

Confronting the Politics of Nonconforming Sexualities in Africa

Sylvia Tamale

Editors' note: This article originally was presented as the Bashorun M. K. O. Abiola Lecture at the 54th Annual Meeting of the African Studies Association, November 17–19, 2011, in Washington, D.C.

Abstract: The connections between democracy and sexuality—that is, between civil liberties and the protection of nonconforming sexualities—are rarely discussed in Africa. On the contrary, nonconforming sexualities have been instrumentalized to entrench dictatorships and to weaken democracy. As was the case in early twentieth-century Europe and North America, homophobia has become a political tool used by conservative politicians to promote self-serving agendas. Heterosexuality is also idealized by an acute ahistoricization of African politics by the Western media and civil society. The problem is also compounded by the distortion of African history promulgated by the dictatorial leadership on the continent.

Résumé: Les rapports entre démocratie et sexualité—c'est-à-dire entre les libertés civiles et la protection des sexualités hors normes—sont rarement sujets à discussion en Afrique. Au contraire, les sexualités hors normes ont été utilisées comme instrument de renforcement pour les dictatures et d'affaiblissement pour la démocratie. Comme c'était le cas au début du vingtième siècle en Europe et en Amérique du nord, l'homophobie est devenue un outil politique utilisé par les politiciens conservateurs pour promouvoir des agendas personnels. En ignorant l'évolution historique de la politique africaine hors du temps, les médias occidentaux

African Studies Review, Volume 56, Number 2 (September 2013), pp. 31–45

Sylvia Tamale is a feminist lawyer and scholar based in Kampala, Uganda. She teaches law at Makerere University, where she served as Law Dean from 2004 to 2008. She also serves on several international boards and has been a visiting professor in several academic institutions globally. She is the editor of *African Sexualities: A Reader* (Pambazuka Press, 2011). E-mail: stamale@law.mak.ac.ug

et la société civile ont une perception idéalisée de l'hétérosexualité en Afrique. Ce problème est aggravé par le fait que les dictatures du continent promulguent une vision déformée de la réalité historique Africaine.

Key Words: sexual politics; Africa; Anti-Homosexuality Bill; moral panics; *Ubuntu*

Introduction

If you had strolled along Kampala's high street, say, ten or fifteen years ago, you would have noticed that the numerous open book stalls were stocked mainly with school textbooks as well as classics from the African Writer's series such as Chinua Achebe's *Things Fall Apart*. Today, the stock has a dramatic and noticeable addition that extends from religious tracts such as the Bible and the Q'uran to various inspirational tomes with titles such as *Tough Times Never Last, But Tough People Do!*; *The Power of Positive Thinking*; *Awakening the Giant Within*; and *Think and Grow Rich*. Aside from the changes in reading habits, other interesting new developments have taken place on Kampala's streets in recent years: preachers at busy street corners and road intersections holding megaphones and espousing the Word of God; mushrooming places of worship and spiritual centers, many of them experts in the "prosperity" message; lunch-hour fellowships in schools and places of work; and the phenomenon of all-night prayers. A cursory survey of the rest of the continent would reveal similar patterns in many other African countries, and although these developments are seemingly outside of the mainstream of what we understand to be democracy and political discourse, it is my considered opinion that they all have a great deal to do with issues of governance and political order on the continent.

As we reflect on the life and times of Chief M. K. O. Abiola, it is interesting to note that he was a man of many talents and interests, but also of many paradoxes and foibles. Not only was he a politician, but he was also a renowned publisher with considerable business acumen. June 12—the day in 1993 that Abiola was elected president of Nigeria and the results were annulled by the military dictatorship—was declared "Democracy Day" and is celebrated every year in his honor. I am sure that among those who voted overwhelmingly for Chief Abiola in 1993 were individuals of nonconforming sexualities. However, I am not sure if he would have openly stood for the rights of this minority class of Nigerian citizens as President of the Republic. And although he was murdered as a popular president-elect in 1998, he had been linked by his critics—such as the famous political activist and musician Fela Kuti—to some moral and financial scandals. M. K. O's story thus also reflects the challenges of reform and reversal in which Africa constantly finds itself, and which will form the subtext of this article.

The developments I described on Kampala's streets clearly reflect several critical socioeconomic, political, and cultural phenomena on the

ground. First on the list are the difficult socioeconomic times that Ugandans have been facing. Unprecedented rates of unemployment, below-average wages, high taxes, an extremely high cost of living, and the poor state of health care translates into an agitated, distressed, and angry population. In 2011, soon after the elections and in the wake of the developments that the media christened the “Arab Spring” in Tunisia, Egypt, Libya, and across North Africa and the Middle East, “Walk-to-Work” protests called by the opposition against rising inflation and commodity prices rocked Uganda. They turned bloody when the state asserted that it was illegal for people to walk to work: they had to drive! But such protests were not confined to Uganda in sub-Saharan Africa; they also took place in Senegal, Gabon, Sudan, Mauritania, Morocco, Algeria, Benin, Cameroon, Djibouti, Côte d’Ivoire, Burkina Faso, and Swaziland.

