

# Unnatural and Un-African: Contesting queer-phobia by Africa's political leadership

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I find it extremely outrageous and repugnant to my human conscience that such immoral and repulsive organisations, like those of homosexuals, who offend both against the law of nature and the morals of religious beliefs espoused by our society, should have any advocates in our midst and elsewhere in the world. (Robert Mugabe, in Dunton & Palmberg 1996: 9-10)

Such are the statements one is likely to come across today while canvassing the discourse by Africa's political leaders on the question of LGBTIQ rights. In one swoop, Robert Mugabe's statement manages to effectively link the morality and ideology of past imperialist and racist legacies for its use to censure the public, the international community and local civil society groups against advocating for the rights of queer folk. This seems to be an Africa-wide trend.

Before signing the Anti-Homosexuality Bill into law, Ugandan President Yoweri Museveni insisted that the question of homosexuality be dealt with by a panel of scientists he set up for that purpose (*The Ugandan Monitor*, 26 January 2014). The hope might have been that science would prove once and for all that homosexuality was outside the justification of rational morality. However, when the panel found, among other things, that "homosexuality was not abnormal" Museveni went ahead and signed the bill anyway (BBC News, 24 February 2014). It later emerged that aspects of the report had been falsified and that duplicitous language had been used in the report's conclusion in order to undercut the value of scientific evidence (*Mail & Guardian*, 22 February 2014).

Talk about the 'nature' of certain human behaviour and means of expression inevitably taps into the racist legacy of the European

Enlightenment that sought to prove, by purportedly rational and scientific means, that non-whites were either not part of a predominantly white human race or were an inferior race of humans destined only to serve the interests of the higher white race.

This racial ‘science’ inevitably seeped into elucidations about ‘the African’. African societies, ways of life, gender relations, class systems and social stratification have not been spared from an imperialist and racist rendering that is pervasive to this day. Nowhere is this more pronounced than on the question of sex (see Tamale 2011, for example). In the last five centuries, Africans have been described as either hypersexual or non-sexual, our bodies being of use only for labour and the reproduction of cheap slave labour, our sexual appetites odd or essentially violent and our social structures primitive. In looking at the issue of non-heteronormative sexual and non-binary gender identities, it is this legacy that we inherit and it is this legacy that must be changed.

In Uganda, as in Nigeria and Kenya, among others, “African culture” and “African morals” as well as religious beliefs are used to justify broad and sweeping legislation and the continued criminalisation of LGBTIQ people. The spurious argument that the African way of life rejects completely the notion of non-heteronormative relationships, sexual expression and non-binary gender identities and presentation is a powerful one. On the face of it, it asserts that persons living and loving outside the heterosexual or binary gendered norms did not exist before Africans began interacting with Arabs and Europeans. From this it is concluded that non-heteronormative or binary gendered modes of sexual orientation and gender identity are a remnant of a colonial past and that the recent uptake in LGBTIQ activism is a neo-colonial attempt at cultural imperialism. The latter view is compounded by recent attempts by Western donors to hinge funding on a recipient country’s LGBTIQ rights record, an unprecedented move considering the vulnerability of Africa’s queer movement (see *Daily Mail*, 10 October 2011).

Statements rejecting the existence of queerness before outside contact are merely rhetorical and are most times not backed by any evidence. In an unexpected moment of candour during an interview, President Museveni admitted that “Homosexuals in small numbers have always existed in our part of black Africa ...They were never prosecuted. They were never discriminated” (*Changing Attitude*, 23 February 2014). Though it may seem odd that

someone who uttered these sentiments went ahead to enact a law that would effectively prosecute, persecute and discriminate Ugandan *kuchus*<sup>1</sup> and anyone else perceived to exist outside the heterosexual or binary gendered norms, the incident further demonstrates Museveni's apprehension over the 2016 elections where he is facing stiff competition from within and outside his party (see *The Independent*, 29 April 2012 and *The Independent*, 20 December 2012).

