

# LGBTTree of Life: reflections on the practice of arts based LGBT storytelling as a human rights issue

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# LGBTree of Life: Reflections on the practice of arts based LGBT storytelling as a human rights issue

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## Abstract

This paper presents a reflection on LGBT human rights, creative methods of storytelling, and the role of empirical evidence, in the context of the covid-19 pandemic and its recovery. Firstly, the paper outlines LGBT rights as human rights, and places this in the context of the pandemic and a local case study in York, England. It then describes a novel arts-based workshop, the LGBTree of Life, which was designed as part of a human-rights based project to facilitate storytelling and meaning-making around LGBT people's experiences of the pandemic. The LGBTree of Life was enacted with six participants both online and offline. Findings from the study were used to create an online display and recommendations for a strong COVID-19 recovery in York and the surrounding area. The practicalities of running the workshop are discussed, alongside key ethical dilemmas which arose as part of the project. Finally, the paper uses this case study to reflect upon the key LGBT human rights debates and consider the relevance of using new and creative methods to support people's human rights.

## Introduction

### LGBT rights as human rights

Worldwide, there is a need to "translate the discrimination and the oppression experienced on grounds of sexual or gender non-conformity into the language of international human rights" (Greif, 2020, p. 17). Those who don't conform to the cisgender and heterosexual norm often face discrimination, hate-based violence, harassment, discrimination, criminalisation, and in some countries even the death penalty (Marks, 2006; United Nations Women, 2015). Such issues affect people's right to life, safety, privacy, and participation in social and cultural life under the International Covenant on Economic, Social and Cultural Rights (ICESCR; UN General Assembly 1966a) International Covenant on Civil and Political Rights (ICCPR; UN General Assembly 1996b). There is a precedent of adapting human rights specifically to at-risk groups, such as existing conventions for women, children, people with disabilities, and since 2007, sexual and gender identity. At-risk groups include people who are LGBT (a non-exhaustive acronym for people who are lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual, or otherwise sex or gender non-conforming).

Framing LGBT struggles as human rights issues enables those who face unique harms around sexual and gender identity access to the human rights regime (Alston, 2006). This regime includes formal acknowledgement of the harm using human rights laws, frameworks and covenants, and related mechanisms of redress, such as seeking asylum based on LGBT identity (Vogler, 2016). However, some consider the concept of 'LGBT identity' (Waites, 2009) to be a reductionist and Westernised framework for understanding gender and sexual orientation, and others suggest this acronym may homogenise a diverse group of individuals (Formby, 2017). Hence, there is ambivalence about whether human rights is the best framework to support LGBT causes (Kollman & Waites, 2009).

This said, two key documents, the Yogyakarta Principles (International Commission of Jurists; 2007, 2017) and Declaration of Montreal (2006) have been developed to consolidate existing human rights legal frameworks in an LGBT context. Similar attempts to do so were made previously, however key factors which enabled the development of the Yogyakarta principles were linkage to women's rights, 'strategic consensus' in the global LGBT movement to adopt a human rights framing, good timing, and access to resources (Park, 2018). As such, it was acknowledged that just like women (and indeed, including women among its number), LGBT people deserve the right to bodily autonomy and choice of how one's life is lived (Swiebel, 2009). The strategic consensus takes into account how, whilst 'human rights' can be legalistic and forego other framings such as equality, justice and liberation (Kollman & Waites, 2009), and is not universally culturally appropriate, this framing can lead to important protections and assistance.

As the LGBT umbrella is diverse, within this group there may also be different opinions as to which specific human rights are important and how they should be enacted (Corrales, 2015). Different LGBT people within the same context may articulate 'human rights' differently, and some people may outright reject the framing due to perceived risk (Doffegnies & Wells, 2021). This said, LGBT can also be a shorthand through which people can access international 'identity politics' and LGBT networks (Seckinelgin, 2009). Social identification – in this case, belonging to the LGBT collective – is also the strongest factor predicting whether individuals will mobilise to participate in social activism (Pistoni et al., 2023). Therefore, despite the debate, the LGBT human rights approach has some utility in organising people around a coherent collective movement, and providing access to advocacy and resources. This depends on people being able to adapt human rights principles and / or language to their own contexts (Merry, 2006), and the LGBT acronym being an option rather than a displacement of subjective understandings of sexual and gender identity.