Analyses of these developments have been undertaken by numerous scholars and commentators and are beyond the scope of this article. Instead, what I want to focus on are the red herrings that thrive during such periods of political and social turmoil, and to which governments routinely turn in order to deflect the pressure from their repressive policies and actions. Among the most common red herrings are the defenseless social groups that become targets of state persecution. State-orchestrated “moral panics” have always served as an effective decoy to distract attention from the more significant socioeconomic and political crises afflicting society. This was as true of the targeting of Jews and homosexuals by the Nazis as it is of the current vilification of foreign migrants in Western countries that are experiencing economic woes. Just as Nazi Germany created a whole phalanx of laws and regulations targeting homosexuality, Western governments today are churning out new and ever more intricate regimes of discrimination in immigration, dress codes (e.g., against the Islamic veil), and religion (e.g., the controversy over mosque minarets in Switzerland). By creating these artificial scapegoats, the members of the political elite dislocate social anxieties while further entrenching themselves in power (see Jones & Jones 1999; Bop 2008).

Hence, part of the fundamentalist resurgence that operates in tandem with the antidemocratic upsurge on the African continent involves the repression of homosexuals. In October 2009 the Anti-Homosexuality Bill was introduced in the Ugandan Parliament by the ruling-party MP David Bahati. This took place against the backdrop of a conference to expose the “dark and hidden” agenda of homosexuality organized by a fundamentalist religious NGO called the Family Life Network and funded by right-wing American evangelicals. Soon after the same organization gathered more than fifty thousand signatures from parents calling upon the government to “save our children from being recruited into homosexuality.” There are some disturbing parallels between such accusations in Uganda and those from the Cold War McCarthyist era or current conservative Christian campaigns in the United States. Indeed, the influence of U.S. right-wing elements on the Ugandan Anti-Homosexuality Bill has been well documented by the Reverend Kopya Kaoma in his 2009 report entitled “Globalizing the

Culture War: U.S. Conservatives, African Churches and Homophobia,” in which the author points out that “the demographic centre of Christianity is shifting from the global North to the global South” (2009:3).¹ Thus, as more and more churches are being converted into theaters, libraries, shopping malls, and even bars in the Western world, bigger and bigger churches are being constructed in Africa. Evangelism has become a global multimillion-dollar business.

Key among the U.S. conservative organizations supporting antihomosexuality sentiments in Africa is the Institute on Religion and Democracy (IRD), a Christian conservative think tank. Ironically, this group was instrumental in opposing the twentieth-century African liberation struggles (see Kaoma 2009), and these organizations now work hand in glove with African religious and political leaders to oppose progress in the rights of LGBTI persons. Kaoma argues that IRD, along with other U.S. conservatives, supported apartheid and worked against the liberation struggles in countries like Angola. He implores African evangelicals whose politics and values are relatively progressive to shun IRD and be more inclusive in their approach to LGBTI issues. According to Kaoma, the momentum for the upsurge of homophobia in Africa is produced externally, driven by the neoconservative evangelical agenda of the new religious movements in Western countries, particularly the U.S. As is clear from the title of his report, Kaoma depicts African clerics and political leaders as mere pawns and hapless proxies in the U.S. “culture wars.”

Other scholars, however, locate these developments in deeply rooted African cultural and nationalist impulses. For my part, I disagree with those scholars who argue that the current antigay campaign in Africa was manufactured abroad. There is a Luganda proverb that says “Kyewayagaliza embazzi kibuyaga asude,” meaning that the tree you wanted to chop down has been uprooted by a thunderstorm. The closest English equivalent would be “Chance favors a prepared mind.” In other words, I believe that the interests of all the groups on both sides of the Atlantic are served by the developments in Uganda; homophobia has simply become a political tool used by conservatives to promote their self-serving agendas. The more important point to note is that antihomosexuality rhetoric serves to strengthen the standing of its proponents in mainstream thought and maintains their social relevance—whether in the West or in Africa.

As Michel Foucault has impressed upon us, consideration of history is important not only in helping us understand the present, but also to illuminate the continuities and changes of different phenomena over time. But it is rather amazing how the issue of homophobia in Africa is treated in an ahistorical fashion. The global reaction to the Anti-Homosexuality Bill, for example, demonstrated both a selective amnesia about the origins and operation of homophobic legal codes and persecutions on the one hand, and imperialist impositions of moral sexual values on the other. Those who commented on Uganda’s homophobic bill from the outside often expressed criticism that smacked of arrogance, a stunning lack of historical

knowledge about homophobia, and a patronizing and domineering agenda that might impress even NATO. And those who supported the bill within Uganda and other African states perpetrated a deeply troubling rewriting of African sexual cultures based on skewed historical untruths.

