

African Sexual Politics: A Pan-African Lesbian Perspective

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Introduction

In 2011, an African queer manifesto was published (Ekine et. al, 2011). Written in a roundtable session held in Nairobi, in April the previous year, by a small group of activists, the manifesto sought to synthesize the shared work, history, relationships and thinking of a diverse and growing multitude of Lesbian Gay Bisexual Trans Intersex (LGBTI) activists and activist groups throughout the continent. The text portrays queer African struggles as the open-ended work of imagination and memory aimed at creation and reclamation of identities and lives. In its suggestive opening sentences, it describes these struggles as a movement in opposition to ‘neo-colonial categories of identity and power.’ The manifesto uses the evocative language of the ‘infinite’ and ‘endless’ to conjure both the mythology and realities of Africa. It constructs the aegis of LGBTI without making any particular definitions or prescriptions of identity or sexual orientation, except for emphasizing the African identity in itself.

The manifesto addresses the difficult work of figuring out how to avoid identity definitions, because these definitions, even when they are very broad, become authoritative and imply a certain degree of conformity that necessarily exclude those individuals, groups, and generations who exceed them. No definition is given of LGBTI precisely in order to include those (present and future) queer people whose queerness is beyond any categorization now available. Instead, the document uses LGBTI as a term that departs from within itself to reach beyond what can be readily defined, that is pointing towards queer dreams. “To make manifest” is to reveal, such that what is shown can be seen, and within this frame queer lives are defined not by a document but by how they are lived within life itself.

Sexuality rights struggles in Africa are defined in the text first and foremost African struggles concerned with *self-determination at all levels of our sexual, social, political and economic lives*. A queer struggle, in the manifesto’s vision, is not something apart from other political labors but rather placed *proactively within all movement building supportive of our vision*. As such, queer struggles are neither focused on single issues nor

exceptional. The manifesto deploys a vision of struggle that encompasses ‘pleasure’, ‘passion’, ‘cooperation’, ‘respect’ and ‘solidarity’. Queerly, the African struggle for liberation is not merely ‘against’ something but rather a renewed affirmation of struggling ‘with’, ‘for’ and ‘towards’. The queering of societies is an attempt not only to liberate those who declare to be queer but also to transform all African struggles, to invest all African struggles against oppression with the fullest and truest revolutionary potential of the queer. The manifesto reminds us that “[a]s long as African LGBTI people are oppressed, the whole of Africa is oppressed.”

African feminists theorizing sexuality

In the past two decades, the field of gender and sexuality in Africa has grown exponentially. This highly visible blossoming has taken place both in the formal systems of academia and institutional organizing but pertains to a much longer history of woman-authored African thought and oppositional cultural practice, which predates the name of ‘feminism’. As underlined by Kenyan scholar, Wambui Mwangi (2013): “*Kenyan women have been laying their bodies on the line for years.*” This vast production of women’s activist and intellectual work openly contests the colonial and postcolonial constructions of Africa sexualities that were and remain central to the logic of domination and exploitation of the continent and its peoples, and creatively expands existing thinking on and interpretation of sexualities (Arnfred, 2011; Gatter, 2000; Helle-Valle, 2004; Mama, 1996; McClintock, 1995; McFadden, 1992, 2003; Oinas & Arnfred, 2009; Tamale, 2005). This strand of feminist thinking and research markedly differs from intellectual views that attempt to address African sexualities from conventional report-driven, development oriented or demographic and health based approaches (as exemplified by the reports produced by UN and other international institutions, such as FAO, 2004; Population Council, 2014; SIDA, 2005; WHO, 2013). The lesbian and feminist African voices who can now be heard sharply illuminate dimensions of queer lives that are usually absent or concealed in these mainstream narratives and analyses.

This can be illustrated, for example, by the path-clearing labor performed in books and publications such as *Feminist Africa on Sexual Cultures* (2005), *Subaltern Politics* (2006); *Body Politics and Citizenship* (2009) and *Researching Sexuality and Young Women* (2012). Other groundbreaking references, albeit in entirely different language, are to be found in the fictional anthology, *Queer Africa* (Martin & Xaba, 2013) that was awarded the Lambda Literary Award for best LGBT anthology in 2014,¹ and in the magisterial and inexhaustible

¹ Retrieved from www.lambdaliterary.org/26th-annual-lambda-literary-award-finalists-and-winners/

many thousands of pages of the *Women Writing Africa* (2003a, 2003b, 2003c, 2008), which compiled a vast multigenerational collection of African feminist writings. One main contribution of these varied feminist academic and literary work is that it leaves behind the colonial and Western habit of incessantly framing African women and gender non-conforming lives exclusively through the lens of violence.

As noted by Muthien (2013), in Africa (as elsewhere in the world), the place and meaning of violence as a patriarchal tool of discipline cannot be minimized. It must be analyzed and contested as a major factor that increases the risk of HIV/AIDS infections, or the control of women's bodies and lives. On the other hand, however, it is vital to also map and understand tactics used by women to escape these grips of violence and control, as for example, when queer women opt for heterosexual relationships and marriages or removing themselves from society, in order to survive.

