

**Violent Anxiety: The erasure of queer blackwomxn in Post-Apartheid South Africa**

by

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## SUMMARY

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### **Violent Anxiety: The erasure of queer blackwomxn in Post-Apartheid South Africa**

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#### **Summary**

The research problem is aimed at identifying the various ways in which queer blackwomxn are erased in Post-Apartheid South Africa. The three levels of erasure identified are: epistemic, material and symbolic. The manifestation of these different forms of erasure overlaps and facilitates a unique experience of oppression for queer blackwomxn in Post-Apartheid South Africa. Thus, I explore the unique positioning of queer blackwomxn in Post-Apartheid South Africa by interrogating how race, gender, economic standing and sexual orientation affect the way these bodies experience citizenship and belonging.

I use an intersectional approach in answering the questions of how erasure manifests epistemically, materially and symbolically. This approach challenges the singular analysis which ignores how the various identities intersect and create a unique experience of oppression for blackwomxn. Therefore, this approach acknowledges that the different systems of oppression such as racism, patriarchy and heterosexism intersect to create a specific experience for queer blackwomxn.

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**Dedication:**

“I do not want to die with my hands up and my legs open” – Koleka Putuma <sup>1</sup>

Eudy Simelane

Noxolo Nogwaza

Salome Masooa

Sizakele Sigasa

Nonkie Smous

Noluvo Swelindawo

Zoliswa Nkonyana

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<sup>1</sup> Putuma K, *Collective Amnesia* (2017) 59.

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Introduction:

## **Research Problem**

The main research problem in this study is to investigate and make sense of the multiple levels of erasure experienced by queer blackwomxn in South Africa because of their sexual identity and social location. The focus is to address three levels of erasure which manifest epistemologically, materially and symbolically. Epistemological erasure refers to the removal of queer relationships from the history of Africa. Material erasure manifests through violent acts such as murder, rape, physical and verbal abuse. Symbolic erasure considers the systems in place, such as social location, that perpetuate the erasure of queer blackwomxn. The identification of the manifestations of erasure demands an investigation into the causes of this erasure. This requires the interrogation of different systems of oppression which are specifically designed to leave queer blackwomxn unimagined. The study seeks to explore the extent to which queer blackwomxn do not feature in the heteronormative imagination and how this relate to them not being included fully as citizens in a democratic South Africa which remains heterosexist and patriarchal.

## **Terminology**

The subjects of this study are described as “queer blackwomxn.” In consideration of the racial categories which exist in South Africa, “black” is a descriptor used for African bodies. The terminology used in this dissertation to describe same-sex desire and gender expression are interchangeable. Queer is used as an umbrella term to refer to the LGBTIQ+ community. I use the term queer as it not only serves as an umbrella term but describes the point of intersection in queer identifying persons. For black bodies, queerness represents sexual identity as a politic. Cohen criticises queer theory for creating a dichotomy between heterosexuality and queerness by framing anything which subverts heteronormativity as “queer” while neglecting the politics behind the framework.<sup>2</sup>

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<sup>2</sup> Cohen CJ, “Punks, Bulldaggers and Welfare Queens: The Radical Potential of Queer Politics” (1997) *Journal of Lesbian and Gay Studies* vol.3

Queer theory as an intellectual tradition neglects the unique struggles of queer blackwomxn and the intersection of the struggle they face.<sup>3</sup> Queer theory centres assimilation and replication of heterosexuality whereas a radical queer politics calls for the recognition of the struggles that marginalised queer bodies face. In this dissertation, I use the term “queer” as politics by recognising that queer blackwomxn are marginalised for being black, queer and lacking in economic means. All these struggles intersect to exacerbate the experience of violence and non-belonging in Post-Apartheid South Africa. I use the sexual identity of “lesbian” in cases where the parties involved have identified as such or the writer of the source specifically focuses on the lives of lesbian identifying womxn.

The term anxiety refers to the uneasiness projected by society onto queer blackwomxn who are deemed invisible in society as a result of their intersecting struggles which include gender, race and class. The term queer blackwomxn refers both to sexuality and gender. As “queer” has been appropriated by the community as a previously derogatory term, it now serves as an umbrella to various sexual orientations and simultaneously to self-defining gender identity. These bodies are considered as outliers that must conform in order to maintain successful masculinity through “correction”. In this project I aim to unpack what it is about queer black womxn that makes them a target by investigating the root of the anxiety of those who perform the violence against their bodies in a symbolic and material manner.

## Motivation

In this dissertation, I investigate the manner in which the bodies of queer blackwomxn have become the sites for violence in a material and symbolic manner. These bodies have been on the receiving end of violence, which is physical and symbolic in private spaces as well as at a structural level, with the violence serving to silence and further marginalize. The material erasure manifests itself through the physical violence such as rape, murder, physical assault and verbal abuse. The case studies of the murders of Eudy Simelane and Zoliswa Nkonyana serve as an illustration of the precarity of life for

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<sup>3</sup> Cohen CJ, “Punks, Bulldaggers and Welfare Queens: The Radical Potential of Queer Politics” (1997) *Journal of Lesbian and Gay Studies* vol.3

lesbian identifying blackwomxn residing in the townships. The similarity of the cases lies in the fact that both womxn were living openly as lesbians and were living in dire economic conditions.

“No matter what transpires in court, we are going to eradicate all lesbians and gays.” – A group of young men outside the Delmas court.<sup>4</sup>

The above mentioned statement was recorded in and translated from Zulu outside the Delmas court where the trial of the four accused of killing and gang raping Eudy Simelane was heard. The murder and attempted rape of Banyana Banyana captain Eudy Simelane illustrated the manner in which contested masculinity created a site for violence performed on the body of a queer blackwomxn. I describe this masculinity exhibited by queer blackwomxn such as Simelane as contested as recognition of the manner in which the masculinity displayed by queer blackwomxn is viewed as illegitimate and a threat to hegemonic masculinity which is entrenched. This entrenched masculinity gains legitimacy through the notion that it is exclusive to male bodied persons. Therefore “real masculinity” is reserved for “real men”, those biologically described as men because of the presence of a phallus. Simelane was robbed and stabbed 25 times in what the accused tried to disguise as a botched robbery.<sup>5</sup> Furthermore, the accused denied that they had known her; contradicting the motive they had for killing her, which was that they were trying to conceal their identities. The judge in the court a quo dismissed Simelane’s sexual orientation as a motive for the act, a decision which erased an inextricable part of her identity.<sup>6</sup> Simelane was living openly as a lesbian womxn, an identity that she did not conceal as she was a Banyana Banyana star who was well known in the community for her activism for the LGBTIQ+ community and people living with HIV.<sup>7</sup> This failure of recognition entrenches the invisibility of queer blackwomxn in the law and further

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<sup>4</sup> Mkhize N (et al), *The Country We Want to Live in: Hate Crimes and Homophobia in the Lives of black lesbian South Africa* (2010) ix.

<sup>5</sup> <http://www.sahistory.org.za/dated-event/banyana-banyana-player-eddy-simelane-found-raped-and-murdered> (accessed 09 April 2018)

<sup>6</sup> Bearak B, ‘Mixed verdict in South African lesbian’s murder trial’ *New York Times* 22 September 2009 <http://www.nytimes.com/2009/09/23/world/africa/23safrica> (accessed 29 March 2011)

<sup>7</sup> <http://www.sahistory.org.za/dated-event/banyana-banyana-player-eddy-simelane-found-raped-and-murdered> (accessed 09 April 2018)

marginalizes while making justice inaccessible to queer womxn. This erasure is the culmination of material and symbolic violence which are informed by patriarchal ideals. The manner in which the lives of queer blackwomxn remain unimagined in the national imaginary of the country is reflected in the judiciary where a high profile case was closely monitored by activists to ensure that justice would be served. This highlights the distrust as the queer activists viewed the court as incapable of administering justice for a queer blackwomxn. The murder of Simelane reaffirms the notion by Sara Ahmed that society fails to grieve the loss of queer lives because queer lives have yet to be recognised as lives.<sup>8</sup> This sentiment also addresses the onslaught of murders against lesbians residing in South African townships. For queer blackwomxn, their race and social location accelerate their vulnerability and risk to hate-motivated murder. Queer lives are not recognized as lives, a notion which facilitates the violent erasure of queer blackwomxn to be with impunity.

The murder of Simelane was deemed as a shock and significantly heinous as she was a well-known member of the community and was attacked on her way back home in a community where the likes of Nkoli, an LGBTIQ+ activist and icon resided. Simelane was a resident of the township of Kwa-Thema, a place that is notably accommodating to LGBTIQ+ members as many queer persons call it home. Notably, a chapter of GLOW, a network of queer bodies, was located in this township. Additionally, a womxn affectionately known as Mathoko ran a shebeen and safe house for queer youth in Kwa-Thema.<sup>9</sup> In the 1980's, Mathoko housed young queer people who had been ostracised from their families and communities. Her house was also the meeting place for GLOW members to mobilise and discuss queer activism.<sup>10</sup> The history of LGBTIQ+ in the area reaffirms the shock of the community at the commission of this crime. The arrogance of the act was reflected in the performance of violence aimed at asserting that queer persons do not belong. One of the accused who was found guilty on the counts of murder, robbery and being an accomplice to rape, stated that he was not sorry at all.<sup>11</sup> Another such

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<sup>8</sup> Ahmed S, *The Cultural Politics of Emotion* (2004) 156.

<sup>9</sup> [www.gala.co.za/books-and-resources/publications-and-publishing/mathokos-books](http://www.gala.co.za/books-and-resources/publications-and-publishing/mathokos-books) (Accessed 05/05/2018)

<sup>10</sup> [www.gala.co.za/books-and-resources/publications-and-publishing/mathokos-books](http://www.gala.co.za/books-and-resources/publications-and-publishing/mathokos-books) (Accessed 05/05/2018)

<sup>11</sup> Bearak B, 'Mixed verdict in South African lesbian's murder trial' New York Times 22 September 2009 <http://www.nytimes.com/2009/09/23/world/africa/23africa> (accessed 29 March 2011)

victim was Noxolo Nogwaza, a blackwomxn living openly as a lesbian, was killed in the township of Kwa Thema. Her body was found mutilated where a bottle was used to disembowel her and a brick was used to smash her head, fatally injuring her.<sup>12</sup> This attack was orchestrated by a group of men who went to excessive means to destroy and deform her body by pulling her eyes out of their sockets and scattering her teeth around her dead body. In the case of Eudy Simelane, there were stab wounds on her hands, body and the soles of her feet. The excessive means used to kill these womxn reaffirms the rationale of using horrific means to scare lesbian womxn back into the closet. Homosexuality serves as a consistent threat to the supremacy of heteropatriarchy and the violent erasure serves as a deterrent to discourage queer persons, whether identifying as trans, lesbian, bisexual or gay, from coming out.<sup>13</sup>

Heterosexism is recognized as a system of power by the LGBTIQ+ community, which lies congruent to other oppressive systems such as race and class. The framework that allows the oppression of one group by another seemingly dominant group is similar to the abovementioned systems. Much like patriarchy, heterosexism claims dominance as a way of being and thus allows no room for any other sexual identity, as it is claimed as being the norm and thus privileged above the other.<sup>14</sup> Examples of heterosexism include the definition of marriage, which provides that it is a union between a man and a womxn whilst denying the right to marry to queer persons.<sup>15</sup> When queer blackwomxn express their subversive sexual identities, they expose the vulnerability of patriarchy and heterosexism as they challenge what is entrenched as “normal” by providing an alternative which is perceived as a threat.

