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Queer African Reader

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Contesting narratives of queer Africa

Sokari Ekine

Two distinct, yet interlinked, narratives dominate discussions of queer African sexualities: one claims that queer sexualities are 'un-African' and the other treats Africa as a site of obsessive homophobia. The first stems from a mix of religious fundamentalisms, which insist on strict literal interpretations of religious texts, and a culturally essentialist position which pathologises and denies the existence of queerness on the continent. These fundamentalists argue that queer sexualities threaten African social and cultural norms and claim that pro-queer initiatives in Africa by Western countries and NGOs are imperialist. The second narrative on 'African homophobia' is rooted in colonial discourses of deviant and peculiar African sexuality and in a contemporary neoliberal, global 'LGBT'¹ agenda which seeks to universalise white Euro-American sexual norms and gender expressions (Hoad 2007: xii, Massad 2007, Atluri 2009). The tensions posed by these two narratives present a serious strategic challenge for African queer anti-colonialist politics caught at various points between the meta-narratives of LGBT imperialism and homophobic religious fundamentalism on the one hand and indigenous contemporary constructions of sexuality and gender on the other.

The moral panic against homosexuality across the continent is systemic and indicative of an instrumentalised, well-organised campaign which exposes the cosy relationship between religious and cultural fundamentalisms asserted through vigorous nationalist political agendas. Nigeria, Uganda and, to a lesser extent, Malawi have been at the centre of this anti-queer movement, repeatedly driving state homophobia through reoccurring

legislations. In Uganda, an anti-homosexuality bill was first tabled in 2009 and since then it has been repeatedly reintroduced, the latest reincarnation being on 7 February 2012. West African politicians must have been on a 'Uganda anti-gay' watch as, within days, politicians from two other countries had released statements against same-sex marriage. The first was made by President Yahya Jammeh of the Gambia during the swearing in of a cabinet minister. It is hard to see this as coincidence as there does not appear to be any other contextual reason why the well-rehearsed statement was made at this time:

It's not in the Bible or Qur'an. It's an abomination. I am telling you this because the new wave of evil that they want to impose on us will not be accepted in this country...

As long as I am the president, I am not going to accept it in my government and in this country. We know what human rights are. Human beings of the same sex cannot marry or date – we are not from evolution but we are from creation and we know the beginning of creation – that was Adam and Eve (Jollof News, 2012).

The second came from Liberia when in early February 2012, Rep. Clarence K. Massaquoi introduced a draft bill that would criminalise same-sex marriage (*Liberia Times* 2012). This was followed by an amendment prepared by Senator Jewel Taylor, former first lady and ex-wife of Charles Taylor. The amendment to the Domestic Relations Law would make same-sex marriage a felony. Nigeria has also introduced a series of bills on same-sex/same-gender marriage (2006, 2009) and in November 2011 the Same Sex Marriage Prohibition Bill was passed by the Senate. At the time of writing the bill has yet to be signed by the president.

But not everyone has chosen such unambiguous assaults on LGBTI people. The valorisation and affirmation of heterosexual marriage and 'the family' in the national project (as well as the continental one, as can be seen from African Union instruments) are pervasive in countries throughout the continent.

All three countries, Nigeria, Uganda and Liberia, have existing laws criminalising homosexuality that date back to British colonial rule. So the questions are not just why these laws

remain, but why are they being expanded and why now? The refusal of the Nigerian and Ugandan bills to die, the potential for copycat legislation in other countries, the international furore around them, and differing queer responses present an opportunity to examine these national and international paradoxes and relationships of power.

The rhetoric around homosexuality being 'un-African' relies on the essentialist notion of an 'authentic Africanness', based on the belief that there is something intrinsic to Africa called 'African culture and African traditions'. But it is more than just a defining of the authentic; it is the power to determine who counts as human and what lives count as lives (Macharia 2010). This essentialist position is problematic for many reasons. As Dosekun argues:

...an anti-essentialist position maintains that Africa and thus African-ness or Africanity are historical and therefore contingent constructs. This means that we cannot meaningfully speak of an essential Africa or of essentially African or un-African things, in which case a consciousness and practice such as feminism cannot be dismissed as un-African in these terms. This anti-essentialist argument does not imply that there is no such thing as Africa. It does not deny the many shared historical, material and cultural conditions across Africa, which are in many ways unique to the continent and which in many ways shape our identities as African. It denies rather that these conditions are inherent, natural or fixed (Dosekun 2007).