Recognizing the Handprint of Homosexuality in African History

Although heterosexuality was the dominant form of sexuality in precolonial Africa (as elsewhere in the world), and most communities valorized fertility and reproduction, there is no doubt that same-sex copulation was also practiced. Historical and anthropological studies show that same-sex African partnerships existed long before foreigners set foot on the continent (see Murray & Roscoe 1998; Spurlin 2006). Cogent evidence of the same has been found in ancient cave paintings of the so-called Bushmen or San people in Gurusu, Zimbabwe (Epprecht 2008:42). Oral tradition also instructs us that many African cultures had sophisticated and humane ways of dealing with people who did not conform to heterosexual ideals (see Epprecht 2004; *Feminist Review* 1987). For example, among the Shona of southern Africa, homosexuals (who were believed to be unstable or bewitched) were largely left alone for fear that the avenging spirit (*ngozi*) of a punished homosexual would return and cause havoc. Among the Langi of northern Uganda, the *mudoko dako*, or effeminate males, were treated as women and could marry men (Driberg 1923). In the powerful kingdom of Buganda it was an open secret that Kabaka (king) Mwanga was gay (Faupel 1962). The point is that while homosexuality may have been frowned upon in precolonial Africa, it was not criminalized.

Further proof of the existence of such relations in precolonial Africa is the vocabulary that exists in traditional languages to describe same-sex erotics. The words *inkotshane* among the Shangaan of southern Africa, *motsoalle* (to describe relationships among Basotho women), and *gor-digen* (also written as *goor-jiggen*) among the Wolof in Senegal are just three examples of this (Epprecht 2008; Kendall 1998; Murray & Roscoe 1998:107). In many parts of the continent adolescent herding boys who spent hours in the fields on their own often explored their sexuality through “thigh sex” (referred to as *maotoane* in Sesotho, *hlobonga* among the Zulu, *ukumetsha* among the Xhosa, and *gangisa* among the Shangaan). However, it is extremely important to note that the context and experiences of such relationships did not mirror homosexual relations as understood in the West, nor were they necessarily consistent with what we may today describe as a gay or queer identity.

In addition, apart from activities involving same-sex erotic desire, several other activities involving same-sex or “unnatural” sexual behavior are found in the historical record (see Wilson et al. 2003). These include (1) activities engaged in for the purpose of spiritual rearmament among the Ndebele and Shona in Zimbabwe, the Azande in Sudan and the DRC, the Nupe in Nigeria, and the Tutsi in Rwanda and Burundi; (2) ritual

activities to guarantee bountiful crop yields and hunting, good health, and protection from evil spirits, as practiced in Angola and Namibia by a caste of male diviners (known as *zvibanda*, *chibados*, *quimbanda*, *gansas*, and *kibambaa*) who were believed to carry powerful female spirits that they would pass on to fellow men through anal sex; (3) woman-to-woman marriages entered into for reproductive, economic, and diplomatic reasons—for example, among the Nandi and Kiisi of Kenya, the Igbo of Nigeria, the Nuer of Sudan, and the Kuria of Tanzania; and (4) anal sex between married partners as a method to avoid pregnancy.

When the colonialists arrived on the continent during the nineteenth century in search of economic opportunities and political-religious security, they certainly shifted the shape and contours of the handprint of African sexualities—particularly its formal aspects. Through an elaborate “othering” process African sexualities were depicted as primitive, deviant, and excessive (see Gesheker 1995; McClintock 1995; Abrahams 1997; Magubane 2001), an important maneuver in creating the justification and ideological foundation for the colonialists’ “civilizing” mission on the “dark” continent and the construction of the colonial empire (Walther 2008). In line with this philosophy, the sexualities of Africans were represented in “natural” heterosexual and reproductive terms. Sir Richard Burton, the nineteenth-century British explorer and ethnographer, for example, described the women that he encountered in the kingdom of Dahomey (present-day Benin) as “hideous” and “taken in adultery or too shrewish to live with their husbands.” He described their physical appearance as malelike, with “muscular development of the frame” and “femininity [that] could be detected only by the bosom” (quoted in Blair 2010: 98). And when he traversed the Great Lakes region of East Africa he wrote that “the Negro race is mostly untainted by sodomy” (1885:246, quoted in Murray & Roscoe 1998: xii). Homoerotic desire was later to be associated with the sophisticated Western world by missionaries and neocolonial anthropologists (see Dlamini 2006; Epprecht 2008; Lewis 2011; Spurlin 2006). Indeed, while Africa is today being reinvented as a heterosexual continent, Europe is being reconstructed in terms of sexual democracy. These reimaginings of “sexual nationalisms” form interesting and novel areas of research.²