Simelane’s mother recalls her daughter being disciplined and ostracized in school from the age of four for refusing to wear dresses and skirts whilst insisting on playing soccer with the boys.<sup>16</sup> The school issued a complaint against the young girl by contesting her

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<sup>12</sup> Human Rights Watch ‘“ We’ll show you you’re a woman” – Violence and discrimination against black lesbians and transgender men in South Africa’ (2011) 76

<sup>13</sup> Collins P, *Black Feminist Thought* (2015) 141.

<sup>14</sup> [www.lgbt.unc.edu/sites/lgbtq.unc.edu/files/documents/](http://www.lgbt.unc.edu/sites/lgbtq.unc.edu/files/documents/) (Accessed on 05/05/2018)

<sup>15</sup> [www.lgbt.unc.edu/sites/lgbtq.unc.edu/files/documents/](http://www.lgbt.unc.edu/sites/lgbtq.unc.edu/files/documents/) (Accessed on 05/05/2018)

<sup>16</sup> [www.causeofdeathwoman.com/eudy-simelane](http://www.causeofdeathwoman.com/eudy-simelane) (Accessed on 04/25/2018)

gender and stating that “they were not sure if she was girl or a boy.”<sup>17</sup> This highlights the anxiety of society that demands the binaries of gender to be consistently performed and a deviation creates a tolerance which needs to be rectified. Unfortunately for Simelane, the rectification of what is deemed as an abnormality came at the cost of her life. In a memorial lecture celebrating the life of Simelane 8 years after her murder, Justice Cameron identifies the dangerous position that queer blackwomxn face in Post-Apartheid South Africa. He mentions the intersection between discrimination against womxn and the discrimination against black lesbians as a lethal combination.<sup>18</sup> The project of erasure then becomes twofold, the protection of patriarchy and heteronormativity, the former heavily reliant on the latter. Womxn such as Eudy who are economically vulnerable find themselves hyper visible and easily accessible targets to beneficiaries of patriarchy who are invested in erasing that which challenges the norm. Cameron further describes transphobia and homophobia as violent means of social control.<sup>19</sup> The murder of Noxolo Nogwaza and Zoliswa Nkonyana illustrate the violent means of attaining sexual control which Cameron speaks of.

19-year-old Zoliswa Nkonyana was killed in Khayelitsha, a township outside of Cape Town, after an altercation at a tavern about “tomboys” using the gendered toilets that were assigned to womxn.<sup>20</sup> The 9 men who followed her home killed her while expressing the sentiment that they hated lesbians and that was why they killed her.<sup>21</sup> Of the 9 accused, 5 were acquitted and in sentencing the rest, the court regarded it a necessity to highlight that hatred and intolerance stemming from difference could not be tolerated in society.<sup>22</sup> The case was postponed 50 times highlighting the manner in which the lives of

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<sup>17</sup> [www.causeofdeathwoman.com/eudy-simelane](http://www.causeofdeathwoman.com/eudy-simelane) (Accessed on 04/25/2018)

<sup>18</sup> Cameron E, *Memorial Eudy Simelane Lecture*

[http://ujamaa.ukzn.ac.za/Libraries/manuals/Cameron Eudy Simelane Memorial Lecture Thursday 7 April 2016](http://ujamaa.ukzn.ac.za/Libraries/manuals/Cameron_Eudy_Simelane_Memorial_Lecture_Thursday_7_April_2016) (Accessed 04/25/2018) 4.

<sup>19</sup> Cameron E, *Memorial Eudy Simelane Lecture* [www.ujamaa.ukzn.ac.za/Libraries/manuals/Cameron-Eudy-simelane-lecture-thursday-7-april-2016](http://www.ujamaa.ukzn.ac.za/Libraries/manuals/Cameron-Eudy-simelane-lecture-thursday-7-april-2016) (Accessed 04/05/2018) 5.

<sup>20</sup> Mkhize N et al ‘The country we want to live in – Hate crimes and homophobia in the lives of black lesbian South Africans’ (2010) *Human Sciences Research Council* 9.

<sup>21</sup> Mkhize N et al ‘The country we want to live in – Hate crimes and homophobia in the lives of black lesbian South Africans’ (2010) *Human Sciences Research Council* 9.

<sup>22</sup> <http://www.politicsweb.co.za/party/zoliswa-nkonyana-case-finally-reaches-conclusion> (Accessed on 04/05/2018)

queer blackwomxn remain dispensable while they remain vulnerable because of their hypervisibility in urban areas such as townships.

The misconception which informs these violence of erasures is that queer blackwomxn who present as masculine have the desire to be men. The rationale is informed by the fragility and volatility of masculinity which relies on the subjugation of womxn in order to remain in place. Masculine presenting queer blackwomxn challenge the entrenched and societally accepted model of masculinity by presenting alternative masculinities.<sup>23</sup> In the rape of Zukiswa Graca, a womxn who was raped first at age 15 and again at age 20, the perpetrator attempted to legitimize the act by stating that “[he] hated lesbians and was going to show that she was a womxn and that he was a man who had power over her”.<sup>24</sup> This statement is loaded with the toxic masculinity model of being a man. It further links to what Lock Swarr calls “successful masculinity”, a masculinity which is based on the control and forced gender conformation of womxn.<sup>25</sup> I argue in the first chapter that the debasement project of queer blackwomxn in the manifestation of physical erasure is based on the notion that they challenge gender expectations and remain firstly undesirable and secondly, unattainable to heterosexual men.

Gqola offers commentary on the social control of womxn that patriarchy is based on by highlighting that masculinity demands of womxn to subscribe to a constructed femininity that produces a tired and beaten womxn perpetually working at making herself smaller.<sup>26</sup> This includes the commercial narrative of womxn constantly needing to adjust their bodies and minimize odours, hair and presentation in order to fit the ideal of femininity.<sup>27</sup> Masculine presenting womxn who fail to be malleable through the aid of this type of control defy yet another gender norm entrenched by patriarchy. Womxn such as Simelane and Nogwaza, through their masculine presentation undermine societal expectations that

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<sup>23</sup> Lock Swarr A, “Paradoxes of Butchness: Lesbian Masculinities and Sexual Violence in Contemporary South Africa” (2012) *Signs* vol. 37 965.

<sup>24</sup> Hazelton L, ‘Raped for being gay: Scourge of South African sex attacks which men claim will “cure” women of being lesbian’ (2011) <http://www.dailymail.co.uk/news/article-2055289/Corrective-Rape-South-Africa-women-attcked-cure-lesbians.html> (accessed 22 August 2018).

<sup>25</sup> Lock Swarr A, “Paradoxes of Butchness: Lesbian Masculinities and Sexual Violence in Contemporary South Africa” (2012) *Signs* vol. 37 965.

<sup>26</sup> Gqola P, *Rape: A South African Nightmare* (2015) 39.

<sup>27</sup> Gqola P, *Rape: A South African Nightmare* (2015) 39.

are in place to encourage and enforce desirability, thus creating a womxn that does not advance patriarchal standards of femininity while simultaneously rejecting advances of being controlled by a man.

The violent acts are orchestrated with impunity in the presence of heterosexual and non queer identifying womxn as queer blackwomxn do not fit into the imaginary of what it is to be a womxn. Violence runs within the thread of the South African society as it is entrenched in history.<sup>28</sup> This violence has not been confronted in Post-Apartheid South Africa, judged by the rate of gender based violence in the country. As recorded in a Human Rights Watch report, the normalization of certain behaviours of womxn make others who are perceived to be deviant such as lesbians womxn and transgender persons, potential targets as they fail to conform to the norms that have been imposed through patriarchal cultural norms.<sup>29</sup> It is then a societally agreed upon contract that is entrenched that womxn and men have to appropriately express themselves in a certain manner so as to not affect the balance in society.<sup>30</sup>

The motivation behind these acts is to correct those who fail to fit into the heteronormative imaginary of contemporary South Africa. Examples of symbolic erasure include the silencing of queer blackwomxn in the queer community because of their social location. Therefore, class and race play a factor in that symbolic power belongs to middle class white men who have the means to belong to a society and remain safe in that society because of the privilege of being white and financially stable.

As these bodies similarly fail to fit into the mould of the “African womxn”, a recurring and constant violence occurs as they are considered pariahs in their community, the violence of non-belonging and thus being left out of the imaginary of the envisioned oppression free South Africa of post 1994. In the recorded incidents of hate rape and murder performed against these bodies, the judiciary has failed to successfully convict

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<sup>28</sup> Gqola, P “How the ‘cult of femininity’ and violent masculinities support endemic gender based violence in contemporary South Africa” (2007) *African Identities* 111-124.

<sup>29</sup> Human Rights Watch “‘We’ll show you you’re a woman’ – Violence and discrimination against black lesbians and transgender men in South Africa’ (2011) 16.

<sup>30</sup> Lock Swarr A, “Paradoxes of Butchness: Lesbian Masculinities and contemporary violence in South Africa” (2012) *Signs* vol.4

perpetrators of these crimes by recognizing the sexualities of the victims as a major motivating factor of the crimes. Therefore, a symbolic erasure occurs in this instance as the law leaves lesbian womxn out of the imaginary of the society by treating rape as a heteronormative attack completely disregarding the identity of the victims. Queer black womxn who are masculine presenting, threaten the status quo of gender binaries and adopt a masculinity which is subversive and incongruent to the brand of masculinity which is based on the ownership of and accessibility to the womxn.<sup>31</sup>

The focus of this dissertation is on the violence experienced by black masculine presenting queer womxn and the anxiety produced in response of to their identity. The importance of the dissertation lies in identifying the different forms of erasures experienced by these bodies. The upsurge of queer blackwomxn being killed and raped in hate motivated attacks has served as a basis for the re-victimization of those bodies by the judiciary. The law refuses to adequately acknowledge sexual orientation as motive for a crime. The judge in the Simelane case demonstrated the heterosexual manner in which the law views rape while erasing the existence of queer bodies. Simultaneously, the experiences and unique struggles of queer blackwomxn remained ignored by the broader LGBTIQ+ community which refuses to recognise the unique positioning of queer blackwomxn in Post-Apartheid South Africa. Thus it is important to investigate what influences the perpetrators of the crimes to plunder queer bodies with impunity and where the complacency of the system emanates from.

## Research Questions

1. How does epistemological erasure propagate the violence against queer blackwomxn?
2. To what extent are queer blackwomxn being erased in a material manner?
3. In which manner is this erasure of queer blackwomxn symbolic?

## Theoretical Approach

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<sup>31</sup> Lock Swarr A, "Paradoxes of Butchness: Lesbian Masculinities and contemporary violence in South Africa" (2012) *Signs* vol.4

I approach the subject from a black feminist perspective. The key approach of the project is that of intersectionality, a paradigm that states that oppression cannot be reduced to only one fundamental type, but that there are various oppressions that intersect and create a specific type of injustice.<sup>32</sup> With this approach, there is clearly no fundamental oppression as they all intersect. Patricia Hill Collins mentions that sexuality is a specific site for intersectionality where the intersecting oppressions meet.<sup>33</sup> This means that heterosexism, class, race and gender as systems of power merge. Conversely, blackwomxn's sexualities can be viewed as subversive as they are a tool of resistance, reclaiming what was previously used to dominate as a means of empowerment. I believe that this self-defining by blackwomxn who are queer is the resistance which is being attacked materially and symbolically.

Crenshaw and Lorde have written about the intersectionality of blackwomxn and the dangerous analysis of oppression from a single axis that leaves blackwomxn unimagined.<sup>34</sup> Considering the social and spatial positioning of queer blackwomxn, socio-economic factors dictate how these bodies experience oppression. In the cases of sex and gender discrimination, the analysis focuses on the effects of sexism and gender discrimination on the privileged class being white womxn and fails to acknowledge the burdens that befall blackwomxn because of their positionality.