Not less importantly, African scholars, researchers, activists and artists have also emphasized the relations and pleasures of lesbian and queer lives. In reflecting on the trajectory of gender and sexuality research and thinking in institutions of higher learning in Africa, Bennett (2008), for example, highlights "*the vibrancy, complexity and visibility of sexuality as a zone of pleasure*" that characterizes this production. In the same wave length, Faith,² a co-founder of the Kenyan organization, Minority Women in Action (MWA)³, explains that one of the original goals of the organization is "*of course, to have fun*" (Dearham, 2013). This energetic and wholehearted ability to laugh, celebrate, play and revel sharply contrasts with conventional narratives of African sexual realities construed almost exclusively as "*a terrain of assault, choicelessness and physical/psychological damage*" (Bennett, 2008).

This subversive and pleasant view of African sexualities is also reflected in *The Quilt*, a text woven by the collective of Renée Alexander Craft, Meida Mcneal, Mshai S. Mwangola, and Queen Meccasia E. Zabriskie (2007) in which the authors describe dancing as a privileged moment of black African feminist friendship and life sharing. Its poetic and impassioned articulation of twenty-first-century black feminist ethnographies stands out as a particularly powerful contribution for energizing African feminist intellectual and political labors such as when these women say:

2 Name as used by Dearham (2013) in her research; while not explicit, it is understood that the surname is omitted for the safety of the activist.

3 See at www.galck.org/mwa/

“[W]e each experienced moments when our ‘profane’, leaky, curvy, mother/sister/daughter/macomère bodies, bound up in the politics of our national and ethnoracial identities, unsettled the ‘sacred’ spaces of our field sites and academies, often in unintentional and unexpected ways.” (p. 55)

Another landmark bibliographic reference to be mentioned is Sylvia Tamale’s *African Sexualities*. The volume focuses on the ethics, process and methodology of feminist research thereby contesting past and present power dynamics in knowledge production on gender and sexuality in Africa. With this line of thinking, in addition to paying careful attention to the social, cultural, ethical and economic contexts being researched, Tamale also provokes us when she asks: why should we engage at all in sexuality research? The response is given by The Quilt collective when they declare that to research and write is “to bear witness”, but also by Meida (2007) when she insightfully asserts that:

“The ethnographic narratives we document are interventions on both local and global scales. They are parables of importance, reflections for the local communities who made them in the first place as well as lessons for a global audience to bear witness to.” (p. 66)

This concise review of feminist and queer intellectual production on African sexualities cannot gloss over either *Tommy Boys, Lesbian Men and Ancestral Wives* (Wieringa & Morgan, 2005), a book that revealed a variety of same-sex relations and practices amongst women in six culturally and linguistically diverse sub-Saharan African countries. The authors in the collection emphasize how these practices are deeply grounded in African cultures. The book charts similarities, differences and ambiguities of these practices but also how they are socially perceived and reacted upon. The stories collected in the book speak to the vast diversity of queer women’s lives and relations in different contexts. As the title suggests, these relations comprise a complex and colorful spectrum of affective partnerships that range from socially recognized and legitimate marriages between women (rooted in cultural traditions), to sanctioned bisexuality and what we may call transgender expressions. The book also shows that while some of these women live in relatively liberal communities, others are subjected to near-complete censorship. It also maps the strategies used by these women to cope with hostile environments, which sometimes require combining rigid performances of femininity and masculinity in public with fluid cross-gender practices in private. The multiple, non-uniform, non-dogmatic expressions and articulations of gender and sexual nonconformity that emanate from the book pages are compelling illustrations of subjectivities and life experiences that exceed the dominant institutionalized LGBTIQ categories, discourses and related politics.

‘African homophobia’: caveats and effects of a hegemonic narrative

Over the course of the past twenty years, narratives on sexuality and gender identity in Africa have largely focused on Africa’s intolerance, discrimination, and opposition. Suffice to glance over the international press to read headlines such as: *Pride Uganda has been crushed*,⁴ *Tanzania’s President Says Gays Will Be Expelled*,⁵ and so on. These facts are indeed relevant. However, the motivations and meaning of these political and legal regressions cannot be fully apprehended if they are not consistently situated in context, articulated with wider political and economic trends as well as historical legacies.

Across the continent, many of the regressive positions taken by state actors, while framed as states’ resistance to the Western neo-colonial impositions, are also fundamentally based on inherited and ‘improved’ colonial laws (Lind, 2005; Abbas, 2012). On the other hand, while African governments broadly profess constitutional protection of rights pertaining to dignity, education, health, freedom of expression, very few prohibit discrimination or protect rights based on sexual orientation. Homosexual acts often remain illegal under colonial anti-sodomy laws or else vague statutes outlawing indecent or unnatural acts (Armisen, 2014; The Other Foundation, 2016). Ekine (2013) describes these legislative postures as part of the “heterosexual project of nation building” which defines citizens and non-citizens within a logic that replicates the colonial project of dividing and subjugating. Tragically, it often seems that queer people in African societies are perpetually struggling to merely be recognized as citizens. If one is not even considered a legitimate citizen, how can then one demand any right.