As many writers have pointed out, the ironic truth is that it is not homosexuality that is alien to Africa but the far off lands of Sodom and Gomorrah plus the many other religious depictions of other-sexuality that are often quoted in condemning same-sex relations on the continent. The important point to emphasize, then, is that it is not homosexuality that was exported to Africa from Europe but rather legalized homophobia that was exported in the form of Western codified and religious laws (Achmat 1993). Indeed, the recent declaration of the unconstitutionality of Section 377 of the Indian Penal Code is of considerable significance in that this ruling marked the first successful judicial challenge of the “anti-sodomy” law that was directly exported to Africa (from Britain via India) in the late nineteenth century.³ I would like to further illustrate this point

by turning back to an analysis of the politics surrounding the Bahati bill saga in Uganda.

The Bahati Bill through the Lens of the Western Outsider

Despite the fact that homosexuality has been a criminal offense in Uganda since 1897, one would be hard put to find any record of homosexual indictments or convictions in the court registers. Like other nonconforming sexualities, such crimes are extremely difficult to prove with cogent evidence. This means that when Bahati introduced the Anti-Homosexuality Bill in Uganda's Parliament in October 2009, he was pushing an agenda beyond the scope of addressing a social problem in the country.

After the bill was introduced, outsiders descended on Kampala like locusts. Ugandan activists were besieged by requests for sound bites and opinion pieces. Western researchers, journalists, activists, students, and donors asked frenzied variants of one key question: "Why is Uganda so intolerant of gay people?" The reports they wrote and the documentaries they made were largely negative, ahistorical, and myopic; in perpetuating racist stereotypes even as they narrated homophobic stories, they eclipsed one example of discrimination with another (see, e.g., Adams 2011). Watching Scott Mill's BBC documentary *The World's Worst Place to Be Gay*, I thought to myself, "Gosh, it's so easy to fill 60 minutes with exclusively negative material that depicts Ugandans as passive, helpless victims with no agency." The unbalanced film portrays a perfect juxtaposition of modern, "civilized" Western sexuality and backward, "uncivilized" Africa: the archetypal "us" versus "them." By neglecting or glossing over important issues such as the role of Western evangelicals in fueling homophobia on the continent or the brave challenge that local activists have mounted against the bill, individuals like Mill do a disservice to the global struggle against homophobia. And the fact is that even in those Western countries where homosexuality has been decriminalized, the consciousness of the majority has yet to catch up with the reformed law.

Marc Epprecht (2008:115,117) informs us that

The word *homophobia* was coined in Europe in 1969 at the time of the emergence of the modern gay rights movement and the sharp political reactions against it in the United States. The attitudes and behaviours it describes, however, clearly existed long before this. Portugal, for example, produced crudely anti-homosexual literature in the 14th and 15th centuries. The Spanish Inquisition, from the 16th to 18th centuries, resulted in hundreds of executions for what was termed the nefarious sin.... Hatred and fear of homosexuality is thus a very old, well-established part of European culture that was transplanted into Africa in sometimes sincere, and sometimes opportunistic ways.

During the seventeenth and eighteenth centuries the Calvinist Protestants in the Netherlands were intolerant of all nonprocreative sex (termed *venus*

monstrous, or monstrous lust), and those found guilty could face the death penalty (Epprecht 2004, 2008). When the colonialists extended their empires to Africa, homosexuality was an offense in their own lands. Therefore it followed that such crimes were exported with imperialism, creating new offenses where they had not existed before. By 1957, when the legendary Wolfenden Report was published in the U.K. recommending that adult homosexuality and prostitution be legalized, the empires were crumbling. Another ten years passed before England and Wales decriminalized homosexuality (thirteen years in the case of Scotland and fifteen years for Northern Ireland), by which time all but a handful of the former colonies had gained independence. Yet the exported homophobic laws would prove to be effective ammunition for repressive postindependent African governments.

It is thus extremely important to properly contextualize the contemporary situation within which the debate about sexuality is playing itself out on the continent. Last year Nancy Xie wrote in a *Harvard International Review* article entitled “Legislating Hatred” that Uganda’s

widespread poverty severely limits the information and knowledge that its citizens can obtain, contributing to fundamental misunderstandings about homosexuality. Some politicians promote the notion that people can undergo psychotherapy to change their sexual orientation, while many still believe that homosexuality is a mental, or even physical, disease that will contaminate their community.