To import this argument to blackwomxn in South Africa would require the recognition of queer rights being advocated from the starting point of white queer bodies as black queer womxn remain invisibilized. Crenshaw seeks to centre the experience of blackwomxnhood in an attempt to contrast the multidimensionality of these bodies' experience with the single axis analysis that misrepresents the experience.<sup>35</sup> This single dimension axis treats the experiences of womxn in a totalized manner and erases the narrative of blackwomxn. By importing the theory of intersectionality to queer blackwomxn

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<sup>32</sup> Collins P, *Black Feminist Thought* (2015) 18.

<sup>33</sup> Collins P, *Black Feminist Thought* (2015) 128.

<sup>34</sup> Crenshaw K, "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics" (1989) *University of Chicago Law Forum* 139 and Lorde A, "An Open Letter to Mary Daly" (1984) *Sister Outsider* 66.

<sup>35</sup> Crenshaw K, "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics" (1989) *University of Chicago Law Forum* 139.

in South Africa, it becomes glaring that the analysis of queer rights and discrimination in South Africa occurs on the single categorical axis and queer blackwomxn remain unimagined as non-citizens. An example of this is latent in the manner in which Ditsie was questioned and effectively mistreated by her GLOW counterparts for choosing to be vocal at UN as a black lesbian womxn. Ditsie recognized the manner in which oppressions manifest differently within the queer community for white queer bodies, black gay men and black lesbians. This incident which caused Ditsie to disassociate from the GLOW movement reiterates the unique positioning of queer black womxn.

Muholi and Lorde both use the interesting descriptor of “sister outsider” or “inside/outside” to describe the precarious position of queer blackwomxn belonging to a larger marginalized group but remaining on the periphery because of their queerness.<sup>36</sup> In the case of Ditsie, lesbian blackwomxn found themselves in the margins of a queer movement because their challenges were not seen as urgent and worthy of more attention than issues affecting queer men.

In feminist scholarship, queerness continues to be regarded as an auxiliary to the feminist agenda with lesbianism being tolerated as an alternative lifestyle. In a paper titled “Compulsory heterosexuality,” Rich makes the following statement:

Feminist theory can no longer afford merely to voice a toleration of "lesbianism" as an "alternative life-style," or make token allusion to lesbians.<sup>37</sup>

The point where queer theory overlaps with Feminist theory should reflect the radical politics that chastises the exclusion of queer black bodies. The assertion made by Cohen that queerness should be regarded as a politic rather than just another end to a dichotomy places an obligation on feminist scholarship to confront compulsory heterosexuality.

In an open letter to Mary Daly, Lorde chastises the tendency of white feminism that regards patriarchy as a system of oppression that affects womxn across the board the same instead of acknowledging that the experiences of womxn are not homogenous and

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<sup>36</sup> Lorde A, “An Open Letter to Mary Daly” (1984) *Sister Outsider* 66 and Muholi Z, “Thinking through Lesbian Rape” (2004) vol. 61 120.

<sup>37</sup> Rich A, “Compulsory Heterosexuality and Lesbian Existence” (1980) *Signs* 631.

totalized.<sup>38</sup> This erroneous understanding of systems of oppressions affecting a group that shares a common identity allows the privileged constituents of the group to expunge themselves from culpability. This means that white feminism allows the blame to befall patriarchy while failing to acknowledge that oppression can exist within the marginalization of the group. Cohen challenges the configuration of queer theory as it presents heterosexuality and queerness as a dichotomy, therefore hindering the capability of queerness developing into a politic that effectively challenges heteronormativity.<sup>39</sup> The critique befalls on the manner in which queerness follows a framework that apologizes for difference and aims to highlight that queer bodies are the same as heterosexual bodies but for their queerness. This addresses the tendency of queer bodies to conform to heterosexual norms and replicate institutions such as patriarchy and racism which operate parallel to homophobia and heterosexism. Understanding the analysis by Cohen means understanding that a mutual oppression does not negate the unique positioning of queer “people of colour” who are not privileged by other dominant oppressive institutions such as patriarchy and race.

The problematic nature of both feminism and Western queer theory resides in the failure to recognize and advocate for the bodies residing at the margins that are refused full citizenship and belonging by interlocking oppressions. While feminism opposes patriarchy, the agenda and scholarship should include the challenging of compulsory heterosexuality. The framing of compulsory heterosexuality still revolves around what womxnhood means to white womxn.<sup>40</sup> The framing of compulsory heterosexuality does not extend to the traditional norms that burden queer blackwomxn and act as a cause for their erasure. Western conceptions of compulsory heterosexuality in feminism still uses a lens that is exclusionary of blackwomxn and most particularly, queer blackwomxn. The framing of lesbians still reflects the lived experiences of white womxn.

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<sup>38</sup> Lorde A, “An Open Letter to Mary Daly” (1984) *Sister Outsider* 66.

<sup>39</sup> “Punks, Bulldaggers, and Welfare Queens: The Radical Potential of Queer Politics?” (1997) *GLQ* vol. 3 441.

<sup>40</sup> Rich A, “Compulsory Heterosexuality and Lesbian Existence” (1980) *Signs* 631.

## Overview of Chapters:

The structure of this dissertation is intended to show the way in which the epistemic, material and symbolic forms of erasure overlap. Chapter one aims to address the epistemic erasure that perpetuates heterosexism and patriarchy. The initial chapter is intended to act as the foundation for the understanding of the symbolic and material erasure that queer blackwomxn experience in Post- Apartheid South Africa. The chapter explores the introduction of entrenched gender binaries that continue to inform gender norms that are imposed on African womxn in the contemporary sense. Additionally, the chapter serves to show the manner in which the imposition of colonial laws and religion created a legislative framework that is currently used as a basis for anti-homosexuality laws. These colonial impositions played an instrumental role in forming societies that adopted western attitudes towards gender and sexuality while discarding the history of queer relationships.

Chapter two illustrates the various ways in which material erasure manifests. These manifestations include hate rape and murder of queer blackwomxn. The attitudes which inform violent masculinities that uphold patriarchy are expanded upon in chapter one and illustrated in chapter two. Therefore, chapter two illustrates the manifestation of these attitudes through violent acts by looking at material erasure.

Chapter three focuses on the symbolic erasure of queer blackwomxn in Post-Apartheid South Africa. These erasures manifest through the manner in which queer blackwomxn fail to belong to the heteronormative Post-Apartheid South African society. The way that queer blackwomxn experience access to the law and exclusion from the LGBTI+ community highlights that they fail to exist as full citizens in society.

Through these chapters, I aim to illustrate the manner in which queer blackwomxn in Post-Apartheid experience erasure on multiple levels.

## Chapter 1: Epistemicide in the making of queer history

### 1.1 Introduction:

The main research problem in this study is to investigate different forms of erasure experienced by queer blackwomxn in South Africa. The research question that directs this chapter is the manner in which epistemicide leads to erasure.

Epistemicide refers to the death of indigenous knowledge due to the imposition of Western knowledge systems.<sup>41</sup> As mentioned by Grosfoguel, westernized learning institutions facilitate the creation of Western knowledge systems as hegemonic while knowledge from other world regions have been relegated to an inferior status.<sup>42</sup> In this chapter, I explore epistemicide as erasure in terms of the removal of queer relationships from the history of Africa. This epistemicide facilitates the symbolic and material erasure of queer blackwomxn in Africa because the history of their existence is removed. The erasure of knowledge systems is a project undertaken by the Global North which “monopolizes ways of knowing through mono-cultural and monolingual means that sustain capitalism, colonialism, patriarchy and all their satellite oppressions.”<sup>43</sup> In reference to Wyse, I posit that colonialism introduced new ways of understanding gender and sexuality which was incongruent to existing practices.<sup>44</sup> This epistemicide sought to uphold patriarchy and heterosexuality as universal systems.

In this chapter I address epistemic erasure in order to provide a historical foundation to further understand the erasure of queer blackwomxn which emerges at a material and symbolic level, as discussed in chapter two and three respectively. This involves an

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<sup>41</sup> Grosfoguel R, “The Structure of Knowledge in Westernized Universities: Epistemic Racism/ Sexism and the Four Genocides/ Epistemicides of the Long 16<sup>th</sup> Century” (2013) *Human Architecture: Journal of the Sociology of Self-Knowledge* 74.

<sup>42</sup> Grosfoguel R, “The Structure of Knowledge in Westernized Universities: Epistemic Racism/ Sexism and the Four Genocides/ Epistemicides of the Long 16<sup>th</sup> Century” (2013) *Human Architecture: Journal of the Sociology of Self-Knowledge* 74.

<sup>43</sup> Wyse JP, “Epistemologies of the South: justice against epistemicide” (2015) *Contemporary Sociology* 843.

<sup>44</sup> Wyse JP, “Epistemologies of the South: justice against epistemicide” (2015) *Contemporary Sociology* 843.

investigation into certain frameworks which have become entrenched, including Western constructions of gender, religion and race. The law, as a Western construction, criminalised homosexuality during colonialism and has remained pervasive in some countries in post-colonial Africa. In South Africa, the practice of punitive rape, incorrectly named “corrective rape”, illustrates the legacy of the criminalisation of homosexuality as immoral. The phrase “homosexuality is UnAfrican”<sup>45</sup> requires an interrogation of the history of Africa in both the pre-colonial and post-colonial set-up in order for it to be challenged and denied legitimacy. The popular adage used to justify these acts of violence against the bodies of queer blackwomxn succinctly illustrates the interwoven nature of Western constructions of gender, race, religion and the law. In this chapter, I illustrate how the abovementioned frameworks continue to impact negatively on the lives of queer blackwomxn as their existence subverts the ideal colonial frameworks of compulsory heterosexuality based on religious dogma which entangles the law to create and police a society based on religious beliefs.

The aim of this chapter is to identify the epistemic violence that has played a consequential role in the continued discrimination of queer black bodies in Africa. In this chapter, I track the histories of Commonwealth countries in Africa and the trajectory of LGBTIQ+ rights since the arrival of colonialism. The effect of colonialism introduced compulsory heterosexuality in communities that neither condemned nor advocated for queer relationships. Primarily, I contrast and identify similarities stemming from the effect of Christianity, the entanglement between law and religion as well as the invention of womxn and the construction of masculinity. Lastly, this chapter identifies the existence of queer relationships between womxn in Africa.

Research on the epistemic violence of queer blackwomxn is not without limitation as scholarly work done on the existence of homoerotic relations remains androcentric. As mentioned further on in the chapter, the interests of scholarly studies into a queer pre-colonial Africa revolve around homosexual relations between men. The consequence of

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<sup>45</sup> See in general Msibi T, “The lies we have been told: on (homo)sexuality in Africa” (2011) *Africa Today* vol.58.

such an androcentric approach preserves funding for a singular project which focuses on the rights of queer men.

It is this androcentric viewpoint that results in scholars such as Mama to interrogate the lack of study into African sexualities, which excludes the study of lesbianism and revolves around the homophobic narrative.<sup>46</sup> Through the analysis conducted by Mama, it is apparent that queer studies in Africa remains repressed. Queer studies in Africa reflect a neo-imperial framework which does not legitimately record African queerness in its authenticity. Therefore, the archiving of queer relationships remains underrepresented and is currently saturated with reports of state sanctioned homophobia as that is the data which is accessible.<sup>47</sup> The trope of Africa being a hotbed for ignorance, backwardness and gross human rights violations is replayed in the global media while minimal consideration occurs as to the cause of state sanctioned homophobia on the continent. Although South Africa diverges from the rest of the continent in its recognition of LGBTIQ+ rights, the challenge manifests through the reflection of these rights at a grassroots level. Queer black bodies face structural violence as they have no access to public institutions such as clinics and schools because of the symbolic violence they face. Furthermore, queer blackwomxn in South Africa live in constant danger of experiencing material violence with no recourse because structures such as healthcare and law enforcement are inaccessible.