Laws are upheld and new ones proposed which continue to exclude, persecute, and demonize gender non-conforming persons. Consider Burkina Faso, where a legal vacuum exists concerning same sex relations. While homosexuality is not criminalized the law does not protect against discrimination based on sexual orientation, in fact, in the Afrobarometer report of 2015⁶, the country was listed as the third most intolerant country in Africa. That same year, lawmakers moved towards criminalizing homosexuality in a bill which lumped homosexuality with bestiality, pedophilia and same sex marriage. In the justification of the bill those who proposed it made it

4 Retrieved from www.theguardian.com/commentisfree/2017/aug/21/lgbt-ugandans-pride-uganda

5 Retrieved from africanlgbti.org/opdg_news/tanzanias-president-says-gays-will-expelled-even-cows-disapprove-homosexuality/

6 Afrobarometer Round 6: Good neighbours? Africans express high levels of tolerance for many, but not for all. Retrieved from afrobarometer.org/publications/tolerance-in-africa

explicit that the provision was tabled to “*prevent deviant behavior resulting from Western personal freedoms*” (Fasozine, 2015). Even if the bill was rejected by the interim government at the time, this episode is revealing of the complicated conditions in which African sexual politics evolve (QAYN, 2015; Lennox et al., 2013).

In the past fifteen years or so, legal retrogressions such as the one described in Burkina Faso began to occur in several countries in what could be seen as a chain reaction. Chad’s article 361 (a) of the criminal code criminalized homosexuality with up to 20 years in prison. Burundi passed a law in 2009 which punishes homosexuality with two years’ imprisonment. In 2013, in the Democratic Republic of Congo, a bill criminalizing homosexuality was introduced but rejected. That same year, the former president of The Gambia declared homosexuality “*one of the biggest threats to human existence*” in his speech at the UN General Assembly and, the following year, the Gambia passed the Criminal Code Amendment Act which increased prison sentences for homosexuals. Other similar legal regressions have occurred across the continent (QAYN, 2015), confirming what Ekine (2013) predicted a few years ago, when she said that other states would eventually copy Nigeria’s law against same sex marriage originally tabled in 2006 (the Same Sex Marriage Prohibition Act, finally approved in 2014).

On the other hand, there are also isolated cases to be mentioned in which the signs of positive change glimmer at the horizon. One example is found in recent proceedings of the Kenya Supreme Court accepting the contestation of sections 162 (a, c), and 165 of the colonial era penal code that criminalize sodomy as unconstitutional. As argued by the petitioners, these articles violate the Kenyan constitution because they validate and perpetuate stigma, discrimination and violence towards people of non-normative gender identities and sexualities⁷. In contrast with these auspicious signs, State repressive acts against gender non-conforming persons, particularly in what concerns their right to assembly and political expression have become more frequent and draconian. One recent illustration of this is the case of human rights lawyers and activists who were arrested and jailed for purportedly ‘promoting homosexuality’ in Tanzania.⁸

7 The petition to declare sections 162 a), c) and 165 of Kenya’s Penal code was filed in 2016 by the National Gay and Lesbian Human Rights Commission (NGLHRC), the Gay and Lesbian Coalition of Kenya and the Nyanza Rift Valley and Western Kenya Network (NYARWEK) Retrieved from www.galck.org/repal162/

8 Facing prosecution for challenging HIV policies in Tanzania, article by Wendy Isaack (2017) Retrieved from www.hrw.org/news/2017/10/20/facing-prosecution-challenging-hiv-policies-tanzania

These complex, difficult and shifting political conditions must be addressed, debated and resisted. Yet, these facts are depicted and analyzed at the global level predominantly through the charged anxieties of 'African homophobia'. This anxiety obscures heartening and very positive national legal and policy trends in relation to the rights of gender non-conforming persons such as the 1994 South Africa Constitution and subsequent legal reforms and Court decisions, (The Other Foundation, 2016) the recognition of the rights of people of non-normative sexualities in Cape Verde (Armisen, 2014) and the prohibition of discrimination based on sexual orientation and decriminalization of homosexuality in Mozambique in 2015 (Triode, 2015). 'Homophobic' anxieties also makes it difficult to understand the relevance of political gains achieved at the level of African regional human rights institutions, as for example, the 2014 African Commission on Human and Peoples' Rights first ever resolution on LGBT rights and the granting of formal observer status to the Coalition of African Lesbians at the Commission after a much protracted and widely championed struggle. Traore (2015), in reporting these outcomes assessed them as signs that "the current direction of LGBT rights dialogues in several African countries should give us reason to hope for a better future for Africans of all sexual orientations and expressions."