While a lack of information may contribute to homophobic sentiments in Uganda, we should not forget that when the United States was persecuting homosexuals in the 1960s and 1970s (let alone today), it was not a poor country, and it was not until 1973 that the American Psychiatric Association struck homosexuality off its list of psychological disorders. Following Xie’s logic, would we say that it is widespread poverty that explains the continuing deep-rooted “misunderstandings” about race in the United States today? The fact is that the superficiality, gullibility, and opportunism of the populace when it comes to mechanisms of social exclusion such as racism and homophobia are powerful tools in the hands of skilled propagandists. Africa’s relatively incipient social movement for the rights of sexual minorities will doubtlessly achieve results in due course.

The dominant voices that outsiders hear from Africa are those of the people who have the power and platform to speak “on behalf” of their people. The unquestioning belief in what is characterized as “African values” and “African morality” is appallingly lazy and exemplifies the infantilization of our continent. The underlying assumptions behind claims of an “African culture” (in regard to sexuality, or anything else for that matter) that are usually left unexamined are based on the mistaken assumptions that (1) there exists a monolithic African culture, (2) that culture is static; and (3) that there are no conflicting cultures even within a single African community.

Homosexuality as a Political Tool in Africa

Although George Orwell's *Animal Farm* (1945) was a stinging parody of Russia's communist revolution, it is a timeless tale that perfectly describes the politics in most African states today. Just as the pigs in *Animal Farm* revised their constitutional rules as power went to their heads, so too have the power elite rewritten the history of African sexualities, obliterating same-sex relations in order to bolster their control over the political and social context. Such revision facilitates the control of the nations' very identities, and the citizens come to depend upon the authorities for their communal sense of self. The current homophobic upsurge and the legal winds of recriminalization of homosexuality that are sweeping across the African continent from Dakar to Djibouti and from Cairo to Cape Town are not coincidental or mere happenstance. The homophobic gusts blow amidst rising inflation, high unemployment, corruption, repression, and increased hopelessness among the populace.

Most prominent among those who supported the Bahati bill locally in Uganda were politicians and religious leaders who presented a number of arguments in support of the bill: that homosexuality is immoral; that it is un-African and an import from decadent Western societies; and that gay people are secretly recruiting Ugandan heterosexual youth. But the common denominator linking these African leaders most prominently is that they have overstayed their time in power beyond the mandated term limits. A whole generation of nationals was born and raised and came to maturity during their regime, and these rulers have become experts in the politics of distraction. Hence, instead of blaming political mismanagement and corruption for high unemployment, the high cost of living, and poor health facilities, the population is encouraged to focus, *inter alia*, on red herrings such as "the vice of homosexuality" and "the evil of prostitution" which are fished out of the sea of morality particularly when electoral accountability is looming. The Bahati bill surfaced one year before Uganda's presidential elections. When President Mugabe of Zimbabwe was seeking reelection in 1995 (having already served fifteen years in office), he denounced homosexuals as "worse than dogs and pigs" and suggested that homosexuality was part of Western imperialism. Several other African presidents, including Daniel arap Moi of Kenya, Samuel Nujoma of Namibia, Bingu wa Mutharika of Malawi, Olusegun Obasanjo of Nigeria, and Abdoulaye Wade of Senegal have also espoused homophobic bigotry and policies in their searches for convenient and marginal scapegoats (Human Rights Watch & IGLHRC 2003; Bop 2008). Hence, in line with the Foucauldian paradigm (1976), sexuality becomes inseparable from regimes of power.

In short, the fear, misconceptions, and untruths fueled by political leaders about homoerotic relations serve a specific sociopolitical purpose, offering them a tool for achieving short-term goals and preserving political power. Research and scholarship show clearly that sexuality in precolonial

Africa was more complicated than the idealized heterosexuality that contemporary African leaders claim as African tradition (see Essien & Aderinto 2009). The worn and tired claim that homosexuality is “un-African” is simply ridiculous; feminism has also been tarred with the same “un-African” brush. Such claims are simply reductionist oversimplifications of extremely complex human phenomena that are impossible to bind in racialized or ethnicized bodies. Although imperialism attempted to racialize sexuality, and while it is true that sexuality has some cultural particulars (which are themselves not inherent, natural, or fixed), sexual orientation transcends racial and ethnic identity. Moreover, there is no such thing as an authentic African essence that is inherently inimical to homosexuality. Any good researcher and scholar of sexuality would appreciate how our understandings, perceptions, and assumptions are constantly challenged by the realities of people’s sexual experiences.