## State responses to LGBT rights

Linde (2018) suggests there are strengths in the current professionalised approach to LGBT human rights, which often relies on well-known international NGOs. This approach adopts formal rights-based discourse, such as human rights laws and the language of the UN. Linde suggests that this adds international weight to LGBT rights (for example, utilising Amnesty International's *name and shame* approach), enabling people who live in difficult local contexts to draw upon the weight of actors on the international stage (Risse et al., 1999). This argument is supported by data from Poland, which suggests that the transnational 'norm visibility' of LGBT human rights raised the general visibility of LGBT issues at a domestic level (Ayoub, 2015) and set the stage for domestic action. Indeed, the saliency of human rights norms in the global arena (in this case, the foregrounding of LGBT as an identity) makes states more likely to adopt them (Greenhill, 2010). The LGBT rights agenda can also build on progress on other types of rights: for example, in South Africa progress on LGBT human rights relied on issue linkage to ethnic minority rights (Thoreson, 2008).

However, Hagland (1997) points out that rights are a social, as well as legal, phenomenon. Particularly in contexts where the LGBT-imperialism association is strong (Lee, 2016), the 'LGBT' label can be a symbol of colonialism and globalisation, leading to politically motivated homophobia by states (Bosia, 2014). Whilst LGBT presence and activism such as Pride can change attitudes on a local level (Ayoub, Page & Whitt, 2021), national impact relies on the 'readiness' of a society. Indeed, there are ways to advocate for LGBT rights without using 'human rights': Hagland (1997) and Lee (2021) describe how highlighting the precolonial, pro-LGBT history of a nation state may be more effective than 'human rights' discourse, as it speaks directly to cultural values and state sovereignty. Similarly, Ayoub (2015) also noted how LGBT activists in Poland used the European identity and 'culture of tolerance' language. Indeed, the 2014 Olympic protests against Russia's anti-LGBT laws served only to cement the nation's stance against 'Western imperialism', whereas grassroots LGBT activists framed the issue around 'family values' with more success (Davidson & McDonald, 2018). Where human rights framing is not appropriate, LGBT people may avoid human rights discourse (Hsu, 2015).

Bosia (2014) has instead suggested a 'social capacities' approach which focuses on general social and economic opportunities for everyone, including LGBT individuals. This, like the Yogyakarta Principles, involves linkage with women's rights. Arguably, however, this erases LGBT identity when the Yogyakarta Principles were required because generalist human rights approaches are not enough. Over 90% of the UN Human Rights Committee's observations on LGBT rights are anti-discrimination (including acts of violence), or on the decriminalisation of homosexual activity (Gerber & Gory, 2014). This leads back to the fundamental need for the Yogyakarta Principles, which were created to

highlight the unique challenges faced by LGBT people. It's also true that there may be more salient identities for people to access their individual human rights (such as womanhood or disability), or LGBT people may choose to access recourse completely outside a human rights framework.

Therefore, there can be no 'one size fits all' approach to LGBT rights, and the way in which such rights are formulated and enacted is highly context dependent. There is clearly a need to address LGBT people's human rights, and traditional human rights methods which provide support based on formal LGBT identity are useful in some cases. However, this cannot be done without linkage between professionalised approaches and those which are tailored to local needs and context – that is, rights-based approaches which have the flexibility to accommodate a plurality of identities and perspectives. The current paper presents one such project, the LGBTree of Life, with particular reference to the rights-based approach.

## The current project

### COVID-19 as a human rights case study

The COVID-19 pandemic, and its subsequent safety measures such as lockdowns and restricted socialisation, exacerbated the general social, health and cultural difficulties that LGBT people face. This includes reduced access to health services, social isolation, and a greater risk to physical and psychological wellbeing compared to non-LGBT counterparts (Nowaskie & Roesler, 2022). LGBT people were also more likely to suffer financial penalties as a result of the pandemic (Krause, 2021), and work in pandemic-vulnerable industries such as hospitality (Whittington, Hadfield & Calderón, 2020). Distrust in professionals, and fear of stigma and discrimination, were linked to increased vaccine hesitancy (Balaji et al., 2023), affecting LGBT people's right to the highest standard of physical and mental health under Article 12 of the ICESCR. Hence, a clear need was identified for LGBT people's experiences of the pandemic to be heard and understood.