In South Africa, the crime of sodomy was directed at homosexual relations between men.<sup>48</sup> This reaffirms the constructed masculinities which exist in South Africa and the attempts of upholding this masculinity through criminalising “sodomy” and same sex relationships. This highlights the colonial project which was invested in entrenching categories such as masculinity and femininity as rigid as opposed to it acting as a spectrum. Simply put, men were expected to reproduce the colonial ideal of masculinity and womxn were expected to remain in the designated group of femininity which assigned appropriate behaviour.<sup>49</sup> The policing and introduction of entrenched discrimination

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<sup>46</sup> Mama A, *Women's Studies and Studies of Women in Africa during the 1990's* (1996) 39.

<sup>47</sup> Msibi T, “The lies we have been told: on (homo)sexuality in Africa” (2011) *Africa Today* vol.58 56.

<sup>48</sup> Msibi T, “The lies we have been told: on (homo)sexuality in Africa” (2011) *Africa Today* vol.58 53.

<sup>49</sup> Msibi T, “The lies we have been told: on (homo)sexuality in Africa” (2011) *Africa Today* vol.58 53.

against same sex relationships occurred through the tragic entanglement of religion and the law.<sup>50</sup> The construction of masculinity from colonialism to Apartheid allows me to draw a conjecture on why gender binaries and roles perpetuate the hateful performance of erasure on queer bodies. I posit that this era in history, although not a universal experience throughout Africa, was instrumental in creating what is perceived as universally acceptable effigies of man and womxn.

The legacy of colonialism permeates the contemporary existence of queer blackwomxn as colonialism was instrumental in the construction of gender identities and masculinity. The introduction of Christianity and Islam has undeniably triggered a religious based hatred for queer people as they do not mirror ideals of nuclear families and reproduction. A historical overview of the language used to describe same sex desire illustrates that “homosexuality” was meant to be a derogatory term tantamount to the naming of a crime.<sup>51</sup> In the 19<sup>th</sup> century, homosexuality was a term used to denote sickness for those who expressed same sex desire.<sup>52</sup> Laws criminalising sodomy and policing the intimate relations of people also had the adverse effect of the law trespassing deeply into the personal lives of the constituents of its land. Homosexuality was reduced to a series of unnatural acts for which actors would be criminalised. A historical overview of the effects of colonialism on gender relations in the contemporary space provides a concrete basis as to why queer blackwomxn are persecuted. Additionally, the system of Apartheid played a prominent role in the construction of violent masculinities.

While this chapter aims to illustrate the epistemicide that characterises queer relationships and their archiving in Africa, the research is not without challenges. As I discuss, the research available is predominantly presented from a Western standpoint, which erases the authenticity of the history. Additionally, the historical accounts of colonialism remain largely androcentric and thus disregard the effect of colonialism on queer womxn and negate the generational trauma that was meted on the bodies of blackwomxn. As mentioned by Msibi, “labelling same sex desire as UnAfrican represents

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<sup>50</sup> Pattman R, “The beer drinkers say I had a nice prostitute but the church goers talk about thins spiritual” (2001) Morrell R (eds ) *Changing Men in Southern Africa* 236.

<sup>51</sup> McIntosh M, “The Homosexual Role” (1968) *Social Problems* vol. 16 182-192.

<sup>52</sup> McIntosh M, “The Homosexual Role” (1968) *Social Problems* vol. 16 182-192.

a façade that conceals neo-conservatism and a resurgence of patriarchy coated in the constructs of religion, nationalism and law.”<sup>53</sup> Therefore the role of anxious masculinities, those concerned with being unseated and displaced, is to perpetuate the agenda that homosexuality is UnAfrican. I posit that the threat of structural discordance manifests through the subversive masculinities that are embodied and portrayed by queer blackwomxn as well as the threat that black queer men are not taking their masculinity seriously.

The lack of scholarship into the existence of queer relations between womxn contributes to epistemicide and the erasure of knowledge on a historical basis. Epistemicide is instrumental in the process of othering. With regard to queer blackwomxn, the epistemicide that served to erase their existence is often used as an excuse for the violence meted against them. The perpetuation of this violence is based on the fact that queer womxn remain invisible in history, an erasure which enables the homophobia and violent disciplining of queer blackwomxn.

As these histories and archiving remain saturated by the accounts of Western anthropologists and the legacy of colonialism remains to serve a patriarchal agenda, knowledge of queer blackwomxn will remain in the periphery and unimagined. Queer blackwomxn are perceived to be performing a sexual orientation that offends traditional African notions of femininity and purposefully disrupting the status quo.

In order to understand epistemic violence in the African context, it is important to acknowledge the interdependence of epistemicide and symbolic violence. Bunch succinctly illustrates this interdependence of epistemic violence and symbolic power.<sup>54</sup> Expanding on the conceptualisation by Bordieu, Bunch describes symbolic power as a concept which regards those who are in possession of power as the ones with the capacity to create a worldview.<sup>55</sup> This worldview, which is created by the holders of such a power, may be misappropriated as the only acceptable view. Considering the concept

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<sup>53</sup> Msibi T, “The lies we have been told: on (homo)sexuality in Africa” (2011) *Africa Today* vol.58 55.

<sup>54</sup> Bunch AJ, “Epistemic Violence in the Process of Othering: Real- World Applications and Moving Forwards” (2015) *Scholarly Undergraduate Research Journal at Clark* vol.1 11.

<sup>55</sup> Bunch AJ, “Epistemic Violence in the Process of Othering: Real- World Applications and Moving Forwards” (2015) *Scholarly Undergraduate Research Journal at Clark* vol.1 11

of symbolic power, Tamale dissects the meaning of the adage “knowledge is power”.<sup>56</sup> The common understanding of this phrase is that education is powerful tool. However, Tamale presents an alternative understanding that directly relates to the capacity of those in possession of power to determine what the content of the “knowledge” is.<sup>57</sup> There exists a double meaning in the adage as it can be understood as the creators of knowledge have the power to dictate what is considered to be legitimate knowledge.<sup>58</sup> This is evident in the manner in which queer relations have been archived in Africa. The Western conceptions which saturate history, reflect Africa as what Western sociologists have seen and not necessarily as what it was.

The epistemicide also manifests through the rhetoric that Africa was devoid of history before colonialism.<sup>59</sup> Oyewumi describes three traditions of history which exist in Africa.<sup>60</sup> The first consists of the history which exists through oral tradition, the second is history as a lived experience and the third is history as written.<sup>61</sup> The third category of history is deeply entangled with Western engagements with Africa.<sup>62</sup> This prominent recording of African history is culpable in the erasure of queer relationships in Africa. These relationships are also recorded through a Western lens that either describe these as symbiotic or refuse to include Africanness in queerness. The danger of this archiving is addressed by Njambi and O’Brien who chastise Western anthropology that framed same-sex marriages between womxn in Africa as merely symbiotic.<sup>63</sup> Epistemic violence can therefore link to symbolic violence as those who have this world making power also have the capacity to map out discourse which further advances their view of the world. The

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<sup>56</sup> Tamale S, “Exploring the contours of African Sexualities: Religion, law and power” (2014) *African Human Rights Law Journal* vol.14.

<sup>57</sup> Tamale S, “Exploring the contours of African Sexualities: Religion, law and power” (2014) *African Human Rights Law Journal* vol.14 155.

<sup>58</sup> Tamale S, “Exploring the contours of African Sexualities: Religion, law and power” (2014) *African Human Rights Law Journal* vol.14 155.

<sup>59</sup> See Oyewumi O, *The Invention of Women* (1997).

<sup>60</sup> Oyewumi O, *The Invention of Women* (1997) 80.

<sup>61</sup> Oyewumi O, *The Invention of Women* (1997) 80.

<sup>62</sup> Oyewumi O, *The Invention of Women* (1997) 80.

<sup>63</sup> Njambi WM & O’Brien WE, “Revisiting “woman-woman marriage”: notes on Gikuyu women” (2000) *NWSA Journal* vol.12 149.

holder of symbolic power in this regard would be hegemonic masculinity, which is inherently patriarchal, homophobic and heterosexist.

The purpose of epistemic violence as a project of othering ensures the marginalisation of those considered different.<sup>64</sup> This can be seen in the fact that reports of homosexuality existing in Zimbabwe have not been prevalent in the discussion of sexuality and the focus has largely remained on the comments made by previous President Robert Mugabe who condemned homosexuality as UnAfrican.<sup>65</sup> African cultures are often riddled with the practices of discretion, a policy of don't ask and don't tell.<sup>66</sup>

In this Chapter, I expose the queer relationships that have existed in Africa as well as unpack the reasoning behind the erasure of this narrative. This implicates charismatic Christianity as well as traditional practices which continue to centre heterosexuality as legitimate in the discourse surrounding sexuality.

The use of the work by Oyewumi on the invention of womxn is intended to create the basis for the understanding of entrenched gender roles in Africa. As is mentioned in the chapter, these gender roles play an instrumental role in the erasure of queer blackwomxn. Queer blackwomxn subvert these gender roles that were introduced in Africa as universal and unchanging. I use Nigeria as an example of the introduction of gender norms because it is a Commonwealth country colonised by the British and thus bears similarity to South Africa, Uganda, Ghana, Malawi and Zimbabwe, which are all Commonwealth countries.

The section on the existence of queer relationships in Africa is intended to challenge the narrative that homosexuality did not exist in Africa. Queer relationships in the commonwealth countries during the pre-colonial era were erased by the introduction of Christianity and British Penal laws which criminalized homosexuality and the practice of expressing same sex desire. The introduction of the criminalization of homosexuality saw the induction of heteronormativity as universal and compulsory. The concealing of queer

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<sup>64</sup> Bunch AJ, "Epistemic Violence in the Process of Othering: Real- World Applications and Moving Forwards" (2015) *Scholarly Undergraduate Research Journal at Clark* vol.1 12.

<sup>65</sup> <http://governance/homosexuality-really-unafrican> <https://www.pambazuka.org/>

<sup>66</sup> Epprecht M, "The unsaying of indigenous homosexualities in Zimbabwe: mapping a blindspot in an Africa masculinity" (2007) *Journal of Southern African Studies* vol. 24. 635.

relationships in favour of performing heteronormativity is a consequence of the epistemicide as the presentation of heterosexuality as a norm and homosexuality as deviant further erased queerness. Therefore, the induction of heteronormativity had and continues to have the effect of erasing queer bodies.

## 1.2 The invention of womxn:

With this subheading I draw on the book by Oyewumi, *The Invention of Women*.<sup>67</sup> The broad argument of the book is that gender as it is presently understood is a framework which is incongruent to the relations that bodies residing in pre-colonial Africa had. As formulated by Oyewumi, the roles performed by womxn in the Yoruba society were not informed by the biological aspect but rather informed by the position held by the person in the family or broader society.<sup>68</sup> Although colonialism was instrumental in imposing gender binaries and norms, Oyewumi notes in this body of work how blackwomxn were and continue to be excluded from the discourse on colonialism and its effect on colonial subjects.<sup>69</sup> In particular, I utilise the arguments made by Oyewumi to interrogate the imposed western conception of gender on Africa and how this construct has entrenched norms and roles that black queer bodies are seen to breach.