In other words, the political and popular rhetoric of heteronormativity cannot wish away or erase the existence of same-sex relations. The attempt by political and religious leaders to construct African models of sexuality is designed to facilitate the control and regulation of this area of our existence. Thus “un-Africanness” simply becomes a metaphor for conservative agendas. Moreover, it is applied selectively to overlook practices that are undoubtedly foreign and are invoked opportunistically to further these particular interests. Is it not the mother of all ironies for a Bible-wielding African politician named “David,” dressed in a three-piece suit, caressing his iPhone, and speaking a colonial language to condemn anything for its un-Africanness? Another irony lies in the fact that countries, ideological and political groupings, civic associations, and cultural, linguistic, and religious organizations that are staunchly opposed in their worldviews rally in their opposition to nonconforming sexualities. Hence “progressive” social groups (e.g., children’s rights activists) have joined with the most oppressive regimes in Africa as critical and moralizing bedfellows.

The oppression of sexual minorities is also facilitated by the forms of liberal capitalist governance that were imposed on Africa by colonial and imperial forces. As Chandra Mohanty (1991) tells us, notions of exclusionary citizenship are implicitly written into the laws of nationality and citizenship in the Euro-American state. In this context South Africa offers us the unique example of an alternative—a state in which sexual orientation as a basic human right was inscribed into the processes of nation-building, democratization, and national reconciliation (Spurlin 2006). And the basis of that process was the philosophical conception of African humanity known as *ubuntu*—a notion derived from the more than four hundred ethnic groupings that belong to the Bantu language family but whose values are shared by many African ethnic groups. The closest English equivalent of this hard-to-translate concept is “humaneness.” It refers to compassion and solidarity, a respect for diversity and the dignity of all people, a commitment to sharing, and a belief in a universal bond (Ramose 1999). It rejects selfish,

paternalistic, restrictive rules and rulers who operate in complete disregard of the interests of their neighbors, their community, and their fellow human beings. This is not to suggest that hierarchical structures of inequality did not exist in precolonial Africa. Indeed, in many feudal constructs around the continent negative practices based on sex, caste, and occupation undermined basic humanity. However, one finds that the ethos of *ubuntu* guaranteed that even the weakest and most vulnerable in society was protected from undue harm.

But the instrumentalization of sexuality as a political tool is not limited to African dictators. When the Anti-Homosexuality Bill was introduced in Uganda, a number of Western government leaders called on Uganda to recognize the sexual citizenship of all its people. Overnight this was turned into a “conditionality” for aid to government and nongovernmental human rights organizations alike (Ewins 2011).⁴ Prior to this debacle Ugandan activists had shouted themselves hoarse regarding rigged elections, detentions without trial, abuses of media freedoms, corruption, and many other human rights violations. But Western governments failed to respond, and instead dubbed Museveni one of only a handful of a “new breed” of African leaders. The selective conditionality when it comes to the rights of LGBTI individuals therefore smacks of hypocrisy. This point was made in a strongly worded October 2011 statement signed by several African social justice activists.

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 scapegoats LGBTI people for donor sanctions in an attempt to retain and reinforce national state sovereignty.

Further, the sanctions sustain the division between the LGBTI community and the broader civil society. In a context of general human rights violations, where women are almost as vulnerable as LGBTI people, or where health and food security are not guaranteed for anyone, singling out LGBTI issues emphasizes the idea that LGBTI rights are special and hierarchically more important than others. It also, paradoxically, has the effect of supporting, rather than counteracting, the vicious notion that homosexuality is “un-African” and a Western-sponsored “idea” and that countries like the UK will only act when “their interests” have been threatened.⁵

Not much more, perhaps, needs to be said about this issue, save to emphasize the ways in which the geopolitical differentials of race, power, and

economics have also found their way into the contemporary debate over sexuality and gender identity on the African continent. What is perhaps most galling is the exaggerated production in the West of media portrayals of the Anti-Homosexuality Bill that completely ahistoricize and “otherize” the phenomenon of homophobia, as if it has never existed in Western countries.

Conclusion

If there is a silver lining to the gloomy homophobic clouds it is that the Bahati bill rallied the wider civil society around a formerly taboo subject. The Anti-Homosexuality Bill worked to raise awareness of the issue of sexual rights in a manner that no other intervention could possibly have done. In short, it forced the issue of nonconforming sexualities “out of the closet” and into the mainstream of political discourse and debate; even as it stirred homophobic expressions to an unprecedented level, it also provided the space within which the issue could be aired and LGBTI groups could articulate not only their fears, but also their claims to equal citizenship. At the same time, it compelled mainstream organizations to reexamine their own (largely conservative) positions vis-à-vis nonconforming sexualities. Today, the Civil Society Coalition on Human Rights and Constitutional Law that was formed specifically with the objective “to kill the bill” has broadened its struggle to a wider mandate of human rights and democratic governance.⁶ These developments underscore the point that the question of sexuality is an intrinsic part of the democratic struggle on the continent, and not peripheral to it.