In June 2020, the United Nations published the *ASPIRE* guidelines to promote a positive pandemic recovery for LGBT people (United Nations, 2020). The guidelines acknowledged that LGBT people were 'hard-hit' by the pandemic; they called for the amplification of LGBT voices in the pandemic response, and the collection of additional evidence on the status of LGBT people. Despite this, the issue of LGBT 'visibility' (Brock & Edenborg, 2020) remains salient, as there is a notable lack of attention into how the COVID-19 pandemic has affected LGBT people (McGowan et al., 2021). This is despite the many debates more generally about how human rights should be addressed in the context of the pandemic (Lebret, 2020; Spadaro, 2020). As such, there was a pressing need to

understand not only how to promote LGBT rights, but specifically how to do this in the context of a global pandemic and its aftermath.

York in England is the UK's first Human Rights City, which "embraces a vision of a vibrant, diverse, fair and safe community built on the foundations of universal human rights" (York Human Rights City, 2022). It led a unique, human-rights based response to the pandemic, with a collaboration between stakeholders from health, community, local authority and academic services. There was considerable discussion about how to balance different rights (such as the right to education) in the context of reduced services, changing government regulations and repeated lockdowns. However, the York Human Rights City's (2020) *COVID-19 and Human Rights* indicator report, although it highlighted general issues of equality and non-discrimination, did not specifically mention LGBT people. Hence, the local area was selected as a location to pilot an arts-based method to connect with the local LGBT community and gather their experiences and recovery needs regarding the COVID-19 pandemic. With sensitivity to the debates in the literature about whether a human rights framing is effective for LGBT people, this would be framed as a 'wellbeing workshop' to enact the right to good mental health and connect to the local community. However, the data collected on people's views would then be fed back into the Human Rights City stakeholders to inform their work on local pandemic recovery. Hence, the project aimed to be accessible and flexible, whilst also addressing human rights needs. The method is called the *LGBTree of Life*.

### [LGBTree of Life workshop](#)

The original Tree of Life method (Fig. 1; Ncube, 2006) is a creative, trauma-informed way to create a coherent personal narrative out of traumatic experience, and crucially to share one's story with others who have been through something similar. A Tree of Life workshop is a group event which primarily involves dialogue and creating artwork. It comprises: 1. Icebreaker; 2. Facilitated session where participants draw their experiences as a tree; 3. Participants discuss their trees in pairs to generate new connections and meaning; 4. Trees are assembled into a 'forest' display, and a group reflective discussion is facilitated; 5. Celebratory closing activity. The aim of a Tree of Life is to connect, make sense of experiences, and make new meaning about one's identity and story.



### Reflections on workshop practicalities

There were several reflective points of importance: namely, safety and accessibility. This relates to the balance of the right to health, with the right to participate in social and cultural life (Articles 12 and 15 of the ICESCR). As such, both online and in-person options for the LGBTree of Life were created.

Recruitment for the workshops was difficult, due to the fatigue of online communication and reluctance of people to meet physically during COVID-19. Hence, recruitment was conducted via a range of methods including social media, engagement with local University of York LGBT networks, the York Castle Museum, York LGBT Forum (a local charity), and posters in local shops and venues. The right to privacy is central for LGBT people: hence, to create a sense of safety the location of the workshop was not revealed in promotional materials. Recruitment also relied heavily on community networks to ensure that the LGBTree of Life project was shared with relevant people.

The York Castle Museum was selected as an in-person venue for the LGBTree of Life due to being central, easily attended via public transport, physically accessible, spacious, and with adequate COVID-19 safety measures. It is also an LGBT friendly location, having a number of museum artefacts related to LGBT history. The location of the workshop was considered in part as a human rights intervention, in supporting people to access other cultural and historical assets in the local community. Given that the workshop was not advertised within the museum, in-person participants were at low risk of being 'outed' by physically attending at the specified day and time.