This obsessive focus on regressions and entrenched 'homophobia of African states and societies' mentioned above has an additional problematic effect: it feeds 'the watchdog' role of international LGBT networks. The narrative of African homophobia provides Western LGBT subjects (and selves) with the proof of their own sexual emancipation against the foil of the subaltern other. Consider, for instance, the literary or filmic work that converts individual biographies into Western narratives of progress (Mohanty, 2003; Rao, 2014). Widely watched documentaries such as *The World's Worst Place to Be Gay*,⁹ by Scott Mills (2011) and *Out There*, by Stephen Fry¹⁰ (2013) showcase the trajectories of white western journalists - Mills and Fry respectively - as the speakers of truth to/about African homophobic power (Rao, 2014). In the first movie, Mills' persecution-free upbringing is juxtaposed against the harrowing life story of the gay Ugandan exile, John Nyombi. Fry's documentary provides a broad stroke generalization of the experience of Mugisha, a trans-man who was raped at the age of 14, became pregnant, HIV positive, and suicidal as "*encapsulating almost every detail of the gay experience in Uganda.*" Such narratives are often 'irresistible' to Western audiences and, even when they might convey important truths, the overpowering projections of their political and visual perspective - for example the numerous on-camera African interviewees clamoring for gays to be killed, apparently without compunction or

9 Retrieved from www.bbc.co.uk/programmes/b00yrt1c

10 Retrieved from www.bbc.co.uk/programmes/p01fttn0

fear of legal or other repercussions - makes it difficult to look at Africa in any other way¹¹.

The African queer manifesto, to which we must constantly return, is structured in an entirely different frame of mind than the ones informing the consternating documentary reporting on Africa homophobia that abounds in the mainstream media. In the texture of the Manifesto, queer life in Africa is not about the horrors of being queer, or the exhausting, fit-inducing labor of pointing out how gender conforming and heteronormative Africans are horrible and unrestrainedly homicidal towards people of non-normative sexualities. The text instead underlines a creative energy that is innate to queerness and greater than the sum of all the horrors constantly described in dominant discourses, and emphasizes the transformative revolutionary energy to which one's mind must be directed when confronting hostile communities or an inhospitable world, or even when thinking of what activism or donor funding is supposed to do for queer people.

One main effect of the anxious, macabre form of storytelling that tends to prevail in global North descriptions and analyses is to create and fix the impression that homophobia in Africa is either circumscribed within the boundaries of nation-states or else essentialized as a specifically African political phenomenon. Ekine (2013) explores how these narratives create both confusion in messaging and difficulty in negotiating strategic transnational coalitions on sexuality matters. In her view, it is unclear if these stories and perspectives are propagated in order to allow Western activists to valorize their interventions or to provide a platform for those who are spoken about to speak in their own voices about their own desires and struggles. But there is also a side effect to be mentioned: these days we also see a growing number of Southern activists deploying these same type of narratives on African homophobia.

These trends, it should be noted, have been resisted and responded to. Dearham (2013), in her research of NGO's and queer women's activism in Nairobi (Kenya) notes that the lesbian women she has heard have set up their own activist groups because the utterly dominant transnational focus on gay oppression did not resonate with their experiences and particular struggles. It is all too easy for transnational identity-based and exceptionalist agendas to occlude the economic and geopolitical environment in which African gender and sexuality politics is embedded. Sara Salem (2012), in her essay "Understanding Women's Movements Historically", written from the perspective of Moslem societies, has also tackled the problem in the following terms:

11 Jungar & Peltonen (2017) note in their paper "there is nor real contextualisation of existing differences in legislation and practices," and "nor is there any kind of analysis or explanation regarding the use, implementation and history of the laws," in reference to an article on LGBT rights in Uganda.

“I realize yet again how difficult it is to speak of women’s issues at an international level. Who defines what freedom is, what equality is, what a woman’s status is? Are women in Europe better off than women in the Middle East (excluding economically)? Who decides that, how is it measured? More importantly, why is it so important for Europeans and Americans to consistently construct themselves as advanced on gender issues, especially as compared to the [allegedly] backwards Muslim world? Why is the first complaint from Europeans/Americans usually about “the way Muslim women are treated”? Whose power interests do these Orientalist stereotypes serve?”

Gender, sexuality, politics of recognition and neoliberalism

The transnational identity-based agenda of rights, which is predominantly used to read and intervene in African sexual politics, inherently aims at calling for recognition by the state, in other words for marginalized queer citizens to be recognized and respected as any other citizen. However, the politics of recognition, when mechanically applied to African conditions, reifies the classical colonial and false binary of modernity and tradition. In the simplified logic of transnational rights-based intervention, the global North, because it recognizes non-heteronormative sexualities is constructed as modern, while in contrast, the ‘pre-modernity’ of African culture is singled out as the main obstacle to rights recognition. In addressing this conundrum, Rose¹², a Minority Women in Action co-founder points towards the rhetorical double bind of the human rights perspective: *“Human rights, the word itself, is Western. But... is it to say that there were never human rights concerns in Africa before colonialism?”* This dichotomy, on the one hand, erases historical and present realities of African sexual and gender diversity, and makes invisible the innumerable pre-colonial understandings and practices of gender and personhood in Africa. On the other hand, the binary simplification obscures how, in Western societies, recognition of rights does not necessarily imply altering structural conditions that render gender non-conforming persons marginal or excluded.