At the same time, it is necessary to avoid accepting uncritically the binary view that is often conveyed in the media that Western countries are “progressive” and “gay friendly” and non-Western countries are “backward” and “homophobic.” Reports about homophobia in Uganda are often infused with a condescending and paternalistic tone that harks back to Joseph Conrad’s “Dark Continent” and ideologies about the West’s “civilizing mission.” This tone does nothing to further the global struggle against homophobia. The history of Africa cannot be narrated fully unless the voices of minority groups such as women and homosexuals are brought to the surface. The so-called African Renaissance cannot be realized without the full liberation of all marginalized groups. Insofar as homosexuality has become an issue of international diplomacy, Africans must begin thinking seriously about how to engage newly developing countries, particularly Brazil and India, in which the degree of homophobia is comparable that of Africa. Despite this, the vibrant activism exhibited by LGBTI activists in these countries is extremely inspiring and has yielded some impressive legal and political gains.

In the Abiola spirit of cheer and optimism, I wish to conclude on a positive note, even though the issues I have covered are quite dire. Some recent developments signify the light at the end of the tunnel. At the global

level an unprecedented U.N. resolution on sexual orientation and gender identity (SOGI) was passed by the Human Rights Council in July 2011. Closer to home, a rigorous nomination process led to the appointment of the human rights activist Willy Mutunga as Chief Justice of the Republic of Kenya in June, despite the opposition mounted by church leaders and other religious segments that argued that Mutunga was too liberal, supported “immoral rights,” and had no “family values” because he was going through a second divorce. His ear stud also became extremely controversial in the nomination process. East African activists celebrated with T-shirts emblazoned with the words, “Willy is our stud!” In my own country of Uganda I was recently asked to assist the Ministry of Health in integrating issues of same-sex sexuality into the national HIV/AIDS policy. And the Anti-Homosexuality Bill has not been passed.

But before we pop any champagne corks, let us “wait and see” as Abiola’s Yoruba middle name, Kashimawo, cautions us.

References

- Abrahams, Yvette. 1997. “The Great Long National Insult: Science, Sexuality and the Khoisan in the 18th and Early 19th Century.” *Agenda* 32: 34–48.
- Achmat, Zackie. 1993. “Apostles of Civilized Vice: ‘Immoral Practices’ and ‘Unnatural Vice’ in South African Prisons and Compounds, 1890–1920.” *Social Dynamics* 19: 92–110.
- Adams, Tyler. 2011. “We Do Not Want This Sickness!” Religion, Postcolonial Nationalism and Anti-Homosexuality Politics in Uganda.” Masters thesis, Ohio State University.
- Blair, Cynthia. 2010. *I’ve Got to Make My Livin’: Black Women’s Sex Work in Turn-of-the-Century Chicago*. Chicago: University of Chicago Press.
- Bop, Codou. 2008. “Senegal: Homophobia and Islamic Political Manipulation.” Sexuality Policy Watch (SPW) Working Paper No. 4. www.sxpolitics.org.
- Charlesworth, Hilary, and Christine Chinkin. 2000. *The Boundaries of International Law: A Feminist Analysis*. Manchester, U.K.: Manchester University Press.
- Daily Monitor*. 2009. “Swedish Development Minister Threatens Aid Cuts for Uganda.” December 12.
- Dlamini, Busangokwakhe. 2006. “Homosexuality in the African Context.” *Agenda* 67: 128–36.
- Driberg, Jack. 1923. *The Lango*. London: Thorner Coryndon.
- Epprecht, Marc. 2004. *Hungochani: The History of a Dissident Sexuality in Southern Africa*. Montreal: McGill-Queen’s University Press.
- . 2008. *Unspoken Facts: A History of Homosexualities in Africa*. Harare: GALZ.
- . 2008. *Heterosexual Africa? The History of an Idea from the Age of Exploration to the Age of AIDS*. Pietermaritzburg, S.A.: University of KwaZulu-Natal Press.
- Essien, Kwame, and Saheed Aderinto. 2009. “‘Cutting the Head of the Roaring Monster’: Homosexuality and Repression in Africa.” *African Study Monographs* 30 (3): 121–35.
- Ewins, Lucy. 2011. “The Criminalization of Sexual Orientation: Why Uganda’s Anti-Homosexuality Act Threatens Its Trade Benefits with the United States.” *Boston College International and Comparative Law Review* 34 (1): 147–71.

- Faupel, John. 1962. *African Holocaust: The Story of the Uganda Martyrs*. New York: P. J. Kennedy.
- Feminist Review. 1987. *Sexuality: A Reader*. London: Virago Press.
- Foucault, Michel. 1976 [1998]. *The History of Sexuality*. Volume 1: *The Will of Knowledge*. London: Penguin.
- Gesheker, Charles. 1995. "Outbreak? AIDS, Africa and the Medicalisation of Poverty." *Transitions* 5 (3): 4–14.
- The Guardian* (U.K.). 2011. "International Pressure on Anti-Gay Laws in Africa Must Not Stop," April 20. www.guardian.co.uk.
- Human Rights Watch (HRW) and International Gay and Lesbian Human Rights Commission (IGLHRC). 2003. *More Than a Name: State-Sponsored Homophobia and Its Consequences in Southern Africa*, New York: Human Rights Watch.
- Jones, Marsha, and Emma Jones. 1999. *Mass Media*, London: Macmillan Press.
- Kaoma, Kapya. 2009. "Globalizing the Culture Wars: US Conservatives, African Churches and Homophobia." Somerville, Mass.: Political Research Associates.
- Kendall, Kathryn. 1998. "When a Woman Loves a Woman in Lesotho." In *Boy-Wives and Female Husbands: Studies of African Homosexualities*, edited by Stephen Murray and Will Roscoe, 221–38. New York: St. Martin's Press.
- Lewis, Desiree. 2011. "Representing African Sexualities." In *African Sexualities: A Reader*, edited by Sylvia Tamale, 199–216. Oxford: Pambazuka Press.
- Morris, H. F. 1974. "A History of the Adoption of Criminal Law and Procedure in British Colonial Africa, 1876–1935." *Journal of African Law* 18 (6): 6–23.
- Magubane, Zine. 2001. "Which Bodies Matter? Feminism, Poststructuralism, Race and the Curious Theoretical Odyssey of the 'Hottentot Venus.'" *Gender and Society* 15 (6): 816–34.
- McClintock, Anne. 1995. *Imperial Leather: Race, Gender and Sexuality in the Colonial Conquest*. New York: Routledge.
- Mohanty, Chandra. 1991. "Cartographies of Struggle: Third World Women and the Politics of Feminism." In *Third World Women and the Politics of Feminism*, edited by C. Mohanty, A. Russo, and L. Torres, 1–47. Bloomington: Indiana University Press.
- Murray, Stephen, and Will Roscoe, eds. 1998. *Boy-Wives and Female-Husbands: Studies of African Homosexualities*. New York: St. Martin's Press.
- Puar, Jasbir. 2007. *Terrorist Assemblages: Homonationalism in Queer Times*. Durham, N.C.: Duke University Press.
- Ramose, Mogobe. 1999. *African Philosophy through Ubuntu*. Harare: Mond Books.
- Spurlin, William. 2006. *Imperialism within the Margins: Queer Representations and the Politics of Culture in Southern Africa*. New York: Palgrave Macmillan.
- "Statement of African Social Justice Activists on the Threats of the British Government to 'Cut Aid' to African Countries that Violate the Rights of LGBTI People in Africa." 2011. www.amsher.net.
- Walther, Daniel. 2008. "Racializing Sex: Same-Sex Relations, German Colonial Authority and Deuschtum." *Journal of the History of Sexuality* 17 (1): 11–24.
- Wilson, Stephan, Lucy Ngige, and Linda Trollinger. 2003. "Connecting Generations: Kamba and Maasai Paths to Marriage in Kenya." In *Mate Selection across Cultures*, edited by Raeann Hamon and Bron Ingoldsby, 95–118. Thousand Oaks, Calif.: Sage.
- Xie, Nancy. 2010. "Legislating Hatred: Anti-Gay Sentiment in Uganda." *Harvard International Review* 32 (1). hir.harvard.edu.

Notes

1. Such religious fundamentalism extends to Islamic countries on the continent. For example, Codou Bop (2008) reports that Muslim fundamentalists in Senegal have systematically targeted homosexuals around periods of political elections to divert the attention of the masses from “real” issues.
2. Jasbir Puar (2007) rightly points out that in the West, “heteronormative ideals pivotal to nation-state formation are now supplemented by homonormativities,” which she terms “homonationalism.” See interview at <http://www.darkmatter101.org/site/2008/05/02/qa-with-jasbir-puar/>.
3. See Dehli High Court case of Naz Foundation v. Government of NCT (2009) (www.scribd.com/doc/24710240/Naz-Foundation-v-Government-of-NCT-of-Delhi-Et-Ors). The Indian Penal Code of 1860 was applied by the British colonialists to Uganda through the 1897 Order-in-Council (Morris 1974). The 1996 South African Constitution that outlawed discrimination on the basis of sexual orientation follows a different trajectory and the origins of homophobic laws in this country have their roots in Calvinist Dutch tradition.
4. See also *Daily Monitor* (2009); *The Guardian* (2011).
5. The statement (“Statement of African Social Justice Activists 2011) was posted on the Web site of African Men for Sexual Health and Rights (AMSHer) (www.amsher.net).
6. See www.ugandans4rights.org.