Dosekun usefully reminds us of the linkage between the naming and claiming of culture and traditions within kyriarchal² structures of power and inequality. Rather than patriarchy, which is concerned with the domination of men over women, kyriarchy allows for a more complicated relationship of power based on multiple intersecting structures of domination such as race, ethnicity, class, sexual orientation and gender (Fernandez Factora-Borchers 2008).

The invocation of a nostalgic African culture as the basis for the 'homosexuality is un-African' position is often countered by the argument that this narrative originated with the imposition of colonial penal codes, namely by the British. However, this does not account for similar legislation in francophone and lusophone

countries. It is not my intention in this collection to focus on the past, but as Clarke, Muthien and Ndashe point out later in this book, the reference to the historical origins of homophobia in Africa has limited usefulness as an argument for changing laws and effecting social change.

A further analysis can be found in a reading of what Jacqui Alexander calls 'heteropatriarchal recolonisation' (Alexander 1997: 66), the continuity between the 'white heterosexual inheritance and Black heteropatriarchy'. Alexander's focus is the Bahamas and the states of the wider Caribbean; nonetheless, she provides an excellent framework from which to locate contemporary homophobia in African states. The struggle to break free of colonialism was largely a political project, which involved minimal disturbance to Western economic interests or heteropatriarchal structures. Indeed, nationalist movements used the same colonial, militarised masculinities as a foundation for liberation and post-colonialism, thereby maintaining the non-status of African women.

The heterosexualisation project of nation building is further facilitated through legislation or re-legislation (Nigeria – same-sex marriage bill, Uganda – anti-homosexuality bill). Heterosexuality is consolidated as the only acceptable basis for citizenship and the establishing/re-establishing of order and preventing/ending the chaos brought about by sexual/social deviancy of the queer imposition. Thus the renewed legislation builds on the 'civilising mission' of colonialism by reinforcing heterosexuality as the natural order, existing without complication or contradiction (Alexander 1997, Hoard 2007, Atluri 2009). To quote Alexander:

The law has now presumably emptied society, emptied heterosexuality of the chaotic, the disorderly, the criminal. Both the law and heterosexuality have now been sanitised to function as the repository of order, returning each to an ordinary moral position. Thus articulated, the law would have presumably satisfied its civilising mission, functioning silently, as early British mandates had commissioned it to do, while constructing and defending its own hierarchies (Alexander 1997: 82).

The language chosen by African religious and political leaders to justify heterosexuality as the only acceptable order is similar to that used in other parts of the world: family, cultural and traditional values, sex based solely on procreation within the sanctity of marriage and endless references from religious texts. For example, as the Hon. Samson Osagie, Nigerian senator, stated:

It is only appropriate that as Africans we uphold our cherished traditional values. It is scriptural that marriages are recognised between a man and a woman. It debases our value when you begin to tolerate marriage between people of same sex. For me, I believe this is one bill that is popular and will enjoy the support of majority of members of the House (Vanguard Nigeria 2011).

Following the passing of the Nigerian same-sex marriage prohibition bill by the Senate in November 2011, there has been a shift in language from morality to include sovereign national rights and laws, possibly as a response to statements by the British Prime Minister, David Cameron, tying development aid to 'LGBT' rights (BBC, Andrew Marr Show, 2011) (Dowden 2011) and the copycat statement by Hillary Clinton on enforcing 'gay rights' globally (Clinton 2011).³ Both Cameron and Clinton hinted that in countries that persecuted LGBTI people, monies would be given directly to chosen NGOs – presumably those promising to become LGBTI-friendly. In response to aid conditionality, Nigerian Senate President, David Mark, stated:

If there is any country that wants to stop giving aid because we won't pass the bill on same sex marriage; that country can go ahead.

We are a sovereign nation and we have the right to decide for ourselves because no country can interfere in the way we run our country (AllAfrica.com 2011).

Nigerian civil society and human rights activists responded to the bill in a statement addressed to the president and the house by presenting an analysis of the 'grave implications' for all Nigerians irrespective of their sexual orientation and gender identity:

It is worth noting for all Nigerian citizens that the proposed bill aims at:

a) prohibiting any form of de facto cohabitation between two individuals of the same sex or gestures that connote same sex relationship directly or indirectly. If this bill becomes law male-male or female-female holding of hands, touching each other, making eye gestures, hugging or any display of affection will be evidence for conviction and 10 years imprisonment.

The bill also aims to:

b) restrict the right to freedom of expression;
c) restrict the right to freedom of association;
d) restrict the right to freedom of thought, including the freedom of conscience and religion (NSSMB 2006).

On the face of it, both the US and to a lesser extent the British statements have substantial support from among British, US and African activists. Similarly, statements by African countries on sovereignty and the right to determine their own laws carry some weight from an imperialistic point of view. However, below the surface of the rhetoric of Western and African leaders lies an unequal and sometimes precarious relationship. It is one that is grounded in both colonialism, racism, economic exploitation and debt dependency and a neoliberal consensus based on economic imperatives, neither of which allows for any normative contradictions. This consensus is riddled with assumptions that LGBTI Africans live in silos, not as complete Africans, but outside national and international political and economic realities. The implication here is that as incomplete Africans, LGBTI people are not affected by free market structural adjustment policies. Nor are they impacted on by the increasing militarisation driven by the US 'war on terror', which is exemplified by the US military presence, particularly through Africom, or by the actions of terrorist organisations such as the Lord's Resistance Army in Uganda or Boko Haram in Nigeria.

The similarities between the impacts of the US Patriot Act, for American Muslims in particular and people of colour in general, and the Nigerian same-sex marriage bill on personal liberties, censorship and freedom of speech are greater than most people would care to contemplate. For example, both require increased state surveillance supported by citizen vigilantism in order to

achieve the intended results. Both Muslims and queers are seen to threaten the perceived religious and cultural values of an agreed Judaeo-Christian heteronormative, implicitly white, imperative. Yet, just as the US manages a materially productive relationship with, for example, Saudi Arabia and Bahrain while at the same time facilitating a growing internal Islamophobia, and certainly not daring to challenge either of these countries on their human rights (and particularly LGBTI rights) record, so too African countries may continue similar relationships with the West while curbing citizens' rights when both are compelled by economic imperatives. Interestingly, the statement by Nigerian civil society criticising the Nigerian bill made reference to the potential negative impact it would have on Nigeria's economy:

With this bill Nigeria and Nigerians will be shown to be untrustworthy and incapable of upholding and domesticating international treaties and conventions which they have signed and ratified. From the perspective of foreign investors, the inability to uphold international agreements raises the question of whether their investment and personnel can be safe in the hands of such an untrustworthy partner. At a time when the country is on a drive to attract direct foreign investment, this bill also stands as a threat to the economy (Nigerian Human Rights Defenders 2011).

A common argument used to explain the introduction of anti-homosexuality bills is that they are diversionary, a way of distracting the populace from more urgent needs such as the removal of fuel subsidies, high unemployment, corruption or fighting terrorism. While it is true that in many African countries anti-LGBTI religious fervour and state homophobia have been a unifying force, it is hard to imagine that whipping up hatred of queer folk will in the long term distract people from these kinds of issues. For example, the Nigeria Occupy Movement of January 2012, which was focused on the removal of fuel subsidies and political corruption, came about despite these distractions. Further, there has been considerable criticism in the mainstream media and social media in Nigeria following the passage of the bill in the Senate. These remain minority voices but the voices are increasing in number and becoming louder.

At this juncture, the transformation of LGBTI Africans from un-African deviants to a legitimate minority remains elusive. In South Africa the hard work of LGBTI activists like Simon Nkoli, Bev Ditsie, Edwin Cameron and Zackie Achmat, to name a few, ensured that the 1994 constitution gave full protection to LGBTI people. Despite this there remains a high level of homophobia and associated hate crimes, particularly against working class black lesbians and transgender people, highlighting the inter-connectivity of oppressions. Over the past 10 years many other African countries have witnessed the transformation of LGBTI Africans out of unseen closets into visible broken glass cabinets, and the replacement of silences by an active and assertive engagement with the state, civil society, queer communities and international NGOs. Alongside the increasing visibility, and the accompanying activism, there has been a growing presence and intervention by what Massad calls the 'Gay International' (2007) – 'LGBT', white, Northern-based NGOs and activists with an almost obsessive interest in searching for homophobia across the global South. The notion of a 'shared gayness' (Hoad 2007, Massad 2007) is established by these groups while at the same time spectacularising African homophobia as a unique geographical phenomenon, unconnected to local and global histories, and essentially inherent.

Some sections of the Gay International take a different view and seek to provide a historical account of 'homosexuality' or same-sex intimacies. The stated aim is to counter the competing narrative of 'homosexuality as un-African', placing the blame for homophobia, at least in some countries, on colonial laws which criminalised male homosexuality. It is not always clear whether this search for 'anthropological proof' of pre-colonial sexual utopias is for the benefit of us Africans or a justification for their own involvement in saving Africa from its colonial legacies (Tatchell 2010). Either way, both these narratives obscure the diversity and contextual specificity of queer African formations, past and present, which are shaped by multiple factors – religion, ethnicity, nationalism, globalised and indigenous popular cultures and diaspora connections (Macharia 2010).

Responding to these anti-queer legislative efforts, Western NGOs and governments have taken a strong interventionist

approach. This has culminated in statements by the British and US governments on withdrawing aid to those countries in the global South that continue to persecute LGBTI people. Following the announcement by British Prime Minister David Cameron referred to earlier, over 100 African social justice organisations and activists issued a public statement expressing their 'concern about the use of aid conditionality as an incentive for increasing the protection of the rights of LGBTI people on the continent'. In particular the activists called for a complete rethinking of the present methods of engaging with Africa, including the primacy of consultation with those affected:

The imposition of donor sanctions may be one way of seeking to improve the human rights situation in a country but does not, in and of itself, result in the improved protection of the rights of LGBTI people. Donor sanctions are by their nature coercive and reinforce the disproportionate power dynamics between donor countries and recipients. They are often based on assumptions about African sexualities and the needs of African LGBTI people. They disregard the agency of African civil society movements and political leadership. They also tend, as has been evidenced in Malawi, to exacerbate the environment of intolerance in which political leadership scapegoat LGBTI people for donor sanctions in an attempt to retain and reinforce national state sovereignty (African Social Justice Activists 2011).

The statement also pointed out that the legal foundation for persecuting LGBTI people throughout the Commonwealth was laid down by the British Empire, and old ways of engaging with the continent must be addressed by the affected, not simply imposed by interventions of the same powers. However, not everyone is in agreement on aid conditionality and a small number of organisations and activists were not supportive of the statement. Ugandan activists from Sexual Minorities Uganda (SMUG) and Icebreakers, who have been at the forefront of challenging state-sponsored homophobia in their homeland, chose not to sign. Even among those who argue in favour of aid conditionality there is an insistence on consultation and a country-specific approach, as explained by David Kuria of Gay Kenya (one of the signatories to the statement):

Instead of assuming that we can have a 'pan-africanist' approach, we should instead query what challenges and opportunities it presents to us as a country. Gay Kenya's statement on aid noted that each country has had a different aid narrative, and could thus not talk of an 'African' but a contextualised Kenyan response (Kuria 2011).

The dangers of the aid conditionality approach became clear with the backlash surrounding the 2010 arrest of Malawian couple Tiwonge Chimbalanga and Steven Monjeza. The couple were sentenced to 14 years for 'unnatural acts and gross indecency' (Mapondera and Smith 2010) but later given a presidential pardon. The high-profile nature of the case has led to a considerable backlash against the Malawi LGBTI community. In an interview, Malawian LGBTI activists commented that prior to the Chimbalanga/Monjeza case, life was easier:

'It was easier [before],' says Thandeka. 'Things are tough right now.'

'Some time back, you could dance, you could maybe kiss, but not now,' says Amanda. The men all have girlfriends or wives to cover the fact that they are gay (IN Toronto 2012).

Reservation about international interventions remains strong, particularly in view of the lack of consultation and the actions which result in undermining and even endangering local activists and conditions. Even the space to write about and publicly critique unilateral interventions from powerful Western activists comes at the risk of libel cases and withdrawal of publications. Dealing with unassailable personalities whose celebrity rests on a history of struggle that sometimes has consequences more dire for the 'helped' than the 'helper' remains a battle. The white saviour complex is alive and well and thrives on appropriating other people's struggles.

Western interventions which seek to impose a Western narrative on the queer African struggle are part of an uninterrupted history of suppressing the needs and experiences of Africans dating back to colonisation. The African struggle is not only directed at changing existing legislation; it is a struggle in which we seek to reassert our own narrative and reclaim our humanity. The

Gay International, as part of an overall neoliberal agenda, is an obstacle to defining and controlling the strategies and outcomes of a queer African struggle based on intersecting struggles and movement building. It also seeks to place itself at the centre of our struggle, ignoring local resistance and the overall movement for liberation and commitment to justice.