This double bind is what explains, for example, how the recognition of gays in the US is today inextricably linked to the debate on gays in the military. As noted by Puar (2007), this recognition frame co-opts queer struggle into the webs of imperialist military expansionism. In her words, good gays are recognized as those for whom nationalist militarization is a noble patriotic imperative. The recognition of “good” lesbians and the marginalization

¹² Name as used by Dearham (2013) in her research, while not explicit, is understood that the surname is omitted for the safety of the activist.

of ‘bad’ lesbians is another dangerous expression of homonationalist trends and narrow identity politics. These problematic outcomes of struggles for recognition evoke Ossome’s (2013) warning that, “[...] *in perpetual search for mass appeal, social movements are bound to eschew, albeit tacitly, themes and contestations that might compromise their critical broad reach and dilute their effectiveness.*” (p. 40)

More importantly, perhaps, the binaries of good and bad queer people, modern and primitive Africans, are continually renewed and re-energized by the rotaries of neoliberalism. In the particular case of African countries it is generally acknowledged that Structural Adjustment Programs, imposed by the World Bank and the International Monetary Fund, since the 1980s, have deployed massive neoliberal policies that greatly impoverished the whole of Africa and whose effects will be felt long into the future (Shah, 2013). In addition to poverty and inequality as negative outcomes, it is also worth considering other less debated effects of neoliberalism, such as on the ways in which funding streams for women’s and LGBTI rights have been reshaped.¹³

Neoliberalism can be described as a conviction that human life attains its highest form only when it is organized by the free market in which competition and so-called enlightened individual self-interest can flourish. This ethos amalgamates with homonationalist currents by propelling calls and claims to ensure that queer people and queer lifestyles become amenable to the labor market¹⁴, the entertainment industry, labelling and the political establishment, broadly speaking, including the entrance in the armed forces. The effects of neoliberalization are not merely economic. As noted by Phipps (2014), they are political and deeply alter the patterns of self-hood or subjectification:

“Neoliberalism [...] operates with an individualized model of the self which can be seen as both reflecting and producing changed models of social organization and self-identity. [...] Contemporary society is set upon a form of ‘institutionalized individualism’ whereby institutions, employment structures and basic civil, political and social rights are geared to the individual rather than to the group”. (p. 12-13)

13 Another key aspect to be taken into account is that in the past ten to fifteen years a number of African states have offered themselves or have been compelled to become allies of the US War on Terror within a geopolitical frame in which the West is the world watchdog. Thus, African governments, adopting the tenets of neoliberalism imposed by extensive postmodern transatlantic economic exertions, renew their complicity in a Western perspective whose logic demands the declaration of the monstrous other, a perspective which they adopt and remix and deploy on various local scales.

14 The developmental model that segregates organizing is evident in resource distribution: At 10.8 million dollars (32.1%), Africa received the most dollars granted to LGBTIQ organizations and projects in the Global South in 2016 (LGBT Funders, 2016). Not only are funds often tied to bilateral aid for HIV/AIDS work, but of the distribution of LGBTIQ dollars, only 4.6% went to transgender, 2.0% to lesbians and 0.2% to intersex people (LGBT Funders, 2016). The focus on public health further narrows the scope of what it is possible to fund in lesbian organizing.

In that regard, Dearham (2013) also notes that today the “spirit of profiting” is also animating the mode of functioning of a number of donor institutions that began seeking a return from those they fund, because funding is now seen as an investment. As a result, funded organizations and groups are compelled to also adopt methods and outlooks that make them increasingly similar (in terms of ethos and operations) to profit-seeking enterprises. Ossome (2015) considers that critically assessing this trend is dire and urgent for pan-African feminist organizations that, in her view, should be asking and responding to “[w]hat would it mean to place human beings before profits.” This is so because in her view, the neoliberal global order “functions perniciously to undermine the working classes, and implicates the ruling classes... [And] the greatest test is then the ability of feminists to challenge this highly dispersed global order by forging solidarity with workers’ demands as a precondition for progressive pan-African politics”. (p. 21)

Having this frame in mind, African queer feminism is inescapably a struggle against the social costs of neoliberalism, in particular the tendency of rely on empowerment strategies based on microcredit in relation to which feminist should ask ‘*whether women’s increased participation in informal economic activity contributes to their empowerment or their impoverishment.*’ Furthermore, as also noted by Ossome, the rigid focus on these neoliberal inspired empowerment strategies on the individual, her interests and, most principally, her identity is deeply reductionist. In summary, the problem with those who pursue identity politics is that they end up obscuring class issues and, in the process, they lose strategic focus and potential for broader alliances.

How to navigate troubled waters? CAL’s standpoint

In 2016, the Coalition of African Lesbians (CAL) said ‘no’ to the creation of a singular/specific United Nations mandate on human rights and sexual orientation and gender Identity. In the statement CAL expressed the view that the mandate, if established to specifically address Sexual Orientation and Gender Identity (SOGI), would not favor a cross-cutting/transversal approach to human rights work on sexuality and gender rights of all people.¹⁵

CAL’s position in regard to the mandate was informed by an intersectional understanding of gender and sexuality. In our view, the creation of special mandate on Human Rights sexual orientation and gender identity would pull

15 Coalition of African Lesbians says NO to Special Rapporteur on Sexual Orientation and Gender Identity (2016) Retrieved from www.cal.org.za/2016/05/29/activists-brief-coalition-of-african-lesbians-says-no-to-a-special-rapporteur-on-sexual-orientation-gender-identity/

waters to the mills of ‘LGBTI exceptionalism’ or to say it differently, a narrow frame devoted to grant special rights to people of non-normative sexualities. Rather, in our view, it is crucial to address gender and sexuality at the intersection of all domains of struggle and political engagement as to not re-inscribe these dimensions of life at the margins where disenfranchised groups continue to be lost.