The intervention by scholars on African communities have put to rest, at least within rigorous academic circles, the question of whether non-normative gender identities and sexual orientations existed within these communities: the evidence overwhelmingly suggests that they did before the advent of colonialism. The great benefit of these interventions is not only the rejection of the 'un-African' argument but also the nuance and detail that is expended in documenting the diverse instances of queerness within African societies. Not only did queerness exist in Africa before colonialism but it did so in many variations that reflect the diversity of Africa's cultures and with fluidity: weaving itself in and out of gender norms, social institutions, moral censure and even social utility.

But more interesting is the question of how such evidence has eluded African discourses on sexuality and gender identity for the past fifty years. In *Boy Wives and Female Husbands*, the editors cite the institutionalised erasure of non-heteronormative or binary gendered ways of life from anthropological and historical narratives of African societies (Murray & Roscoe 2001: xii). This is especially pronounced on the question of the existence of woman-woman sexual relationships (ibid). In many ways, the African elite, whether it be religious, cultural or political, has relied on anthropological and historical accounts inflected with broad racist and imperialist generalisations when interacting with the question of the existence of queer Africans before colonialism.

The position of queer Africans in independent African states is often contested through the terms, or claims of history. Yet, the legacies of institutional colonialism and the ways it intentionally placed its subjects in sexed and gendered relations and positions is not fully attended to. As such, it would be a meaningful exercise to examine colonial laws and the processes of their invention in efforts to accommodate the rights of queers in these post-independence states. In most cases, however, the question was never

addressed, at least not until a later date. Just as the colonial governments subjected persons who chose intimate lives outside of the aspirations for heteronormative nuclear family based societies, independence governments would either uphold old laws that 'dealt' with homosexuality and gender identity and expression or simply leave the question unaddressed.

When former President of Kenya Daniel Moi spoke against homosexuality in 1999 amidst the crippling effects of Structural Adjustment, he illustrated the African political elite's intuitiveness to the apprehension within society at the time over the question of cultural imperialism, neo-colonialism and rights based discourses (BBC News, 30 September 1999). For the political elite, the aim of such speech was not to exclusively censure LGBTIQ activism - the Kenyan queer movement being virtually invisible as a concerted social movement demanding rights and recognition in the nineties. For instance, President Moi made jokes about the effeminacy of many perceived homosexual men. The audience, a congregation at a church, laughed (Gay and Lesbian Archives of the Northwest, 30 September 1999). Moi's statements came on the heels of a presidential decree by Ugandan President Yoweri Museveni ordering the arrest of homosexuals while President Mugabe made statements targeting 'gays and lesbians'.

During the onslaught on neoliberalism in Africa at the end of the Cold War, a time that saw massive social unrest in urban areas and dwindling opportunities for development all over the continent, African leaders, as we have seen from statements above came to heavily rely on a mix of violent repression and populist invocations of a shared cultural identity to deflect the focus of social unrest from themselves. This came at a cost to human rights activism in general but women's and sexual minority activism in particular. Statements by Africa's leaders on the question of non-heteronormative sexual and gender identities reveal the ease with which a public statement turns into official policy, practice and ultimately a nation-state's ideology. Uganda's recently passed Anti-Homosexuality Act (AHA), the result of US-based evangelists seizing the opportunity to capitalise on a country rife with fears of a 'homosexual' assault on the integrity of its children as well as its moral fabric, is the culmination of years of callous statements by its leaders about homosexuality (see Kaoma 2009).

But if the AHA illustrates the blurred lines between state policy and the personal views of Uganda's leaders, no matter how widely held, it also shows

the way in which 'homosexual panic' can be effectively used by the state, in concert with other means, to police private and intimate spheres. Provisions regarding 'touching with intent' to commit a homosexual act, the legal classification of all buildings housing perceived homosexuals as 'brothels' and the ban on 'promotion' of homosexuality are not only designed to put incredible strain on the lives of queers living in Uganda but also to place the whole Ugandan population in a state of fear and vigilantism since the law fails to provide definition of the threat it was ostensibly meant to target: anyone can be a homosexual.

The passing of the AHA was preceded by two other worrying pieces of legislation: the Anti-Pornography Act and the Public Order Management Act. In the wake of the signing of the three acts, women have been stripped in public and Ugandan LGBTIQ rights organisations are witnessing an unprecedented number of attacks on their constituencies while the violent crack-down of opposition protests has been legalised and normalised (see Oloka-Onyango 2014).

The uprisings in North Africa remain fresh in the minds of many Africans and as governments try to democratise incrementally (or not at all) or stifle dissent, Africans are using the small spaces they already have to demand rights, dignity and social justice. As African peoples demand from their leaders something much more than the adoption of a foreign and overbearing economic regime, the political elite has learnt to respond by restating their power and diverting attention to that domain in which they still possess it. The political climate in Uganda best illustrates this: President Museveni and members of the ruling National Resistance Movement Party have increasingly relied on a clamp down of civil society and protest in responding to social crisis while simultaneously seeking popular support via the rhetoric that finally led to the passage of the Anti-Homosexuality Act as well as the Anti-Pornography Act.

In turn, demands for queer inclusivity are in discordant with the neoliberal turn. In fact, many LGBTIQ organisations in Africa place social justice and social democracy firmly in their agenda. Most organisations draw heavily from the resilience and strength of the independence movements, the African women's movements as well as the many protest movements that have emerged in Africa over the past fifty years.

So why have scholarly interventions not emboldened activists agitating for LGBTIQ rights to link past cultural realities with present contestations concerning what amounts to “African culture” and, indeed, “Africanness”? One of the reasons may be that the research is not immediately available to individual activists and organisations with minimal funding. In all fairness, most ground-breaking research is presented as having relevance almost exclusively within academia. This inaccessibility limits how far activists and academics can rely and support each other’s work in instances where their interests converge. However, the recent publications of two volumes, *Queer African Reader* (Ekine & Abbas 2013) and *African Sexualities: A Reader* (Tamale 2011) mark the much needed advancement of Africa’s queer or queer-conscious artist, activist and academic knowledge both in these works’ content and presentation. Both publications tap into a rich reservoir of thinkers actively linking the personal and political in their day-to-day lives and work. In addition, these new publications go beyond the implied fixity of queerness in Africa and address current trends and dynamics in what gender, gender identity, sexuality, sexual expression and rights activism mean in light (or even in spite) of the evidence.

A movement is growing, from activists and academics building knowledge and practice to present LGBTIQ struggle in the continent within grassroots movements to agitate for human rights in the context of social justice. Such efforts including those in Uganda, where despite the climate of fear created by the Anti-Homosexuality Act and the Public Order Management Act, brave LGBTIQ individuals and communities have joined together with other activists, academics and even politicians to challenge the AHA in court (Civil Society Coalition for Human Rights, 11 March 2014). I also had the opportunity to work on the drafting and distribution of the Mayibuye Pledge, a collective effort that seeks to enlist the support of Africans in challenging the divisive politics fuelled by political elites that have ravaged the continent for the past 50 years (Mayibuye Collective). This message is made more powerful by the fact that the pledge affirms an intersectional approach that links militarism, the crisis in democracy and neoliberalism with patriarchy, sexism, homophobia and transphobia. Borrowing from the legacy of pan-Africanism, the pledge was initially structured around African Liberation Day on May 25 2014 and affirms an African future in which freedom is not selective.

## Endnotes

1. The word “kuchu” is derived from Swahili and has been taken up in translation and political activism as a term for “queer”. See GayUganda. 2007. Kuchu Identities. 25 October. <http://gayuganda.blogspot.com/2007/10/kuchu-identities.html> accessed 1 August 2014.

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