European societies are organised around gender. The European's preoccupation with the visual and the physical serves as the source for the race and gender categorisation.<sup>70</sup> This categorisation created a four level tier with white men forming the apex, followed by white womxn and then by black men. At the bottom, serving as the Other, is the category of blackwomxn. Feminist scholars posit that blackwomxn suffered a doubling of colonialism, with the oppression emanating from the marginalisation of them as Africans and secondly, they were separately inferiorized as African Womxn.<sup>71</sup> Although not described in particular terms, Oyewumi illustrates that the double oppression experienced by blackwomxn during colonialism is inextricable where the oppressions are not in

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<sup>67</sup> Oyewumi O, *The Invention of Women* (1997) 121.

<sup>68</sup> Oyewumi O, *The Invention of Women* (1997)

<sup>69</sup> Oyewumi O, *The Invention of Women* (1997) 121.

<sup>70</sup> Oyewumi O, *The Invention of Women* (1998) 122.

<sup>71</sup> Oyewumi O, *The Invention of Women* (1998) 122.

addition to the other but serve to influence each other. This is a clear manifestation of intersectionality. For the Yoruba, a category of womxn who was to be subordinate and excluded from participation in the public sphere based on their biology and anatomy was an introduction of patriarchy. The colonial state invented the gender of womxn that was relegated to secondary citizenship, reflective of the exclusion of womxn in Britain. Oyewumi considers the creation of the category of womxn by the British in Yorubaland as a relegation in social status and the beginning of the unfair distribution of power that focused on the allocation of power in an administrative sense being strictly awarded to womxn.<sup>72</sup>

In order to fully understand the discourse on African sexuality and gender, I must unpack what the implications of a Eurocentric view on gender and power were in Africa. This task is not without limitations as the discourse on colonialism sees blackwomxn standing on the periphery and remaining marginalised. This discourse, which is one-dimensional, misrepresents the effects of colonialism on blackwomxn. The differentiation between men and womxn based on the biological created the opportunity for institutions to be entrenched in masculinity and the beginning of the project of inferiorization of womxn. Oyewumi uses the adage “biology is destiny” to describe the Western framework of the world being primarily perceived through sight.<sup>73</sup> By way of this construction, difference and hierarchy are determined by biology. The constructions of race and gender are thus determined on the visual and the biology. This then creates the social bodies on the basis of what is visually represented. By this analysis, it is apparent that through colonial conquest, biology determined gender. Finally, Oyewumi prescribes that social construction and biological determinism are dually reliant as social constructions draw their legitimacy from biological determinism.<sup>74</sup> Therefore, biological determinism plays an informing role in social constructions such as gender. This framework of the biology determining hierarchy and social location is the basis for certain groupings of people

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<sup>72</sup> Oyewumi O, “Visualizing the body”: Western theories and African subjects” (2005) *African Gender Studies*, Oyewumi O (eds) 5.

<sup>73</sup> Oyewumi O, “Visualizing the body”: Western theories and African subjects” (2005) *African Gender Studies*, Oyewumi O (eds) 5.

<sup>74</sup> Chamberlain EJ & Gilman S, *Degeneration: The darker side of Progress* 292.

being described as having inherent traits. The trait required in the instance of colonialism was a masculinity which embodied brutality, intelligence and whiteness.

As colonialism was described as a lordly prerogative, the delegation of low level government representation was afforded to African men, a patriarchal performance illustrating the perceived superiority of men.<sup>75</sup> This example serves to highlight the manner in which men, through the distinction made by colonial authorities, were seen to be superior. The recognition of male chiefs was accompanied by the non-recognition of female chiefs and thus resulted in womxn being excluded from official structures.<sup>76</sup> The function of colonialism was the inferiorization of black bodies and secondly, the inferiorization of female bodied persons.<sup>77</sup> This process was a large scale act of “enthroning hegemony”.<sup>78</sup>

The fundamental shift which occurred was the disenfranchised native seeking the legitimate interpretation of culture and history from the colonizer, a process which involved the native person throwing away their customs and history in exchange for those of the Europeans.<sup>79</sup> An example of this adoption of Victorian values is the utilisation of the visual body as a determination for a social category and the separation of categories based on sex. Therefore, the colonized accepted the knowledge systems of the colonizer as their own. An example of an ill-fitting adoption of history is that of womxn in Yorubaland being treated with suspicion as per the story of Adam and Eve.<sup>80</sup> This example illustrates the adoption of colonial narratives as legitimate and applicable to the history of Yorubaland. This was an instrumental process in the erasure of blackwomxn, thrown into an alien history but still not matching the status of white womxn because of their racial “inferiority”.<sup>81</sup>

The legacy of colonialism viewed from a historical lens has remained androcentric and exclusive, framing colonialism as conquest; a conquest performed on the bodies and

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<sup>75</sup> Oyewumi O, *The Invention of Women* (1997) 124.

<sup>76</sup> Oyewumi O, *The Invention of Women* (1997) 124.

<sup>77</sup> Oyewumi O, *The Invention of Women* (1997) 152.

<sup>78</sup> Oyewumi O, *The Invention of Women* (1997) 152.

<sup>79</sup> Oyewumi O, *The Invention of Women* (1997) 153.

<sup>80</sup> Oyewumi O, *The Invention of Women* (1997) 153.

<sup>81</sup> Oyewumi O, *The Invention of Women* (1997) 153.

psyches of men. Oyewumi provides a body of work that recognizes the effect of colonialism on blackwomxn and provides a narrative that is devoid on eurocentrism and centres the blackwomxn.<sup>82</sup> Colonialism as described by Fanon is largely seen as a project that targeted the masculine as defined by the Europeans and furthermore, the performance of this conquest was regarded as husbandly prerogative.<sup>83</sup> This also addresses the accepted notion of masculine that was created and thrust upon black men existing in colonial Africa.<sup>84</sup> The standard of full masculinity is still defined by whiteness and remains unachievable to black men.<sup>85</sup> Therefore, scholars still refer to colonialism as an emasculation project as the lens remains on masculinity. The experiences and the construction of gender defined in a Eurocentric lens with regards to blackwomxn remains erased and unimagined.

As a project of complete domination and subjugation of black bodies, colonialism focused on the superiority of whiteness over blackness and additionally, it was a gendered project that aimed to reiterate the superiority of male over female.

In the work of Quijano and Mignolo, the coloniality of power is understood as the act of dismantling other knowledges and ways of life which are incongruent to the “West”.<sup>86</sup> Lugones further expands on the decoloniality of gender by highlighting the interconnected nature of race and gender.<sup>87</sup> It was a process of racial inferiorization and gender subordination. The effect of this is that the blackwomxn was deemed as lesser, below the status of the white womxn and inhabiting the lowest level in the hierarchal tier. This argument thus forms the crux of a contestation that Lugones has made against the framing of the previously Quijano and Mignolo’s work.<sup>88</sup> This interrogation will also reveal the manner in which the lives of blackwomxn remain unimagined in the discourse surrounding colonialism which remains androcentric.

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<sup>82</sup> Oyewumi O, *The Invention of Women* (1998) 122.

<sup>83</sup> Oyewumi O, *The Invention of Women* (1998) 122.

<sup>84</sup> Oyewumi O, *The Invention of Women* (1998) 122.

<sup>85</sup> Oyewumi O, *The Invention of Women* (1998) 122.

<sup>86</sup> [www.globalsocialtheory.org/topics/coloniality-of-gender](http://www.globalsocialtheory.org/topics/coloniality-of-gender) (Accessed 30/10/2018)

<sup>87</sup> Lugones M, “Heterosexuality and the Colonial/ Modern Gender System” (2007) *Hypatia* vol.22 186.

<sup>88</sup> [www.globalsocialtheory.org/topics/coloniality-of-gender](http://www.globalsocialtheory.org/topics/coloniality-of-gender) (Accessed 30/10/2018)

Lugones challenges feminist discourse that intentionally omit attention to the manner in which gender was constructed.<sup>89</sup> Lugones asserts that heterosexism was a fundamental part of how gender and race amalgamate.<sup>90</sup> Thus, the argument is that gender was an integral part of the colonial programme in disrupting civilizations by dislodging their beliefs and interrupting the cosmologies in a bid to create a civilized west.<sup>91</sup> Therefore, the analysis of patriarchy is impossible without considering the interrelatedness of race, capitalism and gender as per the colonial framework. The aforementioned systems are impossible to analyse on single axes because they intersect with one another. Therefore, like colonial studies, feminist studies cannot exist legitimately if they continue to ignore the construction of gender and coloniality of power. The coloniality of power is a term coined by Quijano which denominates the structures of power, control and hegemony that have emerged during the modernist and colonial era.<sup>92</sup>

Quijano describes the colonial matrix of power as in four intersections being: control of the economy, control of authority, control of gender and sexuality and control of subjectivity and knowledge.<sup>93</sup> These aspects that constitute coloniality of power directly visit the manner in which colonialism was a project drawing power from the control of these crucial aspects. The effect of the control of knowledge is resultant in the epistemicide which is pervasive in studies on Africa, particularly, in the study of gender and sexuality in Africa in the pre-colonial era. The control of sexuality and gender brought the draconian laws that criminalised homosexual behaviour which was and by consequence, continues to be referred to as “unnatural”. Lugones draws further on the coloniality of gender while investigating the reason for the complicity of scholars in the furthering of erasure of womxn of colour in these colonial states.<sup>94</sup>

I posit that the androcentric approach in which colonialism continues to be treated from naturalizes the gender binaries and roles created by colonizers. The naturalisation of gender entrenches oppressive colonial gender arrangements. The implication of this is

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<sup>89</sup> Lugones M, “Heterosexuality and the Colonial/ Modern Gender System” (2007) *Hypatia* vol.22 186.

<sup>90</sup> Lugones M, “Heterosexuality and the Colonial/ Modern Gender System” (2007) *Hypatia* vol.22 186.

<sup>91</sup> Lugones M, “Heterosexuality and the Colonial/ Modern Gender System” (2007) *Hypatia* vol.22 186.

<sup>92</sup> Mignolo WD, “Introduction” (2007) *Cultural Studies* vol.21 156.

<sup>93</sup> Mignolo WD, “Introduction” (2007) *Cultural Studies* vol.21 156.

<sup>94</sup> Lugones M, “Heterosexuality and the Colonial/ Modern Gender System” (2007) *Hypatia* vol.22 186.

that an interrogation into the current gender model that has become universal is necessary in order to challenge its legitimacy. Therefore, the project of decolonization should actively address the claim that gender as it exists currently is universal and incontestable. As stated by Lugones, it would be impossible to study the effect of colonialism if the gender aspect of colonial conquest continues to be undermined. The agenda of colonial conquest was the creation of distinctions on a hierarchal scale. Within the project of creating dichotomies of the human and the non-human was the categorical distinction of gender, the separation of men and womxn. Oyewumi states that the West's preoccupation with the biological is the cause for the gender and race categorisation. - This singular analysis focuses on the effect of colonialism on men while neglecting to identify the effect of conquest on the lives blackwomxn. The interrogation into the effects of colonialism often neglects the manner in which this conquest affected the lives and continued existence of blackwomxn.<sup>95</sup> Scholars such as Frantz Fanon describe colonialism as an "emasculatation project".<sup>96</sup> The deduction made from this is that the traumas of blackwomxn were not regarded as urgent or worthy of interrogation. The erasure manifests as scholarly work purports that the effect of colonialism was not as harrowing for womxn as it was for men. This rationale forms the epicentre of patriarchy which erases blackwomxn by diminishing and othering their experiences.