Our position in relation to a specifically oriented mandate on sexual orientation and gender identity was informed by our view of and experience with states’ logic. Queer interactions with African states do not evolve in isolation but are also affected and sometimes mediated by United Nations political dynamics. In relation to the mandate, CAL’s main concern was that various African governments that cosigned the resolution for the special rapporteur tended to perceive this commitment as a something separate from their obligations to the social and economic, but also sexual, reproductive and political rights of all peoples. If human rights defined in relation to sexual orientation and gender identity are thus isolated it makes it easier for states to regress back towards affirmations that queer activists and feminists are un-African alien bodies, otherwise why would they need ‘special’ institutions and rights? This perception by African states had been previously manifested in the *African Statement on Sexual Orientation and Gender Identity*, delivered at the 19th Session of the Human Rights Council, in 2011, when the first resolution on human rights, sexual orientation and gender identity was adopted.

In CAL’s perspective, the rights that queer people claim are not “special” but the very same rights that African nations promise to all of their citizens. We fully agree with Jessica Horn (2006) when she succinctly writes that, “[s]exual rights are not ‘new’ sets of rights, but are rather based on the application of existing internationally recognized rights within the domain of the sexual body.” This view is reiterated and expanded in CAL’s statement:

“[W]e believe that we need one Special Rapporteur [or Working Group] to offer additional protections for all rights related to bodily integrity and autonomy under the umbrella theme of sexual and reproductive rights or sexuality and gender. A Special Rapporteur on Sexual Orientation and Gender Identity will block such a possibility and do harm to work by many of us to push for broader protections based on sexuality and gender and so address human sexuality and gender related rights of all people.”

Over and over, we read and hear from diverse queer writers and activists the lemma that is at the heart of CAL’s

radical feminism: ‘*all Africans.*’ CAL’s strategy¹⁶ articulates the word ‘all’ as against and beyond the tendency of both civil society and states to stress and fixate identity categories, which often reinforces conservative agendas, but also creates distractions from other structural issues. This tendency has also fertilized the ground for the argument that sexuality related rights are not human rights to prosper. As it is widely known, this strand is fed by the insistence on the language of gay rights or LGBTIQ rights, which may be effective in some contexts, but that in Africa has contributed to crystallize amongst states the view that sexual rights are ‘new rights’. CAL’s conviction is that sexual right must be placed at the intersection of culture, politics, economics, identity, sexuality, and of every other domain of oppression and expressive liberation. Sexual rights must be exercised as what the African queer manifesto describes as our ‘endless potential’.

This is why when conceiving and designing its various projects in research, advocacy, and activism, CAL draws on the “5+1” political framework¹⁷, which focuses on: heteronormativity and patriarchy; fundamentalisms (economic, religious, political); crisis in democracy; militarism; homophobia and environmental crisis. This framework makes it possible for the network to recognize that the historical conditions in the environments in which we struggle are not geographically, historically, socially, temporally or politically isolated, but rather are globally interconnected. When thinking about oppression and the pathways towards liberation women in CAL always ask two questions: “*what does it mean?*” “*how does it manifest itself?*”. In excavating these questions we found responses that resonate with the Nairobi Declaration emphasis on celebrating our complexities and the need to transform the entire landscape of justice. For that to happen we must revisit and embrace foundational feminist tenets in what concerns the socio-economic, political and cultural factors that produce gender.

CAL’s vision recognizes that subjectivities are socially constructed. We understand that discourse, as a key device of socialization, is inherent to identity formation and self-perception. It determines “truth” in ways that are not always objectively verifiable. For example, certain discourses of gender sustain perceptions and practices regarding a feminine woman that may lead one to consider and believe herself to be weaker than her masculine partner regardless of many evidences to the contrary. The same applies to discourses around the family. For example, in South Africa, women who are heads of households and live surrounded by other women-headed households are more than often compelled to assert that men are heads of households. The ways in

¹⁶ Retrieved from www.cal.org.za/wp-content/uploads/2016/10/CALstrategy2013-2018dc.pdf

¹⁷ Initially developed by Women Human Rights Defenders International Coalition.

which discourses propel reductionist views on identities, experiences and roles is also highlighted by Audrey Mbugua when she writes about *“systematic ploy to erase the transgender community, experiences and lives”* by portraying trans-women merely as one expression of gay men or else by policing them through severely self-disciplining to perform “robotic forms” of femininity. If in the first instance, trans-women’s identities and self-expression is rejected, in the second it is subsumed.