The online version of the workshop was necessarily subject to digital access, although the software used (Zoom) can be accessed as a guest through an internet browser. Additionally, to facilitate participation, free art supplies (including tea and snacks; Fig. 2) were posted to participants who requested it. However, this required participants to give their personal address, which was written only on the postage envelope but in some cases could have created an access barrier. Online participants were also required to be reasonably technologically aware, as consent forms and evaluation forms for the LGBTree of Life were also presented online. With respect to gathering the trees for a group display, online participants could either email their own photograph to the facilitator, or hold their tree to the camera for a screenshot. In this way, the facilitator could screen-share all the trees to create an online version of the 'forest'.



Fig. 2. Free arts supplies which were posted to online participants of the LGBTree of Life. Similar materials were also used in the in-person workshop.

Setting ground rules at the start of the workshop was also an essential aspect in running the workshops, which took place shortly after a lockdown in the UK. For the in-person workshop, freedom to leave at any time was a key feature: one participant highlighted this as being a reason that they participated. Physical safety was ensured through measures including the use of face masks and social distancing measures. Respectful conversation and confidentiality – not to discuss other people’s personal stories outside of the session without their explicit permission - were also important for both the online and offline versions of the Tree of Life workshops. Finally, having the workshop co-facilitated by a member of the local community, who was active in LGBT spaces, helped to create a sense of familiarity and community connection.

It is acknowledged that this LGBTree of Life workshop was run in a relatively well-resourced setting. However, the practical and ethical issues outlined – a safe, accessible, LGBT friendly, disability-friendly location, avoiding ‘outing’ people, confidentiality, physical and psychological safety – would be important for any LGBTree of Life workshop. This links partly to people’s physical safety (civil and political rights). Issues around economic accessibility (paying for transport, providing food and drink, providing art materials, access to the internet) are also a crucial consideration. It is likely that providing the LGBTree of Life in several formats - online and offline - can provide the best chance of reaching a wide group of people, in line with economic, social and cultural rights. However, this does depend partly on existing community infrastructure and as such may need further adaptation in other settings.

## Results from data collection

This paper will primarily focus on reflections on the LGBTree of Life workshop as a tool for supporting the human rights of LGBT persons. Results from standardised quantitative questionnaires and qualitative interviews will be reported elsewhere – however, in brief, during the interviews participants responded positively to the LGBTree of Life workshop both online and offline, reporting feelings of connectedness, shared experience, affirmed LGBT identity, a stronger and more reflective sense of self, a sense of achievement, and a profound feeling of being ‘seen’. This was mirrored in the workshop evaluation form (Table 1, Table 2) which demonstrates that participants found the workshop relaxing and reflective. Enjoyment and improved wellbeing are an important aspect of mental health, but also from a practical perspective in facilitating engagement in the workshop.

Table 1. Answers to quantitative questions from the LGBTree of Life workshop evaluation form.

Quantitative Question	In-person participants	Online participants
How enjoyable did you find the workshop? (1-5)	5, 5, 5	4, 5, 5
How important was it to have this workshop [in person / online]? (1-5)	4, 5, 5	2, 4, 5
Did the workshop change how connected you feel to those around you?	No effect (1) Mildly more connected (1) Significantly more connected (1)	Mildly more connected (1) Significantly more connected (2)
Did this workshop today have any effect on your wellbeing?	Mildly positive effect (1) Significantly positive effect (2)	Mildly positive effect (2) Significantly positive effect (1)
How hopeful are you that the Tree of Life will have a real world impact beyond today? (1-5)	5, 5, 5	3, 4, 5

Table 2. Answers from qualitative questions on the LGBTree of Life workshop evaluation form.

Qualitative Question	In-person participants	Online participants
How would you describe the workshop in three words?	<ul style="list-style-type: none"><li>• Thoughtful, Friendly, Artistic</li><li>• Enjoyed it, Would like to do it again, Love it</li></ul>	<ul style="list-style-type: none"><li>• Surprise; hope; connection</li><li>• Safe, inspiring, relaxing</li></ul>

Qualitative Question	In-person participants	Online participants
	<ul style="list-style-type: none"> <li>• Reflective. Enlightening, Relaxing</li> </ul>	<ul style="list-style-type: none"> <li>• Reflective, moving, engrossing</li> </ul>
<b>The most important thing you'll take away from the workshop?</b>	<ul style="list-style-type: none"> <li>• That I'm not alone</li> <li>• Taking time to care about my growth, reflect in myself more often and enjoy the little things</li> </ul>	<ul style="list-style-type: none"> <li>• Other people share my experiences.</li> <li>• That my experiences chime with others, and that we can gain powerful self-knowledge and growth from hard times</li> <li>• That it's not too late to make connections with community and I'm not as alone as I'd thought.</li> </ul>

In the evaluation forms, the workshop's impact on connectedness trended in a positive direction, with online participants more likely to feel 'significantly more connected' afterwards – an unexpected finding. This could relate to the surpassing of expectations of an online workshop to facilitate a sense of connection, or perhaps those who joined online were spending more time alone and therefore gained a bigger impact from the workshop. Conversely, there was a slightly larger improvement in subjective wellbeing for in-person participants, who also felt more hopeful that the workshop would have a real world, longer term effect. It's possible that the in-person experience of participating in the workshop at the York Castle Museum felt more 'real' compared to people who completed the workshop online. Indeed, people who attended the workshop online had greater motivation for doing so, reporting that the in-person format was important to them.

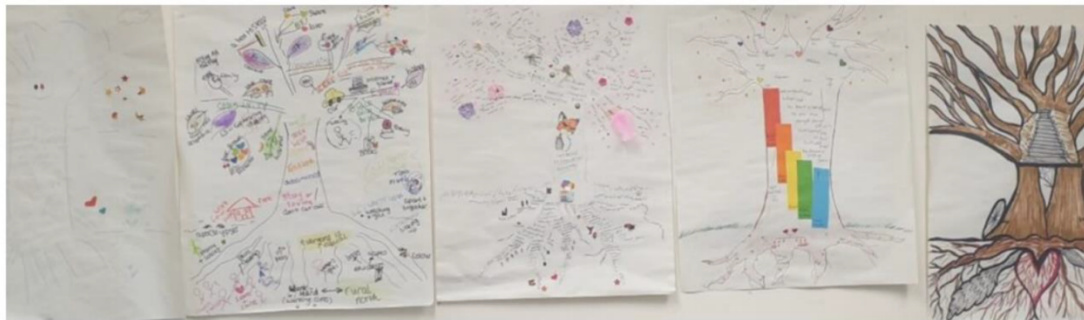
Part of LGBT human rights focus on the capacity to participate freely in cultural public life. Hence, a blog was also developed as an online display for the LGBTree+ of Life (Fig.2). It was framed as a local online exhibit to engage the public in the work. This fits into wider human rights approaches to LGBT identity, which often focus on increasing visibility as a method of reducing stigma and discrimination (Michelson, 2018). This is with the acknowledgement that the current project takes place in the UK, whereas in some locations LGBT visibility can be considered a significant risk (Clark, 2018).

Fig. 2. LGBTree of Life online display with York Museums Trust, which can be accessed via <https://tinyurl.com/5brc4563>.

## York Museums Trust

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**BLOG** BY CHEYANN HEAP, MA STUDENT IN APPLIED HUMAN RIGHTS



York Museums Trust has partnered with the Centre for Applied Human Rights, based at the University of York, to support their work with recording lived experiences of those who have been hardest hit by the pandemic and the UK Governments response to it. Chey's research worked with people from York's LGBT community to creatively respond to their own experience of Covid-19.

**Welcome to our online *Lockdown and the LGBTree of Life* art exhibit for the York Castle Museum!**

Finally, in June 2022 a report was written for York Human Rights City to outline the results of the study and provide key recommendations for local stakeholders based on the data. The 'rainbow of recommendations' included:

1. Fund, preserve and expand existing LGBT safe spaces, and take measures to ensure that all community spaces feel safe for LGBT people.
2. Mainstream LGBT awareness across all areas of pandemic recovery, including the York Human Rights City Indicator Report.
3. Directly ask local LGBT people what they need, including on issues related to non-LGBT identities;
4. Prioritise social and emotional wellbeing:
  - a) Create spaces where people can collectively process their emotions about the pandemic;
  - b) Facilitate social connections with creative and group-based community activities;
  - c) Improve signposting and awareness of what's available to LGBT people, particularly for those who are new to the area or who have 'aged out' of youth and university groups.
5. Enable opportunities for LGBT people to take meaningful action in community recovery.

6. Take action to address the 'digital divide' so that all local residents have access to online connections.
7. Rebuild trust in powerful institutions by strengthening networks with LGBT organisations and taking timely action on the above.

## Discussion

The arts-based *LGBTTree of Life* workshop breaks new ground and has proved to be a valuable creative method for exploring local LGBT people's experiences of navigating the COVID-19 pandemic. This fits into the recent investigation of using arts-based methods to promote human rights, which have been used with such diverse groups as groups as Mexican diaspora in Europe (Lara-Guerro, 2021), young people (Breed, 2022) and refugees (Noyori-Corbett, 2019). Visual methods have also been used as a method of analysis for LGBT human rights (Gross, 2013). It's important to note that the *LGBTTree of Life* takes a narrative approach, whereby the dialogue *about* the tree – for example, the way that people connect and the stories people tell – is the important factor. Hence, the trees themselves (and the words upon them) were not used as a source of data in the current study. However, the artwork was used as a human rights tool to promote storytelling and visibility of the LGBT voice in the COVID-19 pandemic, in line with the United Nations ASPIRE guidelines.

LGBT identity was understandably a key topic in the workshop. Participants highlighted the shared LGBT identity as providing a sense of belonging, assumed shared knowledge and understanding, and shared experience. As such, one of the most salient needs for a positive COVID-19 recovery was for LGBT safe spaces for people to connect. Lockdowns had severely reduced opportunities to express one's LGBT identity, where the identity salience was in part dependent on opportunities to physically meet other LGBT people. However, the way that people articulated their LGBT identity varied, with each *LGBTTree of Life* and subsequent discussion being unique to that person's life history and intersectional identity (for example, age, disability, gender, and socioeconomic privilege). Indeed, within-group diversity was equally as important to participants as their shared membership of the LGBT umbrella.

This links directly to human rights debates – that the LGBT acronym could be homogenising, and that LGBT may not always be the best identity through which people claim their human rights. However, the current study suggests that, in line with global findings, having access to the shared LGBT identity and related networks (in this case, the workshop) was valuable to individuals, even if the way that they articulated their identity on a personal level was not always LGBT-focused. Safe, grassroots community activities, which can articulate LGBT identity in a locally appropriate way, are

an important aspect of enacting LGBT rights. Person-centred, arts-based methods such as the LGBTree of Life are one such way to facilitate this.

The current study did not frame the intervention as being explicitly human rights-based to participants, but nevertheless enacted some key human rights in relation to the pandemic. For example, participants were aware that their artwork would (with consent) be displayed in an online blog, but not that this was for 'social and cultural rights'. Similarly, although participants spoke about their experiences of connection, isolation, and health concerns with the COVID-19 pandemic, this was not framed as right to health. Most participants were attracted by the arts-based, visual and colourful nature of the workshop as a wellbeing activity. As such, this suggests that the LGBTree of Life can be considered an accessible means through which to express oneself, which circumvents the sometimes intimidating and complex language of professionalised human rights.

However, the LGBTree of Life takes a 'both-and' approach in that it also accessed formal human rights mechanisms: despite being framed as a wellbeing workshop, the final report of recommendations was sent to York Human Rights City for consideration in their local pandemic recovery plans, and also to York LGBT Forum to be used as needed (for example, to support bids for extra funding and resources). As such, there is a crucial aspect to the research in its applied element: not only piloting the academic design of a LGBTree of Life workshop, but having a direct and tangible community impact. This should also be considered when inviting LGBT people to tell their stories as part of a human rights intervention: what happens to this data, and what benefit reaches participants in addition to their storytelling experience?

In conclusion, the LGBTree of Life workshop is an acceptable arts-based method which was successfully piloted in York, England to support local LGBT people to make sense of their pandemic experiences. The key finding was about the importance of shared experience and connection, and the flexibility to 'be LGBT' whilst also 'being yourself' with the many other aspects of people's identities. In the current instance, taking a wellbeing and community connection approach, whilst feeding findings from the research into formal human-rights based networks, was an effective approach to engage people and use the project to promote a positive, LGBT pandemic recovery. Future research will test the LGBTree of Life further and refine the method, with the aim of promoting arts-based approaches as an intervention for human rights, mental health and wider community wellbeing.

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