### 1.3 Queer Relationships in Africa

Western anthropology has incorrectly framed that the existence of queer relationships in Africa were purely symbiotic. This manner of theorizing queer relationships further perpetuates the stigma of queer relationships being UnAfrican and same sex unions existing in a manner that does not facilitate the possibility of intimacy and companionship. Clarke addresses the erasure that is performed by Western queer theory in failing to recognise African-ness and African-centred homosexuality.<sup>97</sup>

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<sup>95</sup> Oyewumi O, *The Invention of Women* (1998) 121.

<sup>96</sup> Oyewumi O, *The Invention of Women* (1998) 121.

<sup>97</sup> Clarke D, "Twice removed: African invisibility in Western queer theory" (2013) *Queer African Reader*, Ekine S & Abbas H eds. 173.

Scholars, such as Njambi & O'brien and Oyewumi have interrogated the existence of women-women marriages in Africa. The most positive recognition of such marriages that does not relegate them to unions for socioeconomic and functionalist reasons is the study performed by Wairumu Njambi and William O'brien of the Gikuyu in Kenya.<sup>98</sup> Studies of womxn who marry other womxn remain few and underrepresented in scholarship. Of the studies conducted, the functionalist lens which has been adopted has represented these relationships in an inauthentic manner. The study conducted by Njambi and O'Brien seeks to challenge the functionalist reasons presented by other scholars by highlighting the affection and companionship that exist in these relationships.<sup>99</sup> The point of the study is to illustrate the flexible and fluid manner in which these relationships manifest. The first illustration of fluidity is in the case of a womxn interviewee who was married to a man and two womxn, while her husband was married to another womxn. <sup>100</sup>This family model, where the husband was referred to informally, completely defies the construct of a nuclear family. A nuclear family model refers to a family unit comprising of a heterosexual couple and their dependent children.<sup>101</sup>

The existence of families which subvert the accepted notions of a family structure speaks reiterates the inappropriate nature of referring to these same-sex partners as "female-husbands". The popular term of "female-husbands" seems to be ill-fitting and perpetuates the Western worldview of binaries in relationships.<sup>102</sup> As highlighted by the interviewees, these family united do not actively seek to replicate a Victorian family but rather illustrate the fluidity of the roles within the marriage. The term popularly used by Leakey and other scholars attaches a male connotation which is out of context.<sup>103</sup> The connotation reaffirms the institution of patriarchy by attaching "male characteristics" to the initiators of the

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<sup>98</sup> Njambi WM & O'Brien WE, "Revisiting "woman-woman marriage": notes on Gikuyu women" (2000) *NWSA Journal* vol.12 149.

<sup>99</sup> Njambi WM & O'Brien WE, "Revisiting "woman-woman marriage": notes on Gikuyu women" (2000) *NWSA Journal* vol.12 146.

<sup>100</sup> Njambi WM & O'Brien WE, "Revisiting "woman-woman marriage": notes on Gikuyu women" (2000) *NWSA Journal* vol.12 146.

<sup>101</sup> Njambi WM & O'Brien WE, "Revisiting "woman-woman marriage": notes on Gikuyu women" (2000) *NWSA Journal* vol.12 146.

<sup>102</sup> Njambi WM & O'Brien WE, "Revisiting "woman-woman marriage": notes on Gikuyu women" (2000) *NWSA Journal* vol.12 145.

<sup>103</sup> Njambi WM & O'Brien WE, "Revisiting "woman-woman marriage": notes on Gikuyu women" (2000) *NWSA Journal* vol.12 146.

marriage. From the testimonies, it is evident that the Gikuyu participants were uncomfortable with the gender marker and do not consider themselves as men. However, because the adoption of the nuclear family is universal, scholars misconstrue the African womxn–womxn marriages as a heterosexual reproduction.<sup>104</sup> For this reason, the term “female-husband” has gained ascendancy as her role is misconstrued as the male.<sup>105</sup> The nuclear family as a universal construct is considered as the paragon of matrimonial unions and family models. The functionalist view frames African unions as based on socioeconomic gains and primitive, which perpetuates the stereotype that African unions are not based on love and affection.<sup>106</sup> The interviewees revealed the complexities of the relationships that reflect committed and caring marriages. This rejects the notion that a legitimate family structure requires a father figure.

Regarding womxn-womxn marriages as a union that has a “male” constituent imposes Western presumptions on the situation, which manifests as an erasure and refusal to recognise this union as legitimate its own right. Njambi and O’Brien illustrate the term as a misnomer through analysis of the term used by the partners. These terms translate to “my co-wife” and “my partner” thus reaffirming the lack of domination of one by another in the relationship.<sup>107</sup>

Examples of same-sex relationships which were deemed symbiotic include those of miners who took younger men as partners in South Africa. This form of courtship occurred where older males would give younger men material items, “wifely” chores and have sexual intercourse.<sup>108</sup> Zimbabwe illustrates the varied manners in which same-sex relations took place during colonialism contrary to the lack of publicising. The historical existence of same-sex relations in Zimbabwe has been erased and extracted from

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<sup>104</sup> Njambi WM & O’Brien WE, “Revisiting “woman-woman marriage”: notes on Gikuyu women” (2000) *NWSA Journal* vol.12 146.

<sup>105</sup> Njambi WM & O’Brien WE, “Revisiting “woman-woman marriage”: notes on Gikuyu women” (2000) *NWSA Journal* vol.12 148.

<sup>106</sup> Njambi WM & O’Brien WE, “Revisiting “woman-woman marriage”: notes on Gikuyu women” (2000) *NWSA Journal* vol.12 149.

<sup>107</sup> Njambi WM & O’Brien WE, “Revisiting “woman-woman marriage”: notes on Gikuyu women” (2000) *NWSA Journal* vol.12 159.

<sup>108</sup> Msibi T, “The lies we have been told: on (homo)sexuality in Africa” (2011) *Africa Today* vol.58 64.

discourse through cultural and historical practices.<sup>109</sup> From 1909, queer relationships in Zimbabwe have manifested through same-sex sex-work, intimate love affairs and a practice of same-sex unions between men called “ngotshana”.<sup>110</sup> These marriages were ubiquitous in the cities and labour camps from 1907.<sup>111</sup> In the 1950s, a common practice of “mummies and babies” was observed in Lesotho where younger womxn would form bonds with other womxn as preparation for heterosexual adult relationships in marriage.<sup>112</sup> However, the same-sex sexual expression between these young womxn would transcend childhood and transcend to mature adult relationships. The rationale for these relationships seemed to be the lack of interaction with the opposite sex. For the miners living in the compounds, there was minimal interactions with womxn as they were banned from entering these compounds.<sup>113</sup> Therefore, the logical deduction was that the men were satisfying their desire through same-sex interactions because of the extraordinary circumstances in which they found themselves. This was an example of the circumstances within which the colonizers allowed same-sex behaviour because it was beneficial to the economy.<sup>114</sup> However, I posit the possibility of same-sex interactions built on mutual emotional and physical affection should not be ruled out.

#### 1.4 The Induction of Heteronormativity

The introduction of certain frameworks has been instrumental in entrenching heteronormativity in Africa. These frameworks include the role of Christianity in the persecution of queer persons and the institutional wield of symbolic power. These two frameworks facilitate the epistemic erasure of queer blackwomxn. The culpability lies in the manner in which powerful institutions such as the church and the law determine what is abhorrent and illegal as opposed to what is acceptable and normal. I look at the role

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<sup>109</sup> Epprecht M, “The Unsayings of Indigenous Homosexualities in Zimbabwe: Mapping a Blindspot in African Masculinity” (1998) *Journal of Southern African Studies* vol.24 633.

<sup>110</sup> Epprecht M, “The Unsayings of Indigenous Homosexualities in Zimbabwe: Mapping a Blindspot in African Masculinity” (1998) *Journal of Southern African Studies* vol.24 631.

<sup>111</sup> Epprecht M, “The Unsayings of Indigenous Homosexualities in Zimbabwe: Mapping a Blindspot in African Masculinity” (1998) *Journal of Southern African Studies* vol.24

<sup>112</sup> Gay J, “Mummies and Babies’ and Friends and Lovers in Lesotho” (1979) *The Cambridge Journal of Anthropology* vol.5 37

<sup>113</sup> Msibi T, “The lies we have been told: on (homo)sexuality in Africa” (2011) *Africa Today* vol.58 64.

<sup>114</sup> Msibi T, “The lies we have been told: on (homo)sexuality in Africa” (2011) *Africa Today* vol.58 64.

that Christianity played in prescribing what is “natural” and acceptable in society while condemning difference.

In order to counter the argument of a historical compulsory heterosexuality, I consider the existence of queer relationships in Africa and how the culture of discretion has been instrumental in erasing the existence of these relationships. A culture of discretion refers to communities turning a blind eye to queer relationships provided the queer person performs heterosexuality in public and follows the required trajectory required of them.

#### 1.4.1 The role of Christianity in the persecution of queer persons

The rationale for the criminalisation of homosexuality was based on the religious values that emerged in Africa following the arrival of missionaries. According to Murray and Roscoe, homosexuality was not introduced into Africa by colonialism, but rather an intolerance to homosexuality was introduced along with systems of surveillance and regulation in the act of suppressing it.<sup>115</sup> The infiltration of the British into Africa created the legacy of laws that referred to “unnatural offences”.<sup>116</sup>

Katz describes society as regarding heterosexuality as unchanging, universal, essential and ahistorical.”<sup>117</sup> This chapter aims to oppose this dominant narrative by challenging the universalization of heterosexuality. As previously mentioned, homosexuality and queerness are dismissed as colonial imports that are incongruent to African identity. However, this section will illustrate that the belief of homosexuality being UnAfrican is incongruent to the history of Africa. I focus on African Commonwealth countries to trace the history of queerness in Africa and the effect of Christianity in erasing queer history and pronouncing homosexuality as “unnatural”. Furthermore, I posit that the link between

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<sup>115</sup> Murray S & Roscoe W, *Boy Wives and Female Husbands: Studies of African Homosexualities* (1998) ix.

<sup>116</sup> Essien K, “Cutting the head of the roaring monster: Homosexuality and repression in Africa” (2009) *African Study Monographs*

<sup>117</sup> Katz JN, *The Invention of Heterosexuality* (2014).

Christianity and the law presents as an instrumental tool in the erasing of queer history in Africa.

The dominant narrative in Zimbabwe, which mirrors the attitudes of Uganda and Nigeria amongst other state sanctioned homophobic countries, is that homosexuality was introduced by white colonial settlers and is mostly advocated and promoted by the West.<sup>118</sup> In order to argue the converse, namely that homophobia is an import, I interrogate the relationship between the law, religion and sexuality. Within that interrogation, those with symbolic power must be identified and their role highlighted in the construction of legitimate sexualities and the induction of heteronormativity. The African countries mentioned below share a history of British colonialism and thus experienced the same introduction of law, religion and gender and sexuality frameworks.

It is of paramount importance to acknowledge the entanglement which occurs between law and religion and the manner in which that entanglement influences legislation in Africa today. In Europe, Christians sought to use religion as an instrument to influence legislation, which would become a conduit to creating a society that reflected Christian value systems.<sup>119</sup> I posit that the infiltration of British laws into the Commonwealth countries in Africa saw an introduction of law influenced by religion. Thatchell states that the Commonwealth is a bastion of global homophobia.<sup>120</sup> This is mirrored by the fact that 37 out of 53 Commonwealth states criminalise same sex desire and relations.<sup>121</sup>

## Uganda

Uganda much like other Commonwealth African countries illustrates in a canonical manner the inextricable relationship between the law, religion and power. Those who are in the seat of hegemonic power determine the sexual practices of the constituents of the society. These parties are those in possession of symbolic power and thus possess the

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<sup>118</sup> Epprecht M, "The Unsayings of Indigenous Homosexualities in Zimbabwe: Mapping a Blindspot in African Masculinity" (1998) *Journal of Southern African Studies* vol.24 631.