A feminist intellectual and political project that interrogates the social construction of identities allows us to move away from these essentializing discourses and leaves open the possibility for subjectivities to evolve: as we unearth and create alternative discourses and practices we can give rise to new expressions of subjectivity. In this realm, CAL aligns itself with the frame advanced by The Quilt collective when it underlines that:

“In order to tell ethnographic stories honestly and ethically, we must address the multifaceted aspects of our own experiences, explicating what we mean when we name ourselves ‘black’ and/or ‘African’.” (p. 58)

This plastic vision of how identities are constructed and evolve is not exclusive to the provinces of literary work. The Special Rapporteur on the Situation of Women Human Rights defenders in Africa, Madame Reine Alapini-Gansou also emphasizes this multidimensionality in her policy statements, as for example when she lists the overlapping contextual factors that contribute to violations of the human rights of women defenders in Africa: patriarchy, heteronormativity, militarization, religious and other extremisms, and globalization. In the report published in 2014 by ACHPR she names privilege, power relations, female labor roles, structural inequality, lack of sexual autonomy and the use of violence as factors sustaining patriarchy and reminds that that *“[w]hile patriarchy is embedded in cultural beliefs, it is often codified in legislation.”* (p. 27) She also critically retraces how the dualistic division of people into two genders (and concomitant gender roles) came into being and identifies heteronormativity as *“the basis of discrimination against single women, divorced women, and widows ... [and] against lesbians, bisexual women, and trans persons, as it creates a sexual hierarchy of ‘normal’ and ‘abnormal’ sexualities...”* (p. 27)

This understanding is critical for struggles organized around ‘rights’ because quite often rights language is unable to, at the same time, interrogate cultural constructs and contest the asymmetries to which queer people are submitted in their relations with surrounding social formations and the state. ‘Culture’ itself is a troubled terrain better understood as a process rather than a given and we must constantly search for new names and concepts to better grasp how it produces hierarchies. Sokari Ekine, for example, uses the term kyriarchy because,

“rather than patriarchy, which is concerned with the domination of men over women, it allows for a more complicated relationship of power based on multiple intersecting structures of domination such as race, ethnicity, class, sexual orientation and gender.”(p. 80)

CAL follows this pathway because, in our view, the invocation of kyriarchy allows for re-inscribing culture and rights in one powerful frame that prevents divorcing queer feminist struggles from the complex and unequal contexts in which they take place. Against this backdrop, the principles of autonomy, self-determination and political unity are the main guidelines in CAL’s analysis of the environment where it exists but also for organizing and alliance building. And creating alliances is always a main challenge. Queer feminist activism constantly require us to ask ourselves and others how solidarity can be achieved, because desire and need for feminist solidarity is always fraught with tensions. What issues to address? How are they interrelated? How to navigate and articulate these interrelations? What issues are obscured when we articulate the various struggles of people of non-normative sexualities?

What about funding?

Another critical aspect of the environment in which we exist is money. Money is necessary to enable movement building and political work but, at the same time, carries with it complex circuits of power and exclusion. In Africa, as elsewhere, the sources and modalities of funding often circumscribe or even restrict what can be said and done. Quite rarely funding streams allow intersectional programming. Most donors focus on single issues and this tends to propel competition and ‘balkanisation’. However, as complicated as the funding environment may be, we cannot not seriously ask ourselves and others how can strong movements be built without funding in a continent as large and unequal as ours. CAL’s systematic resistance to “single-issue” policies and politics recognizes these complexities and ambiguities. In navigating these we are inspired by Salem’s guidance when she writes that,

*“this does not mean importing western ideas of emancipation, gender equality, or feminism. It means working with what we have, which is a lot, and trying to solve problems from a local perspective.”*¹⁸ (2012, p. 45)

18 Understanding Women’s Movements Historically (2012) <https://neocolonialthoughts.wordpress.com/2012/02/25/understanding-womens-movements-historically/>

In that regard, it is also important to remind that African women of all quarters have always been a part of a vast gamut of liberation movements even when, quite often, they were marginalized by their leaders and participants. As noted by Osome (2015) these engagements were not just about survivalism: *“African women consciously labor out of necessity, but also out of a sense of shared struggle to provide for their communities, undertaken through centuries of dispossession under slavery, colonialism, and under contemporary neoliberal capitalism.”*(p. 14)

The movements she is referring to were fundamentally political. But in the past few decades the professionalization of political organizing has implied a gradual move away from investment in consciousness raising and political ideological analysis, as the core of CSOs action programs. This has led to de-politicization, which is one main challenge faced by CAL in its effort towards movement building in Southern, East and now West Africa. In our vision social justice work must be politicized. CAL’s Autonomy Project that began in Southern Africa mainly focuses on consciousness raising. Then through the aforementioned 5+1 political framework and feminist visions we have engaged in dialogues and coalitions with a myriad of organizations and individual activists as to unpack the ways in which experiences of oppressions even when deriving from the specificities of sexual orientation are also traversed by gender, racial, class and religious dimensions.¹⁹