The universalisation of 'gay rights' was officially formalised by Hillary Clinton in her 2011 Human Rights Day speech in which she vowed that the US would actively seek to ensure that LGBT rights existed throughout the world (Clinton 2011). Note that she uses the acronym LGBT and the word 'gay' rather than the more inclusive LGBTI or LGBTIQ used by most Africans. She appears not to have heard of intersex people and their rights in this struggle.

Although Clinton did acknowledge that the US record on 'LGBT' rights was far from perfect, her statement contained a number of glaring omissions, not least how the US intended to enforce global 'LGBT' rights. Would there be sanctions, withdrawal of aid, refusal to sell military equipment or targeted assassinations? The lack of clarity reduces Clinton's position to the murky waters of international diplomacy and double speak. Take this statement from the outgoing US ambassador to Liberia, which was made after the introduction of two anti-homosexuality bills in the country:

She stated, however, that the issue of gay rights in Liberia was being surrounded by what she referred to as 'misconceptions'.

'Our policies on gay rights are in the public domain,' she said. 'I think the issue that has appeared in Liberia is the issue of misconception that United States aid is tied to Liberia's actions in these areas, and this is not the case,' she said.

She told the *Daily Observer* that she was surprised to learn that gay rights in Liberia were an issue.

'I don't know that this is an issue here in Liberia; although I read about it in the press all the time, I was surprised to hear that this is an issue in Liberia' (Binda 2012).

Considering that most African countries are US allies and are of strategic military importance, it is hard to imagine that policing and enforcement would be anything other than selective. As is

usual for US diplomats, Clinton did not appear to see the irony in the declaration that the US would now be policing the world on one set of rights while itself engaging in numerous human rights violations at home and abroad.

Clinton also conveniently ignored the growing anti-gay evangelical movement in the US and its ties with similar movements in Africa. However, the real concern for African LGBTI people engaged in building progressive social movements is what kind of world Clinton's 'LGBT' rights invoke. How much will it compromise social and economic justice and grassroots democracy in our respective countries? Framing the narrative in terms of rights creates tensions with other civil society and social movements. Queer Africans are not just queers, they are people who live their lives in the same way as everyone else and as such our struggle needs to align itself with other social justice movements such as those of and for rural women, shack dwellers, climate change, land rights and so on.

These pronouncements conveniently ignore the Western history of racism, colonialism and homophobia and even those that recognise colonial culpability in homophobic laws do so with the idea that European and American versions of sexual narratives and activism are the standard which we should all follow (El-Tayeb 2011).

Those of us living in the diaspora are well aware that Cameron's and Clinton's statements are contradictory to the racial configurations of citizenship as experienced in Europe and America, where even birth is insufficient as a marker of belonging. The only way African queers are meaningful activists in the diaspora is if they are working as certified internationalist advocates. At the point when one is unwilling to become a 'collaborator' in the internationalist agenda, thereby challenging the West's legitimacy as saviours, our voices are silenced by casting us as inauthentic Africans. To be authentic one has to be living on the continent and be framed as a victim. Kagendo Murungi's experience, narrated in this volume (see Chapter 21), of working with the International Gay and Lesbian Human Rights Commission (IGLHRC) in New York provides some excellent examples of how the voices of Africans in the diaspora are dismissed.

African states claim sovereignty but at the same time employ a heightened cultural and religious fascism to fuel state

homophobia. Even here, there is a complexity in the relationship between some African states and religious institutions as to where power lies in determining the moral agenda and who is accepted as a citizen. Another tension derives from LGBT imperialism that by now has fledged into a profitable NGO/donor industrial complex built on the premise of saving Africans from Africa. As these conflicting tensions push against each other, they have become internally divisive as the various activists struggle to be heard. Even as African LGBTI people have become the site of struggle between competing but related narratives and as the associated tensions push against each other in internally divisive ways, it is essential they engage on their own terms, with the national and the international, and continue to explore the challenges of a transformative politic.

Notes

- 1 Note on terminology: the term LGBTI (lesbian, gay, bisexual, transgender and intersex) is the acronym in general use by Africans. I use 'queer' as a broader, more inclusive terminology. Other terms – LGBT (lesbian, gay, bisexual, transgender), 'homosexuality', 'gay' – are used only in reference to direct speech.
- 2 From the Greek word *kyrios*, meaning 'lord' or 'master'.
- 3 In this speech on Human Rights Day 2011, US Secretary of State Hillary Clinton called for a worldwide end to criminalisation of LGBT people.

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