<sup>119</sup> Ward K, *Religious Institutions and actors and religious attitudes to homosexual rights: South Africa and Uganda* 409.

<sup>120</sup> [www.theguardian.com/commentisfree/2011/may/17/commonwealth-homophobia-anti-gay-discrimination](http://www.theguardian.com/commentisfree/2011/may/17/commonwealth-homophobia-anti-gay-discrimination) (Accessed 30/10/2018)

<sup>121</sup> [www.bbc.com/news/amp/world-43822234](http://www.bbc.com/news/amp/world-43822234) (Accessed on 30/10/2018)

authority of asserting a view meant to be accepted as legitimate and universal. The various institutions which possess symbolic powers in South Africa exist in close proximity to religion, the law and the state. These institutions assume the responsibility of creating norms which include the construction of ideas around pleasure, desire and sexual partners.<sup>122</sup> The parties who control the discourse include politicians, cultural leaders and religious leaders. These sexual agendas are further perpetuated by mainstream media and material used in educational institutions amongst other mediums of instructions.<sup>123</sup> These institutions possess the power to construct knowledge which is deemed to be legitimate. In Africa, these institutions are allowed space into intimate relations and police desire by prescribing what is legitimate.

The introduction of the Bahati Bill in Uganda had the effect of reigniting the age old trope of Africans being backwards and civilised by virtue of their homophobia.<sup>124</sup> However, the narrative of Ugandans and South Africans who perform erasures against queer bodies does not account for the role of Western evangelicals in perpetuating the hate crimes. Homosexuality was in existence when missionaries took a hold of Africa.<sup>125</sup> The continuance of power misappropriated saw rules inducted in Africa that criminalised homosexual behaviour.

The Bahati Bill in Uganda is an example of the entanglement between religion law and the society which the religion seeks to construct. This bill was internationally known as “The Kill Bill”.<sup>126</sup> This bill, premised on the hatred of queer persons, was passed in parliament on the 20<sup>th</sup> of December 2013. The bill sought to intensify the already existing

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<sup>122</sup> Tamale S, “Exploring the contours of African sexualities: Religion, law and power” (2014) *African Human Rights Journal* vol.14 155.

<sup>123</sup> Tamale S, “Exploring the contours of African sexualities: Religion, law and power” (2014) *African Human Rights Journal* vol. 14. 156.

<sup>124</sup> Seo H, “The Origins and Consequences of Uganda’s Brutal Homophobia” Accessed at [www.hir.harvard.edu/article](http://www.hir.harvard.edu/article)

<sup>125</sup> Epprecht M, “The Unsayings of Indigenous Homosexualities in Zimbabwe: Mapping a Blindspot in African Masculinity” (1998) *Journal of Southern African Studies* vol.24 634.

<sup>126</sup> Strand C, “Kill Bill! Ugandan human rights organizations’ attempts to influence the media’s coverage of the Anti-Homosexuality Bill” (2011) *Culture, Health and Sexuality: An International Journal for Research, Intervention and Care* vol.13 917-931.

laws that criminalize homosexuality by giving it a name and creating an offense called “homosexuality”.<sup>127</sup> Section 2 of the bill provided for the following acts as offences:

- a) Penetration of the anus or mouth with a penis or any other sexual contraption by the same sex
- b) The use of any object to penetrate and stimulate the sexual organ of a person of the same sex
- c) The touching of another person with the intention of committing the act of homosexuality.<sup>128</sup>

These laws exist in the statutory books of Uganda, including section 145 of the Penal Code Act which states that “unnatural offences are punishable by life imprisonment.”<sup>129</sup> The basis of the bill was to create a framework in which homosexuality is a criminal act. This is a reproduction of what McIntosh describes as “homosexuality” being a term that was tantamount to a criminal act. As a term created in the West, the term was meant to denote a sickness and label sexual deviance.<sup>130</sup> Post-colonial Uganda has reproduced the trope of homosexuality being an act which is intrinsically criminal and punishable by death or life imprisonment. Therefore, the Bahati Bill reproduces what was already existent by capturing what was already there, homosexuality as a crime. The Bahati Bill clearly illustrates the consequence of imported colonial intolerance into Africa which continues to be reproduced at a grander scale.

By criminalising homosexuality and framing it exclusively as a crime and not a sexual identity, the onus fell on the larger society to police those around them suspected of homosexuality for it is seen as a threat to the traditional family values of the people of the country. Fundamentally, the purpose of the Bill was to further perpetuate the “unnatural” nature of “homosexual” acts which threatened the religious, traditional and legal integrity

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<sup>127</sup> Wekesa S, *A Constitutional Approach to the Decriminalization of Homosexuality in Africa: a comparison of Kenya, South Africa and Uganda* (2016) 203.

<sup>128</sup> Wekesa S, *A Constitutional Approach to the Decriminalisation of Homosexuality in Africa: a comparison of Kenya, South Africa and Uganda* (2016) 204.

<sup>129</sup> Wekesa S, *A Constitutional Approach to the Decriminalisation of Homosexuality in Africa: a comparison of Kenya, South Africa and Uganda* (2016) 203.

<sup>130</sup> Wekesa S, *A Constitutional Approach to the Decriminalisation of Homosexuality in Africa: a comparison of Kenya, South Africa and Uganda* (2016) 203.

of the country. When the Bill was passed in Uganda, the sentences became harsher and the Bill went further to criminalise same-sex activities between womxn.<sup>131</sup> However, the Constitutional Court of Uganda ruled that the bill was invalid for procedural reasons and completely neglected to address the substantive.<sup>132</sup>

Placing the onus of reporting homosexuality to the police as a citizen further endangers queer bodies in Africa. Today, queer bodies in Uganda still face violence and harassment as their identities are regarded as a criminal offence by larger society.<sup>133</sup> Following the trend set in Uganda by the “Kill Bill”, which criminalised the non-reporting of homosexuality, Tanzania has recently encouraged its citizens to report those suspected of homosexuality.<sup>134</sup> Recent reports in Tanzania have released the intention of the president to create a “hunting” squad that would be responsible for scouring the country for hints of homosexual behaviour.<sup>135</sup> Regional Commissioner Paul Makonda has appointed a committee comprising of 17 members that will be responsible for the identification of all homosexual men living in Dar es Salaam.<sup>136</sup> The manner in which the state sanctioned homosexuality is carried out in Tanzania, reveals parallels to the Ugandan law which urged the participation of the citizens to report and ensure the arrest of homosexual men. The danger manifests through the utilisation of citizens in further perpetuating the discrimination and intentional endangerment of queer black bodies. Therefore, the constituents of these countries regard homosexuality as abominable and immoral because of the claims made by the holders of the symbolic power which are construed as being legitimate.

The Bahati Bill reinforces the ideals such as nuclear families and heteronormativity which were influenced by the introduction of laws which were heavily influenced by religion. For

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<sup>131</sup> Wekesa S, *A Constitutional Approach to the Decriminalisation of Homosexuality in Africa: a comparison of Kenya, South Africa and Uganda* (2016) 204.

<sup>132</sup> *Oloka-Onyango & Others v AG Const. Petition No. 8 of 2014.*

<sup>133</sup> Wekesa S, *A Constitutional Approach to the Decriminalisation of Homosexuality in Africa: a comparison of Kenya, South Africa and Uganda* (2016) 209.

<sup>134</sup> [www.telegraph.co.uk/news/2018/11/01/tanzania-announces-surveillance-squad-hunt-homosexuals/amp/](http://www.telegraph.co.uk/news/2018/11/01/tanzania-announces-surveillance-squad-hunt-homosexuals/amp/) (Accessed on 01/11/2018)

<sup>135</sup> [www.theguardian.com/world/2018/nov/05/tanzania-gay-people-in-hiding-lgbti-activists-crackdown](http://www.theguardian.com/world/2018/nov/05/tanzania-gay-people-in-hiding-lgbti-activists-crackdown) (Accessed on 05/11/2018)

<sup>136</sup> [www.telegraph.co.uk/news/2018/11/01/tanzania-announces-surveillance-squad-hunt-homosexuals/amp/](http://www.telegraph.co.uk/news/2018/11/01/tanzania-announces-surveillance-squad-hunt-homosexuals/amp/) (Accessed on 01/11/2018)

Uganda specifically, permeation of organized religion through the arrival of missionaries predates the arrival of colonialism.<sup>137</sup> The position of religion in the hierarchal structure is a prominent one as is highlighted through its ability to dominate all within the public sphere by playing a significant role in politics.<sup>138</sup> Religion is one of the quadrants that form coloniality of power. The rationale for the introduction of the bill includes ideas around the preservation of the traditional family model.<sup>139</sup>

Tamale asserts that in pre-colonial Uganda, homosexuality was neither fully condoned nor fully suppressed.<sup>140</sup> However, the Human Rights Watch brings to attention the fact that the colonialists brought in legislation to punish sexual misconduct as they were of the belief that the laws in existence did not punish perverse sexual acts sufficiently.<sup>141</sup> Other scholars allege that homosexuality was institutionalised in Buganda, a subnational kingdom in Uganda.<sup>142</sup> It is recorded that the King of Buganda partook in homosexual activities.<sup>143</sup> The King proceeded to execute members of his court who suddenly found the homosexual actions of the King to be unacceptable following the arrival of Christianity.<sup>144</sup>

## South Africa

In South Africa, the arrival of Roman-Dutch Law saw sodomy being characterised as a common law crime as it was regarded as an “unnatural sexual offence”. The Immorality

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<sup>137</sup> Msibi T, “The lies we have been told: on (homo)sexuality in Africa” (2011) *Africa Today* vol.58 59.

<sup>138</sup> Msibi T, “The lies we have been told: on (homo)sexuality in Africa” (2011) *Africa Today* vol.58 59.

<sup>139</sup> Jjuuko A, “The incremental approach: Uganda’s struggle for decriminalisation” *Human Rights, Sexual Orientation and Gender Identity in the Commonwealth: Struggles for Decriminalisation and Change*, Lennox C & Waites M (eds) 383.

<sup>140</sup> Jjuuko A, “The incremental approach: Uganda’s struggle for decriminalisation” *Human Rights, Sexual Orientation and Gender Identity in the Commonwealth: Struggles for Decriminalisation and Change*, Lennox C & Waites M (eds), 384.

<sup>141</sup> Human Rights Watch (2008) 5.

<sup>142</sup> Jjuuko A, “The incremental approach: Uganda’s struggle for decriminalisation” *Human Rights, Sexual Orientation and Gender Identity in the Commonwealth: Struggles for Decriminalisation and Change*, Lennox C & Waites M (eds), 385.

<sup>143</sup> Jjuuko A, “The incremental approach: Uganda’s struggle for decriminalisation” *Human Rights, Sexual Orientation and Gender Identity in the Commonwealth: Struggles for Decriminalisation and Change*, Lennox C & Waites M (eds), 385.

<sup>144</sup> Jjuuko A, “The incremental approach: Uganda’s struggle for decriminalisation” *Human Rights, Sexual Orientation and Gender Identity in the Commonwealth: Struggles for Decriminalisation and Change*, Lennox C & Waites M (eds), 385.

Act of 1969 criminalised any sexual conduct between men who are in the company of more than two people.<sup>145</sup> The act states as follows:

20A. (1) A male person who commits with another male person at a party an act which is calculated to stimulate sexual passion or to give sexual gratification, shall be guilty of an offence.<sup>146</sup>

These were regarded as unnatural offences. Sexuality and sexual truths as universal norms adhere to the agenda which is created by politicians, church leaders, religious leaders and the media amongst other influential parties.<sup>147</sup> Uganda and South Africa bear similarities in that they were colonised by the British, have a high Christian demographic and share the same religious minority of Islam while traditional practices still prevail. However, Uganda and South Africa diverge in the fact that the former has state sanctioning of homophobia while the latter recognises and attempts to protect LGBTIQ+ rights. Ironically, South African history reflects a legislative intolerance of homosexuality while Uganda's society does not.<sup>148</sup> Of the four Commonwealth countries I analyse, South Africa is the only country that does not criminalise homosexuality. Uganda, Malawi and Nigeria are former British colonies and have retained their penal laws which have historically criminalised homosexuality.<sup>149</sup>

## Malawi

Malawian activist Mwakasungula blames the continued intolerance to LGBTIQ+ persons on British colonialism and how it destroyed the Ubuntu element in society as it introduced an intolerance of difference.<sup>150</sup> European thought denotes difference as tantamount to degeneration which manifested scientifically and morally.<sup>151</sup> On the scientific axis, difference was regarded as a deviation from the original type while morally, difference

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<sup>145</sup> Immorality Amendment Act of 1969.

<sup>146</sup> Immorality Amendment Act of 1969.

<sup>147</sup> Tamale S, "Exploring the contours of African sexualities: Religion, law and power" (2014) *African Human Rights Journal* vol.14 155.

<sup>148</sup> Immorality Amendment Act of 1969.

<sup>149</sup> Msibi T, "The lies we have been told: on (homo)sexuality in Africa" (2011) *Africa Today* vol.58 57.

<sup>150</sup> Mwakasungula U, *The LGBT situation in Malawi: an activist perspective Human Rights, Sexual Orientation and Gender Identity in the Commonwealth: Struggles for Decriminalisation and Change*, Lennox C & Waites M (eds), 359.

<sup>151</sup> Chamberlain EJ & Gilman S, *Degeneration: The darker side of Progress* (1985) 292.

was regarded as a deviation from the norm of behaviour.<sup>152</sup> In parts of Africa, homosexuality is considered as a sickness and thus a manifestation of abnormality or criminal behaviour which is divergent from the manner in which persons are expected to behave. The insurgence of religion resulted in draconian application of laws, much like Uganda, and resulted in religious fanaticism.<sup>153</sup> Much like the other mentioned Commonwealth countries who have state sanctioned homophobia, Malawi's independence did not guarantee democratic rights and freedoms that citizens of the countries did not have. In 2010, a homosexual couple was arrested and sentenced to 14 year imprisonment for celebrating their engagement publically.<sup>154</sup> The magistrate adjudicating the matter purposefully handed down a sentence which was considered harsh as a way to deter the public from emulating homosexual acts. The intention behind the sentencing was to illustrate to the public that homosexuality is considered a horrendous crime and that the larger society requires protection from it. The criminalisation of queerness throughout the continent reaffirms the mentality that queer persons are of the same calibre as criminals and are therefore a dangerous element that should not be protected. These views make it difficult for queer bodies to seek help from law enforcement or the courts as they are regarded as criminals themselves.

This elevates the vulnerability of queer black bodies living on the continent. In the case of the arrested couple in Malawi, they were issued amnesty on humanitarian grounds following a global outcry. However, the president of Malawi stated that although the couple was granted amnesty, their act was tantamount to a crime committed against culture, religion and the law.<sup>155</sup> The utterance made by the president strengthens the conjecture of religion and the law being inextricably tangled in commonwealth countries with the result of religion influencing the law and used as a tool to construct a society reflective of religious morals.

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<sup>152</sup> Chamberlain EJ & Gilman S, *Degeneration: The darker side of Progress* (1985) 292.

<sup>153</sup> Mwakasungula U, *The LGBT situation in Malawi: an activist perspective Human Rights, Sexual Orientation and Gender Identity in the Commonwealth: Struggles for Decriminalisation and Change*, Lennox C & Waites M (eds), 359.

<sup>154</sup> Msibi T, "The lies we have been told: on (homo)sexuality in Africa" (2011) *Africa Today* vol.58 58.

<sup>155</sup> [www.mg.co.za/article/2010-06-04-homosexuality-and-the-battle-for-Africas-soul](http://www.mg.co.za/article/2010-06-04-homosexuality-and-the-battle-for-Africas-soul) (Accessed on 11/10/2018)

#### 1.4.2 Existence of queer relationships

Scholars have argued and provided proof for the existence of same sex relations in pre-colonial Africa. I posit that colonialism had the effect of erasing a variety of relationship models that were inconsistent with the heterosexual nuclear family framework. An example of one such model is the practice of womxn marrying womxn in the Igbo culture. In the South African context, the Queen of the Bolebedu tribe, also known as the Rain Queen, is required by tradition to take up wives and may only be with a man for procreation purposes should she wish to have a child.<sup>156</sup> In recognising the legacy of colonialism in Africa, Van Zyl notes that colonialism used marriage to regulate procreation and desire and the only model for the aforementioned ideas was a heterosexual monogamous institution.<sup>157</sup> Van Zyl states that “colonial legislation on sexuality and the adoption of Christian marriage rituals that require heterosexual monogamy gained hegemonic ascendancy in Africa.”<sup>158</sup> The institution of heterosexual marriage has become the norm and thus any marriage or union which does not replicate the institution provided by the missionaries assumes a secondary position.

Within the Basotho community, a practice of same-sex erotic relationships has been documented between womxn.<sup>159</sup> These relationships are said to be a norm in the community and are not viewed as a threat to heterosexual marriages. The practice of “mummy-baby” involves an older womxn introducing younger womxn to same sex erotic expression.<sup>160</sup> These relationships were fostered by the practice which prohibited womxn who have borne children, to speak about sexual matters with those who were not yet mothers. A study performed by Gay brings forward information from womxn residing in

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<sup>156</sup> <http://rainqueensof africa.com/2011/03/modjadji-the-rain-queen/> (Accessed on 11/10/2018)

<sup>157</sup> Van Zyl M, “Are Same-Sex Marriages UnAfrican? Same-sex Relationships and Belonging in Post- Apartheid South Africa (2011) *Journal of Social Sciences* vol.67 338.

<sup>158</sup> Van Zyl M, “Are Same-Sex Marriages UnAfrican? Same-sex Relationships and Belonging in Post- Apartheid South Africa (2011) *Journal of Social Sciences* vol.67 338.

<sup>159</sup> Gay J, “Mummies and Babies’ and Friends and Lovers in Lesotho” (1979) *The Cambridge Journal of Anthropology* vol.5 37.

<sup>160</sup> Currier A & Migraine-George T, “‘Lesbian’ / female same-sex sexualities in Africa” (2017) *Journal of Lesbian Studies* vol. 21 135.

Lesotho at various ages.<sup>161</sup> Older participants shared the love languages used for womxn who were involved in same sex relationships which one another. Those relations were fostered through initiation where girls spent extended periods of time together and were taught about adult sexuality.<sup>162</sup> The relations between womxn are not restricted to teenage girls during their initiation process but carry through to womxn working in the cities.<sup>163</sup> The two categories which are prevalent are older womxn working as domestic help and younger womxn studying and working in the cities. Young womxn forming relationships with others are commonly referred to as “ma hippy” derived from the English term hippy to describe those who subvert the expected trajectory.<sup>164</sup>

Gay laments her inability to identify such relationships during a research trip in Lesotho because they were not glaringly obvious or replicating the Western framework of lesbianism.<sup>165</sup> Older womxn admitted that the insurgence of religion made expressing desire beyond kissing and hugging an abomination as mentioned through religious sermons.<sup>166</sup> However, the younger participants in the research regarded lovemaking as essential in the initiation process of adult sexuality.<sup>167</sup> While the dominant partner is referred to as the mummy and the submissive partner as the baby, these relationships allow womxn to adopt roles that are traditionally reserved for men. Through these relationships, womxn may take the initiative to start a relationship, adorn the “baby” with gifts of a material nature and adopt multiple younger womxn as babies. These relationships, which initially emerged as a game of sorts between younger womxn, evolve

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<sup>161</sup> Gay J, “Mummies and Babies’ and Friends and Lovers in Lesotho” (1979) *The Cambridge Journal of Anthropology* vol.5 37.

<sup>162</sup> Gay J, “Mummies and Babies’ and Friends and Lovers in Lesotho” (1979) *The Cambridge Journal of Anthropology* vol.5 37.

<sup>163</sup> Gay J, “Mummies and Babies’ and Friends and Lovers in Lesotho” (1979) *The Cambridge Journal of Anthropology* vol.5 37.

<sup>164</sup> Gay J, “Mummies and Babies’ and Friends and Lovers in Lesotho” (1979) *The Cambridge Journal of Anthropology* vol.5 37.

<sup>165</sup> Gay J, “Mummies and Babies’ and Friends and Lovers in Lesotho” (1979) *The Cambridge Journal of Anthropology* vol.5 38.

<sup>166</sup> Gay J, “Mummies and Babies’ and Friends and Lovers in Lesotho” (1979) *The Cambridge Journal of Anthropology* vol.5 44.

<sup>167</sup> Gay J, “Mummies and Babies’ and Friends and Lovers in Lesotho” (1979) *The Cambridge Journal of Anthropology* vol.5 44.

into mature adult relations which possess the characteristics of love, affection, jealousy and estrangement.<sup>168</sup>

Other examples of same-sex erotic expression have been traced to Burkina Faso. While the scholarly work is being performed in Africa through tracing same-sex erotic expression in womxn, it is important to note that the rigid framework of lesbianism may not be imported and applicable in Africa. These relationships reflect same-sex erotic desires but do not necessarily fit into the Western framework of lesbianism as it is known. Morgan and Wierange describe the binary as limiting as queer relationships in Africa escape the dichotomy of homosexual and heterosexual by manifesting through a different paradigm.<sup>169</sup> The examples which embody the fluidity of same sex desire include those of queer blackwomxn in Ghana, Ethiopia and Nigeria which demonstrate the complexities of lesbian sexuality.<sup>170</sup> Njambi and O'Brien question whether the standard for homo-erotic interactions should be whether there is a relationship of a sexual nature occurring between persons or whether the affection and companionship legitimize the existence of a romantic relationship.<sup>171</sup> This question directly addresses the problematic heterosexual gaze on queer relationships which is sex focused. Queer relationships remain hypersexualised and reduced to carnal desire as opposed to the acknowledgement that queer people engage in relationships that are for companionship and affection. The manner of categorising sexuality as determined by sexual contact is reductionist.

#### 1.4.3 Contemporary erasure of queer blackwomxn in Africa

The Queer African Youth Networking (QAYN) Centre tabled a study following the analysis of queer relationships between womxn in Africa. The motivation behind this study was to give voice to the experiences of queer blackwomxn who are erased from the conversation of same-sex desire in Africa. The dominant narrative erases the experiences of queer

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<sup>168</sup> Gay J, "Mummies and Babies' and Friends and Lovers in Lesotho" (1979) *The Cambridge Journal of Anthropology* vol.5 37.

<sup>169</sup> Morgan & Wieranga, (2005) 13.

<sup>170</sup> <sup>170</sup> