of the state's hand. When you visited our activities, did you see any of the official channels? Never. Many are interested, but they have to follow the rules."[133]

It can, however, be used by the state to discredit independent LGBT-activism, as can be illustrated by the case of the independent LGBT-march in May. The march was largely kept out of the national news[134], even though it was extensively covered internationally.[135] However, when it was addressed in a national talk show, it was downplayed and delegitimized. On the 14th of May, Mariela Castro and Manuel Vazquez Sejido[136] were invited to talk about CENESEX' Jornada. They used this airplay to say that the march was organized by activists that usually are not interested in the advancement of the LGBT-community, and that the attendants were used for a cause that was counterrevolutionary (Mesa Redonda, 2019). They

[132] Author's interview with Guillermo & Lucas and Renier
[133] Author's interview with Renier
[134] WhatsApp conversation Guillermo on 11 May 2019
[135] See for instance: https://www.reuters.com/article/us-cuba-lgbt/cuban-lgbt-activists-defy-government-hold-unprecedented-indie-pride-parade-idUSKCN1SH0JJ
[136] The deputy director of CENESEX

emphasized that the march was unauthorized, that a relatively small group of people attended, that these people were outnumbered by the foreign press, and that many of them went to CENESEX' party as soon as they realized the false intentions of the march (ibid). Thus, during the fieldwork, rather than that it being an advantage for the independent LGBT-activists, the offline media functioned to downgrade the impact of contention, through the implementation of the ideological dichotomy.

In contrast, the online media has been of growing importance to the independent LGBT-activists in creating opportunities for contention.[137] Access to Internet only recently opened up, with the launch of public Wi-Fi-networks in 2015 and 3G-Internet on mobile phones in 2018 (The Freedom House, 2019, D1). Although the costs remain high[138], this newly acquired access to information flows provided valuable space for contention. The access to social media has been particularly powerful in inspiring people to act, in spreading information, in organizing contentious events, and in engaging in debates about sensitive topics.[139] This is demonstrated by Dassiel, who said: "[These] platforms give you a chance to raise voices that were never heard before. [...] Now that we have WhatsApp and 3G, even if it is so super, hyper expensive, that changes the whole thing, before it was like, 'o my god how do you get access to this or that'."[140] Another illustration is the initiative of two independent LGBT-activists who encourage gay-couples to hold hands in public and ask for pictures of this to share on their Facebook-page. Besides, the idea for this initiative was inspired by a short clip seen on Facebook of two members of the Dutch parliament holding hands to protest violence against the LGBT-community.[141] Another example is the LGBT-march in May, which started and spread through social media, without anyone knowing who initiated it (e.g. See Appendix 4.3).

There is also a downside to the publicness and openness of this online contention, as government officials can use it to follow and control the acts of independent activism. The state has for instance blocked an amount of independent news websites and blogs, limiting the access to information flows.[142] Another type of control on contention became clear through talking to independent LGBT-activist Guillermo. He initiated an event and spread the invitations online but was then notified that he was not allowed to go through with it. When I asked him how the

[137] Author's interview with Sonia and Vincente
[138] It is important to note that one hour of Wi-Fi costs 1 CUC = 25 CUP, which equals 1/30 of an average month salary in Cuba. 1GB of data costs 10 CUC, which thus equals 1/3 of an average month salary – based on fieldwork and information on https://tradingeconomics.com/cuba/indicators
[139] Author's interview with Barbara, Dassiel, Guillermo & Lucas, Javier, Marta, and Vincente
[140] Author's interview with Dassiel
[141] Author's interview with Guillermo & Lucas
[142] Author's interview with Guillermo & Lucas and Javier

government found about it, he said: “Because of the social networks, because you want people to show up. So, the activism invites people online, but the government also goes online to see what is going on.”[143] In a similar conversation with Dassiel, he said that most of the invitations to the independent LGBT-march were send through WhatsApp and not Facebook, because “WhatsApp is more private and then you know who you are sending it to”[144], implying that the state cannot follow their activities in this way.

About this online tracking, a famous Cuban human rights activist once said: “These are the conditions under which activists work in, when gaining access to Internet or to telephony. They are aware that their communication is being traced and that they can be tapped, intercepted, and interrupted. [...] They know that there are rules through which the government can legally declare them ‘enemies’” (Faguagua-Iglesias, 2014, p.268). This impact also became clear through talking with Gigi, who said, proudly almost, that they had posted pictures on Facebook of an event organized by two independent LGBT-activists often perceived as being against the state. To clarify her words, she added that sometimes they do not do this to protect the people on the pictures from being associated with them.[145] Still, despite these potential drawbacks, most of the independent LGBT-activists credited their access to the Internet for the growing contention on the island.

In sum, the above shows that offline media in Cuba is thus censored, and thus not accessible for independent LGBT-activists to advance their contention. Although CENESEX, as elite ally, can use the offline media to seek support for LGBT rights, they can also use it to submit to the master-narrative and discredit the work of other LGBT-activists. Access to online media, on the other hand, is growing and therefore becoming more important to the independent activists. Even if the connection is expensive and they still confront censorship and monitoring, the online space has provided valuable space to initiate contention, seek support, and communicate with others.

5.2.2.4 State Repression

The final variable of influence to the POS within a non-democratic regime is state repression. Osa and Schock (2007) understand repression as the “actions by the state that raise the costs of collective action” (p.133) and divide such action into four categories: negative sanctions,

[143] Author’s interview with Guillermo & Lucas
[144] Author’s interview with Dassiel
[145] Author’s informal conversation with Gigi

coercion, violence, and violence by proxy (ibid, p.133). As none of the interviewees referred to experiences of violence, either by the state or by proxy, particularly the first two categories have proved to be relevant to understand claim-making possibilities of Havana's independent LGBT-activists. These two categories, negative sanctions and coercion, entail limitations on political and civil rights, media-censorship, harassment, and intimidation (ibid, p.133). As media-censorship is already covered above, this section focusses the impact of political and civil rights, and of harassment and intimidation on the contention of the independent LGBT-activists.

Throughout the thesis, the decision to interpret Cuba's regime-type as a non-democracy has been substantiated with examples of limited political and civil rights. Two of these examples are elaborated, as these restrictions were referred to the most by the independent LGBT-activists to explain their limited options for contention.

Firstly, the freedom of assembly is under strict political control on the island (The Freedom House, E1). To organize a public march, for instance, permission of the state is required, which is hardly ever provided to independent initiatives.[146] In 2019, for the first time in the history of the Cuban Revolution, a march initiated by an independent-animal activist was approved, yet, afterwards, the official that authorized this protest was removed from his position, and further requests for animal-rights marches had been turned down.[147] Some independent LGBT-activists accused the government of only allowing the animal-rights march because the subject was relatively innocent.[148] However, they said, that, as soon as it would be about human rights, a march could hurt the image of the government and the permission would not be granted.[149]

Secondly, in Cuba it is not allowed to start an organization without state-supervision (The Freedom House, E2). An independent journalist said to me: "The Cuban law of associations only allows one association per topic, per field. [The government] has their own civil society."[150] Many independent activists pointed at this prohibition in explaining the difficult position of activists in Cuba.[151] They said, for instance, that as a result they have a hard time receiving funding for their work in Cuba. Instead, they either have to get funding abroad,

[146] Author's interview with Edward, Guillermo & Lucas, Laritza, Luciano, and Roberta
[147] Author's interview with Barbara
[148] Author's interview with Juan and Laritza
[149] Author's interview with Juan and Laritza
[150] Author's interview with Javier
[151] Author's interview with Dassiel, Gerardo, Guillermo & Lucas, Javier, and Laritza

or to draw from their own limited resources.[152] The lack of space for independent organizations was often also explained by referring to political power.[153] As said by independent LGBT-activists Lucas and Guillermo for instance: "So, if [we] were able to become an NGO, let's say that we are fully transparent about our funding, and that the government checks regularly and they find everything is right. Having that as a premise, we are always going to be under suspicion. Because [the government] does not have control over [us], they never know what we are going to do or say."[154] These two examples based on my empirical data indicate that the Havanan independent LGBT-activists are limited in their claim-making possibilities, once again, particularly based on the idea that opposing the government is not possible.

Next, harassment and coercion are particularly brought up by the independent LGBT-activists that do not work with CENESEX. Different LGBT-activists expressed a feeling of fear and intimidation, which was a result intimidation by state-officials.[155] They complained that, as indicated by an earlier quote of Laritza, they are approached by state official and intimidated not to initiate or attend events.[156] This also happened before and after the independent LGBT-march on the 11th May for instance. Several of the interviewees talked about them and their friends being called, and two LGBT-activists even got arrested to prevent them from going.[157] About the impact of these intimidations Dassiel said that as activists they have to continue to defy such pressure and overcome their fair.[158] At another occasion, however, Guillermo admitted that many people are affected by the phone calls and as a result indeed abstain from events.[159] The state repression at times is very limiting, as it has the power to discourage people from engaging in contention.

To summarize, the analysis above showed several things. Firstly, there is an elite ally, but this opportunity can only be taken advantage of by part of the Havanan independent LGBT-activists. Secondly, the networks do help each other, yet also oppose each other. Thirdly, media censorship is deployed to prevent contention from taking place, but with the growing access to online media, a space for contention is also present. Lastly, the political and civil rights which

[152] Author's interview with Anay, Dassiel, Guillermo & Lucas, Laritza, and Renier
[153] Author's interview with Guillermo & Lucas, Javier, and Laritza
[154] Author's interview with Guillermo & Lucas
[155] Author's interview with Dassiel and Renier, as well as informal conversation with Guillermo
[156] Author's interview with Dassiel, Laritza, and Renier, as well as informal conversations with Guillermo
[157] Author's interview with Dassiel and Renier, as well as informal conversation with Guillermo, and Facebook-chat with Enrique on 12 May 2019
[158] Author's interview with Dassiel
[159] Fieldnotes taken on 31 March 2019

could support contention are restricted, limiting the claim-making opportunities of the independent LGBT-activists. In addition, particularly those independent LGBT-activists who do not work with CENESEX, experience repression, which can discourage their activism. These Havanan independent LGBT-activists thus operate in a very restricted POS, with limited opportunities for contention.

In addition, it turns out that most of these variables are connected to the ideological master narrative of 'with the Revolution everything, against the Revolution nothing'. This implies that the already limited opportunities, can be even more restricted for those LGBT-activists that operate outside the set boundaries for contention.

5.3 Short-Term Opportunities and a Government Strategy

Short-term openings are changes which can "suddenly favor [one's] resources, skills, or position" (Jasper, 2011, p.2) and of which political actors thus have to be alert. The constitutional process is understood as a short-term opening, in which especially the Protestant Church managed to seize their opportunity to oppose the legalization of same-sex marriage. The LGBT-community, on the other hand, failed to campaign effectively: "We did not know how to do it, nor how to take advantage of this small opening that they left us."[160] At the same time, they were limited by the state and could therefore not undertake the same actions as the Protestant Church. In this section below, a brief theorization of the short-term openings in Cuba demonstrates that even the potential to seize the opportunities provided by these openings is connected to the power of the government.

Especially scholars interested in Cuba's economic and cultural policy development have seen that short-term openings are not uncommon in Cuba (Grenier, 2018, p.262). They see this "pendulum between 'closing' and 'opening'" (ibid, p.262) as a governing strategy to increase state power, rather than an actual change in the structure (ibid, p.262). Grenier (2018) claims that the Cuban government engages in such openings to strengthen the position of the regime (p.262), stating that: "Autocrats need 'compliance' but also 'cooperation' [and] that may require some give and take" (p.264).

The introduction of Article 68 has been understood in a similar way by several independent LGBT-activists.[161] They accused the government of pink washing, which is when a party portrays "itself as a viable political system deserving legitimacy at home and abroad"

[160] Author's interview with Laritza

[161] Author's interview with Dassiel, Gerardo, Juan, and Vincente

(Lecuyer, 2014, pp.119-121). Even if the opening is not used to the actual advancement of the position of the LGBT-community, the government can still say that they tried, securing their position as a LGBT-friendly regime.[162]

Still, as it is a power construction "based on mutual accommodation" (Dilla, in Grenier, 2018, p.262), activists alike can "benefit from the regime's occasional *laissez-faire* tactics" (ibid, p.263). Several interviewees told me about a certain tolerance towards contention, because of this strategy.[163] Such as endured existence of the independent news-website El Toque[164], and the unauthorized march on the 11th of May, in which the independent LGBT-activists could walk one kilometer until the Malecon[165].

Nevertheless, these short-term openings are part of a government strategy and the regime thus has a final say in what they tolerate and what will not be allowed. Grenier (2015) points out that: "No faction or trend has remained dominant forever and what is tolerated is often just tolerated 'by omission'. [...] This keeps the various groups guessing and competing in a climate of uncertainty" (p.265). Hence, the LGBT-activists can try to benefit from a short-term opening, but the outcomes are still very much in control of the state. Or in the words of Laritza: "I am always saying 'do not believe [...] that everything that we have achieved [...] is because we are strong, we have done it because they have wanted us to achieve it, because these activities did not strike them as problematic. Do not get confused."[166]

5.4 Conclusion

This chapter was dedicated to getting an understanding of the interplay between the Havanan independent LGBT-activists and the POS in which they make claims. First, it became apparent that, although there is no consensus about the definite regime-type of the island, Cuba indeed can be interpreted as a non-democratic regime. This conclusion justifies the decision to analyze Cuba's POS using the four of Osa and Schock's (2007) variables for non-democratic regimes: elite allies, social networks, media access, and repression. It became clear that, although these characteristics of the regime provide advance some opportunities for claim-making, these opportunities are limited and not evenly accessible to all independent LGBT-activists operating in Havana.

[162] Author's interview with Juan and Sonia, as well as informal conversation with Thalia
[163] Author's interview with Dassiel, Gerardo, Javier, and Renier
[164] Author's interview with Javier
[165] Author's interview with Gerardo
[166] Author's interview with Laritza

The power of Cuba's regime in shaping the contention of these independent LGBT-activists became particularly clear through the ideological dichotomy at the foundation of the long-term structures. The negative effect of this master narrative on contention of the independent LGBT-activists is two-fold. On the one hand, this master-narrative limits the opportunities for claim-making. It is intertwined in all four variables of Osa and Schock (2007), limiting the potential advantage in claim-making of these variables. On the other hand, it divides the independent LGBT-activists, preventing them from operating as a front in their fight for their rights. Chapter Three and Four showed the negative impact of the lack of unity among the independent LGBT-activists in their claim-making. In this chapter, in the discussion of elite allies and social networks, it became apparent that the ideological dichotomy accounts for this fragmentation among the independent LGBT-activists.

Lastly, the power of the state also become clear in the discussion of the short-term openings within Cuba's POS. Although these provide some opportunities for claim-making, they are very much controlled by the state. Being able to benefit from these openings is likely to be the result of state tolerance, which indicates the precarious nature of such advancements, as the government can also decide to 'close the opportunity again.

Chapter 6: Contentious Performances of Independent LGBT-Activists in Havana

The previous chapters demonstrated the fragmentation among Havana's independent LGBT-activism and how this division is linked to an ideological master narrative deployed by the Cuban government. It also became clear that the political opportunity structure (POS) of the Cuban regime is quite restrictive, with limited space for contention for the independent LGBT-activists. Both these insights are relevant to explain how Havanan independent LGBT-activists are able to make claims, yet it does not provide an insight in what type of performances they actually engage. This is needed as it would clarify which type of opportunities these independent LGBT-activists see despite their restrictive circumstances.

As indicated in the introduction of this thesis, the independent LGBT-march in May 2019 was a unique expression of collective action in Cuba's regime. This chapter discusses the common performances which have been documented throughout the field-research are discussed. They are divided into four approaches, which are described and analyzed. The first three approaches involve offline approaches to claim-making, and the last is about online contention.

6.1 Performances

In Chapter One of this thesis, performances are defined as "relatively familiar and standardized ways in which one set of political actors makes collective claims on some other set of political actors" (Tilly & Tarrow, 2015, p.14). In this chapter it also became apparent that the indicators used to identify performances are contestation, intentionality, and contribute to the construction of collective identity (Taylor & Van Dyke, 2004, pp.268-270).

Despite the fragmentation among the independent LGBT-activists, both sides turned out voice their demands in similar ways. Throughout the fieldwork it became apparent that the independent LGBT-activists have adopted four approaches to claim-making. Broadly speaking, their performances are either: contention through acts of ordinary life, cultural events with an educational purpose, public events marketed as being part of entrepreneurial or communal plan, and online contention. In the following sections, these categories are explained and illustrated with examples.

6.1.1 Contention in the Ordinary

The first approach to claim-making involves ordinary and seemingly neutral acts and objects, which are used for contention. In a conversation with Lucas about the lack of visible signs of activism in the streets, he spoke about an event in which T-shirts were printed with different pro-LGBT designs.[167] He said: "Next time, if you are able to read it and you see 'Your Love Does Not Suck, Your Hate Does', now you know where this comes from and now you know that it is not just a t-shirt."[168]

In the previous chapter it became clear that in Cuba, most political and civil rights which can be used for contention are restricted by law. It is therefore complicated to engage in public and confrontational performances. Acts of everyday life, however, can be done without asking permission. By attaching contentious value to such ordinary acts and objects, the independent LGBT-activists still find space to engage in public claim-making – especially because one can easily pretend that the intention of such an act was not contentious.

A downside to this approach, however, is that is difficult to explicitly communicate the claim in these performances. To be able to hide the contention, some subtlety is needed. The disguise that enables this type of claim-making, could thus, at the same time, diminish the impact of the contention.

Examples of contention based on such ordinary and seemingly neural aspects of life are: holding hands in public, talking about LGBT-rights while selling food on the street, and walking around in T-shirts which make statements about equality.[169] Another clear example, is the initiative in which LGBT-activists form a rainbow flag with their t-shirts. On a monthly basis, Enrique and Jasan invite people to come together wearing T-shirts in different colors of the rainbow. On first sight there does not seem to be activism to a group of people hanging around at one place, yet when they line up a rainbow flag appears.[170]

Assimilating your performance into something ordinary is thus an effective strategy to be able to engage in contention within Cuba's POS. Activists do not need to ask permission for acts of everyday-life, which lowers the restriction through repression. It also lowers the risk of getting in trouble, as they can easily 'hide' their activism by denying the contentious nature of their acts. This type of claim-making is similar to the idea of everyday resistance, a form of

[167] For more information about this event see 3.1.3
[168] Author's interview with Guillermo & Lucas
[169] Author's interview with Anay and Guillermo & Lucas
[170] Informal conversations with Jasan and Enrique

resistance in defining it as "being disguised and hidden" (Scott, in Johansson & Vinthagen, 2016, p.421). At the same time, however, this disguising of contention complicates the explicit articulation of a claim.

6.1.2 Cultural Activities with an Informative Purpose

The second type of performances are cultural activities with an informative purpose, aimed at education about equality and LGBT-rights. Among the interviewees there was consensus about the impact of education, and how it can be used to improve the status of the Cuban LGBT-community.[171] On the one hand, the they thought of it as a strategy to get the Cuban public at their side. As said by Yadira: "Yes, I believe that part of our population is still homophobic, but I also believe that our population is sensible, and that when they are explained what [human rights] mean, they will understand and support it."[172] On the other hand, it was also seen as a strategy to empower the LGBT-community, which would increase the potential of their activism.[173]

This educational approach is often submerged in the organization of cultural activities. The independent LGBT-activists, as opposed to national sex-education center CENESEX, do not have the power to initiate large-scale educational programs. Instead, they found that they could organize shows and exhibitions in which they integrate the informative aspects of an educational campaign. In talking about education, independent LGBT-activist Dassiel pointed out that: "There are activists, like in the cultural environment, that will give workshops of LGBTQ literature in Cuba, or people that are curating exhibitions, or even in the film industry, [that] present those kind of shows and diversity."[174] Through such activities, the LGBT-activists still have a way to inform their public.

Different movie-nights, organized by different LGBT-activists, are examples of this approach to contention. These public screenings of LGBT-themed movies are freely accessible and combined with a discussion about the theme of the film.[175] This way, the public can learn about LGBT-rights, and at the same time it improves "the sense of community."[176] Another way to combine cultural events with LGBT-information is a drag queen- or transformista-

[171] Author's interview with Alba, Anay, Dassiel, Luciano, Renier, Sonia, and Yadira
[172] Author's interview with Yadira
[173] Author's interview with Alba and Sonia
[174] Author's interview with Dassiel
[175] Author's interview with Dassiel, as well as informal conversation with Enrique and Jasan
[176] Author's interview with Dassiel

show[177]. Alba, the manager of three transformista's, explained: "We do activities with transformista's, activities to promote health, [so] during this art, in between the songs, we try to make women come to get tested and to care for their health."[178]

Although the independent LGBT-activists are limited in their opportunities for contention, it turns out that they do have some possibilities to organize cultural activities. These events are often used to integrate education about the LGBT-community and their rights. Following Staggenborg and Lang (2007) these activities are indeed performances, as they contribute to the political agenda of the LGBT-activists. This approach provides space to engage in performances aimed at two things: one, to convince the public to be supportive of their cause, and two, to empower the LGBT-community and strengthen their position in the contentious field.

6.1.3 Entrepreneurial and Communal Events

The third approach to contentious performances entails more prominent, public events initiated by private companies or societal organizations. These events are often marketed as being part of an entrepreneurial or communal plan rather than activism, even though the actual purpose is to engage in contention. This strategy makes it possible to organize pro-LGBT-events more visibly, without it immediately becoming a matter of politics.[179]

A clear illustration is an initiative of some employees of a clothing store located in Old Town Havana. Since the proposal of Article 68, they have organized three editions of an event to get your t-shirt printed with texts like 'Accept', 'Kiss Kiss Kiss', and 'It Is Only a Matter of Love'.[180] "[They organized] these activities, but they do it like 'my own initiative', and because it is not a political issue or you are going to invade a space, [the government] allows it. So, it is something like an entrepreneur project. [...] It is activism, but they put a mask over it."[181] A number of initiatives organized in honor of the Day Against Homophobia also follow this approach. On this day, a tattoo-shop in the Old Town Havana, for instance, organized 'Tattoos Against Homophobia', offering a range of pro-LGBT-tattoos for 10CUC.[182] Similarly, ICM,

[177] Men who cross-dress as women, and women who cross-dress as men
[178] Author's interview with Alba
[179] Author's interview with Guillermo & Lucas
[180] Author's interview with Guillermo & Lucas – these activists also provided the interpretations of the printed texts
[181] Author's interview with Guillermo & Lucas
[182] See Facebook-event: https://www.facebook.com/events/378826959388847/

the LGBT-inclusive church, performs symbolic same-sex marriages each year around this day.[183]

Hence, this third approach to find space for claim-making is done by independent LGBT-activists who can use their connection to a company or societal organization to cover up their contention. Through organizing events which could be part of an entrepreneurial or communal strategy, the initiators manage to create more freedom to engage in claim-making activities. As a result, some of the Havanan LGBT-activists manage to initiate several, more visible, pro-LGBT-events.

6.1.4 Online Contention

The first three approaches claim-making of the independent LGBT-activists entail performances within the offline realm of life. However, as indicated in the previous chapter, using the Internet is also a key strategy of the independent LGBT-activists. With the instalment of public Wi-Fi-access in 2015, and the introduction of mobile Internet in 2018 (the Freedom House, 2019, D1), the independent LGBT-activists have been granted additional space in which claims can be made.[184] Aside from the facilitating character of Internet in spreading information and mobilizing possible allies, as indicated in the previous chapter, the medium is also used for contentious performances. As explained by Vincente in discussing a new generation of Cuban LGBT-activists: "They use the social media right now, Facebook, Instagram, YouTube, and they do that now because [the Internet connection] is new in Cuba. So, they use it and they are doing a good job."[185]

Images, videos, and (collective) statements advocating for equal rights are found on Facebook, in blogs, on YouTube and on other websites. There are, for instance, several Facebook-pages promoting the LGBT-cause on the island.[186] As explained by independent LGBT-activist Sonia: "When people started to realize what a social network like Facebook could do, new pages emerged, like 'Cuba LGBTIQ', 'Por mis derechos', and 'Fuerza LGBTIQ'."[187] Some of these pages have existed for a long time, while others, like #68Va, were set up in a direct response to the constitutional reform. On these pages, people have been posting pictures of themselves rooting for the acceptance of same-sex marriage, and shared videos in

[183] Author's interview with Emely
[184] Author's interview with Dassiel, Guillermo & Lucas, Sonia, and Vincente
[185] Author's interview with Vincente
[186] Author's interview with Guillermo & Lucas
[187] Author's interview with Sonia

favor of family-diversity[188]. Besides Facebook, the Internet was also used by a group of LGBT-activists to collectively demand equality through what they called "an agenda for our rights here in Cuba."[189] Other examples of Internet-contention are the blogs of Paquito[190] and Alberto Roque[191] and the YouTube web series *Causas y Azares* of Yaime Pardo[192].

This last approach was referred to the most by the independent LGBT-activists during the field research. Even though, as demonstrated in the previous chapter, the access to Internet is expensive and the Cuban government can go online to trace activism, this approach appears to be the easiest accessible them. Consequently, most of the LGBT-activists I spoke to focus, at least partially, on this medium in making their claims.

6.2 Conclusion

Two general conclusions are drawn from the discussion above. Firstly, this chapter confirms the general assumption of contentious politics that even in very restrictive regimes there are openings for contention (e.g. Alimi, 2007; Della Porta, 2013; Osa & Schock, 2007). The discussion above shows that the independent LGBT-activists participating in this research have found four ways to approach claim-making in the restrictive POS of Cuba. They either engage in contention by integrating it into ordinary acts of day-to-day live, by organizing cultural activities with an educational purpose, by connecting events to their company or societal organization, or through online networks.

Next, most of these strategies seem to be the effect of the long-term structures in which the independent LGBT-activists operate. Although some of the examples entailed performances responding directly to the campaign of the Protestant Church or were used to say something about same-sex marriage, the overview above shows that the performances were not designed specifically to fit the opening of the constitutional reform. This supports the statements in earlier chapters that the LGBT-activists only managed to benefit of the short-term opening in a limited way.

In addition, while collecting data during the fieldwork, a new question about claim-making arose. During the participant observations of several of these events, and through the interviews with different LGBT-activists, it became clear that the people attending the activities

[188] Author's interview with Guillermo & Lucas and Sonia
[189] See: https://havanatimes.org/features/accionlgbtiqba-an-agenda-for-our-rights-here-in-cuba/
[190] See: http://paquitoeldecuba.com
[191] See: http://aroqueg.blogspot.com
[192] See: https://www.youtube.com/channel/UCnsoKkw5AsFRQjYcmHQcdmw

are often members of the LGBT-community. It appears that the Cuban government has created restrictions on contention in such a way that most of the possibilities for performances mainly attract people already involved with the LGBT-community. This could thus have implications for the actual effectiveness of the independent LGBT-activism in Cuba.

Chapter 7: Conclusion, Academic Significance, and Recommendations

This chapter serves to discuss the final outcomes and conclusions of the research. First, the findings of the previous chapters are combined, to answer the research question. Next, the academic significance of this study is discussed, in which the outcomes are linked to the theoretical debates presented in Chapter One. Lastly, the limitations of the research are considered, followed by recommendations for future research.

7.1 Conclusion

The general aim of this research was to answer the research question: *How are Havana's independent LGBT-activists able to make claims within the non-democratic regime of Cuba, after the start of the constitutional reform-project in July 2018?* To do this, three sub-questions regarding the contentious field, the political opportunity structure (POS), and the contentious performances of Havanan independent LGBT-activists have been considered in different chapters of the thesis. In bringing these outcomes together, the following conclusions comes about.

It became apparent that these Havanan independent LGBT-activists do not operate as a unified movement. Rather, they are fragmented and linked only through loosely connected networks. This fragmentation can be traced back to the ideological master narrative imposed by the Cuban government, in which you are either with or completely against the state. This powerful dichotomy restricts the already limited possibilities for claim-making in Cuba even further, particularly for those among the independent LGBT-activists who do not stay within the set boundaries of the state.

The power of the state was further demonstrated through their influence on who could and who could not benefit from short-term openings during the constitutional reform. Throughout the time-frame of the research, the other main political actors within the contentious field of Havana's independent LGBT-activist were CENESEX, and the Protestant Church. In line with the general understanding of Latin America's 'gay-rights revolution', these indeed turned out to be a possible ally with national-party ties and a strongly opposing religious group. Given the distinct connections between these political actors and the state, they seemed to have been granted more opportunities for claim-making than the independent LGBT-activists.

Ultimately, it became clear that, despite the restricted context in which they operate, these Havanan independent LGBT-activists still found four approaches to claim-making which enabled them to engage in contention. They either disguise their contention in acts and objects of ordinary live, organize cultural activities with an educational purpose, use their company or organization to present a performance as part of an entrepreneurial or communal project, or take advantage of the growing access to Internet on the island. Within these approaches, some of the LGBT-activists improve their claim-making possibilities by following the ideological master narrative, which enables them to benefit from CENESEX as an elite ally. Other LGBT-activists do not follow this narrative and therefore face more repression in the shape of intimidation and being depicted as counterrevolutionary.

As indicated by McAdam et al. (2009) the outcomes of contentions can only be understood through the interactions in which a political actor engages (p.261). In the description of the constitutional reform in Chapter Three the decisive power granted to the public in the possible legalization of same-sex marriage became apparent. During interviews and informal conversations, it was pointed out how the Cuban public remains divided when it comes to the adoption of LGBT-rights – indicating that Havana's independent LGBT-activists will have to convince the public of their viewpoints to receive additional support. However, the data collected in this research suggested that most of the performances within these four approaches to claim-making mainly attract people already associated with the LGBT-community. This raises a new question about the actual effectiveness of the claim-making possibilities of the Havanan independent LGBT-activists in reaching enhancing the LGBT-rights in Cuba.

In conclusion, this research showed that despite the disunity among the independent LGBT-activists, a restrictive POS, and a contentious field in which claim-making opportunities are controlled by the Cuban government, these Havanan independent LGBT-activists are still able to make claims by deploying four approaches to contention. Although this enables them to engage in contention, the effectiveness of such performances in reaching their goals is debatable.

7.2 Contributions to Academic Debates

In the introduction of the thesis, the dual character of the academic significance of the research – building both on contentious politics theory and the literature on the Latin American 'gay-rights revolution' – was explained. Below the contributions of the research outcomes to these academic debates are discussed.

Firstly, the discussion of contentious politics-theory indicated that, despite the general understanding that studying contention in democracies and non-democracies demand a different focus, relatively few contributions to the theory are based on non-democratic regimes. This study into the claim-making abilities of Havana's independent LGBT-activists therefore suited to apply the academic insights about contention in non-democratic regimes to the case of Cuba.

This studied reinforces that contention takes place even in restricted contexts, by demonstrating the four approaches to claim-making of the independent LGBT-activists. The insights the POS analysis in non-democratic regimes were particularly useful in understanding the pervasive power of the Cuban state on the course of contention. In addition, the incorporation of identity-building as an indicator for performances helped to understand that the more in-group-based activities organized by these Havanan independent LGBT-activists were still acts of contention. This research into the claim-making abilities of the Havana's independent LGBT-activists underscored the value of the current ideas about the analysis of contention in non-democratic regimes.

Given the limited data about the LGBT-community in Cuba, this research also contributes to the body of literature on the Latin American 'gay-rights revolution'. This was done by applying the three factors generally understood to influence the course of LGBT-rights adoption in the region – the impact of influential/powerful allies, the role of religious groups obstructing development, and the importance of modernization – to the case of Havana's independent LGBT-activists.

The discussion of the contentious field in Chapter Four indicated that these three factors indeed apply to the recent developments regarding the legalization of same-sex marriage in Cuba. However, this research shows that the impact of these factors cannot be understood in the Cuban case, if the role of the government is not considered. In this sense, the case study indicates that Cuba does show resemblance to other Latin American countries when it comes to the developments of LGBT-rights. However, the impact of the political ideology imposed on contention on the island, influences the impact of these factors on the outcomes of the claim-making efforts of the independent LGBT-activists.

In addition, this case study indicates that the Cuban public is still divided on the matter of LGBT-rights adoption, and particularly about the legalization of same-sex. In contrast to studies that view Cuba as a country rapidly developing acceptance and tolerance towards the LGBT-community, this research raises questions about the actual status of the LGBT-community on the island.

7.3 Recommendations for Further Research

Based on the outcomes discussed above, two main recommendations for further research come forward. To begin, this research indicated that some of the general perceptions of Cuba's position towards the LGBT-community are not representative of the reality in which thse Havanan independent LGBT-activists operate. While the outcomes cannot be generalized because of the qualitative nature of this research, the findings do imply that additional research into Cuba's LGBT-community is needed. A larger scale, quantitative research could clarify the general stance of the Cuban public towards the LGBT-community, which in turn would deepen the understanding of the adoption of LGBT-rights in Cuba.

Furthermore, even though the research clearly illustrates that the Havanan independent LGBT-activists have found four ways to approach claim-making in the restrictive context in which they operate, a question about the actual effectiveness of such performances arose. Due to the scope of the research, this study did not include evidence to clarify this matter. Nevertheless, to understand claim-making abilities in non-democratic regimes, information about the effectiveness of performances is also vital. Future research aimed at the type of public to the performances of Havana's independent LGBT-activists is needed to be able to discuss the effectiveness and outcomes of their approaches to claim-making.

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Appendix 1: Topic List

Performances:

- In what type of activities do you engage to make statements/claims/demands about LGBT-rights
- How do you get the resources to do so?
- What places do you use to make statements, and why there?
- At who do you aim your statements? And who witness your statements?
- What is the goal of your activities**?**

Political Opportunity Structure:

- Why do you think the government decided to include Article 68 in the Constitution?
- Why do you think they change it into Article 82?
- Do you feel supported by the government in your efforts to make statements/claims/demands about LGBT-rights?

Contentious Field:

- Who would you identify as the other groups of people making claims/statements/demands about LGBT-rights – either in favor or against?
- Have you co-operated with them?
- Have you been confronted with them?
- Do you feel like they have the same goal as you do?

Appendix 2: Overview of Interviews and Participant Observations

2.1 Interviews

Name:	Position:	Date of interview:
Alba	Independent LGBT-activist Former employee of CENESEX	14 May 2019
Anay	Independent LGBT-activist	26 April 2019
Barbara	Independent activist for animal-rights	26 April 2019
Dassiel	Independent LGBT-activist	14 May 2019
Emely	Independent LGBT-activist	15 April 2019
Edward	Head of a Protestant seminary	28 March 2019
Gerardo	Independent expert working with the Cuban government	13 May 2019
Guillermo	Independent LGBT-activist	27 March 2019
Javier	Journalist working for independent online news agency	1 April 2019
Jorge	Youth leader Protestant Church	15 May 2019
Juan	Independent film maker working on a documentary about Article 68	9 May 2019
Marta	Former youth leader Protestant Church	24 April 2019
Lucas	Independent LGBT-activist	27 March 2019
Luca	Head of Protestant Church	10 April 2019
Laritza	Independent LGBT-activist	4 April 2019
Luciano	Independent LGBT-activist Government official	7 May 2019
Renier	Independent LGBT-activist	15 May 2019
Ramira	Academic	30 March 2019
Roberta	Member of Protestant Church	9 May 2019
Sonia	Independent LGBT-activist	9 April 2019
Tomas	Employee of CENESEX	23 April 2019
Vincente	Independent LGBT-activist in exile in the Netherlands	13 March 2019
Yadira	Jurist with expertise on Family Law	24 April 2019
Yelena	Employee of an international NGO with expertise on Family Law	26 April 2019

2.2 Participant Observations

Date:	**Event-type:**
31 March 2019	Human Rainbow Flag
12 April 2019	Movie Night
15 April 2019	Easter-service at ICM
18 April 2019	Festival Afroconciencia
21 April 2019	Transformista-show
10 May 2019	CENESEX-gala
11 May 2019	Independent LGBT-march
12 May 2019	Mother's Day-service at Methodist Church

Appendix 3: Coding Tree

Claim-making	Goals			
	Inspiration			
	Location			
	Outcomes			
	Performances	CENESEX	Online	
			Offline	
		Church	Online	
			Offline	
		LGBT-Activism	With CENESEX	Online
				Offline
			Not with CENESEX	Online
				Offline
	Public			
	Resources	Funding		
	Strategies	Education		

Empirical situation	Future	
	LGBT-march	
	Constitutional reform	
	Family Code reform	

Contentious Field	Government	
	Non-state Political Actors	Catholic Church
		CENESEX
		Independent LGBT-activists
		LGBT-activism in general
		Protestant Church

LGBT in Cuba	Homophobia	
	Machismo	
	Mariela Castro	
	Marriage	
	Not Ready	Not a Priority
	Pinkwashing	Strategy of the West
	UMAP	

Political Opportunity Structure	Civil Society	
	Fear	
	Government Support	
	Intimidation	
	Politics	Miami
	Possibilities	

Appendix 4: Examples of Contention

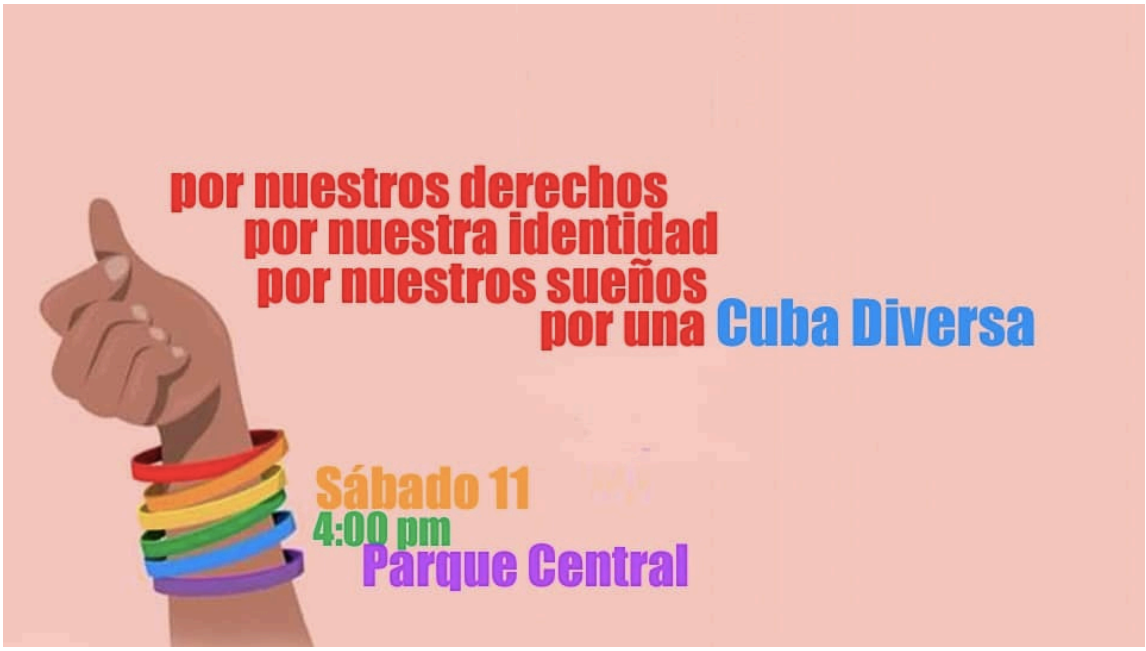
4.1 Contention of the Protestant Church

Poster of the campaign of the Protestant Church, displayed at the Methodist Church in Vedado, Havana. Translation of text: I am in favor of the original design. The family as God created it. Marriage Man+Woman
– Picture taken on 27 March 2019 by author after consent of the Church's Pastor

4.2 Contention of Havanan Independent LGBT-Activists

Independent LGBT-initiative in response to the campaign the Protestant Church. Translation of text: All rights for all families. Constitutional reform. Cuba 2018.
– Sticker received on 15 April 2019 during participant observation at ICM.

4.3 Invitation to Independent LGBT-March



Invitation to the independent LGBT-march. Translation of the text: For our rights. For our identity. For our dreams. For a Diverse Cuba. Saturday 11. 4:00pm. Parque Central.
– Received on 10 May 2019 via WhatsApp.