CAL is not the only African organization whose political work is broadly framed. In recent years, we have witness the birth and development of African led queer funds such as UHAI East African Sexual, Human Rights Initiative (UHAI-EASHRI) and The Other Foundation whose programs are also driven by the need to shift the terms of conversation on resources (money), activisms and donor relations. Wanja Muguongo²⁰ (2012), for example, notes that these new modalities of thinking and organizing are necessary because for many years there has not been much investment in movement building. A critical element of these novel frames is that they allow for local voices to determine funding priorities and counter dominant funding models in which the resource pipeline is what determines actions to be implemented. This is illustrated by the strategy designed by UHAI-EASHRI, among other actors²¹ beyond LGBT organizations, to resist the passing of the Uganda Anti-Homosexuality

19 Autonomy Project, 2017. Retrieved from www.cal.org.za/2017/12/07/launch-autonomy-project-posters/

20 Wanja Muguongo is the founding executive director of UHAI-EASHRI based in Nairobi, Kenya.

21 Health and Development Initiative (HDI)- Rwanda, UHAI- The East African Sexual Health and Rights Initiative (EASHRI)-Kenya, Dr. Ally Possi (Tanzania) together with the Centre for Human Rights, University of Pretoria (South Africa) and the Joint Secretariat of the United Nations on HIV/AIDS (UNAIDS).

Act in 2009.²² In what concerns finding modalities, UHAI and The Other Foundation have recalibrated their accountability parameters by involving activists in the decision making process around resource distribution and by recognizing that individuals outside the collectives with which they work are as crucial to movements as movements are to activism. UHAI describes the type of work they do on their website²³

“UHAI is Africa’s first indigenous activist fund for sex workers and sexual and gender minorities. We support civil society organizing for and by sex workers and sexual and gender minorities with: flexible and accessible grants; capacity support; support for Pan-African organizing and advocacy, including support for activist-determined convening; and knowledge building and documentation...We are committed to identifying and supporting young, nascent ideas, sustaining funding, and accompanying that funding with capacity support in order to grow activist organizations to the kind of structural integrity that attracts further funding.”

Last but not least...

CAL’s core political commitment is to position radical lesbian feminist thought in local, regional and transnational spaces in which the narratives of identity, tradition, protection and morality circulate as a main currencies. But we are also aware of and concerned with the ways in which these narratives overlap with neoliberal visions that delink gender and sexuality politics from broader social justice perspectives. We also view vernacular theorizing, local queer and feminist conceptual production, as an essential part of movement building in Africa.

Not less importantly, if we take seriously the claim that neoliberalism is not simply an abstract set of economic and policy rules to govern societies but a way of thinking, an ideology that materializes in beliefs and practices that frame our private desires and personal motivations, it is necessary to resist it as political formation. This work of resistance requires us to explore anti-capitalist and non-identitarian modes of thinking and practices so as to generate alternative narratives and political worlds. In CAL’s view queering societies means to radically transform the world as we know it in order to create conditions for queer people to be known, for the terms

22 Uganda Report on Violations Based on Sexual Orientation and Gender Identity (2016) Retrieved from www.hirschfeld-eddy-stiftung.de/fileadmin/images/laenderberichte/Uganda/16_10_04_Uganda_Report_on_LGBTI_Violations_2016.pdf

23 UHAI EASHRI Retrieved from www.uhai-eashri.org/ENG/about-us/who-we-are

'queer' or 'lesbian' to become no longer necessary because to be queer and lesbian will be part of flow of social life. Given that neoliberalism means the 'economization' of all spheres of life, it is also imperative to generate counter narratives that challenge the cynicism and seduction of capitalism through our daily practices. For example, while neoliberal dominant frames are centered upon individual competition, performance indicators and investment returns, the queer lesbian work we are engaged with privileges the reclaiming of stories and lives, the possibility of bearing witness to our experiences as a pathway to create the necessary energy and solidarity for all to be able to live as lesbians and people of non-normative sexualities, together, in freedom and pleasure.

CAL's main focus of work are the realities of political organizing, physical security and mental health of people of non-normative sexualities across the African continent. Our work reveals that threats and violations experienced by these persons and groups may indeed favor identity based forms of organizing, especially when and where it is difficult for these groups and persons to engage with and be accepted by other social movements. We have also seen that, in not few circumstances, identity based organizing leads to competition and fracturing. On the other hand, we are also fully aware that the environments in which we move are neither static nor linear but rather variegated as a woven quilt. Consequently, even in contexts where so-called rabid homophobia and the reactionary responses to it seems insuperable, there are interesting developments that open space for freedom.

In that regard, after engaging in the exercise of writing this paper, we realized that despite the important work performed by activists, researchers and thinkers such as Ossome (2013), Basu (2015), Mama (1996) among others, the articulation between the domains of gender and sexuality and the political economy remains underdeveloped. The Queer African Reader tells stories of tom-boys who being unable to pass as feminine girls and women are rejected when in search of formal employment and, years later, find themselves employable. We can also read about discrimination and violence faced by queer individuals at schools, the work-place and other social spaces that negatively affect their ability to be economically secure and autonomous. But after so many years, the knowledge basis on how material self-sufficiency and the ability of persons to express their non-conforming sexual and gender expressions and desires are deeply connected remains partial and incomplete. This is one main challenge ahead in the realm of gender and sexuality research in the African continent.

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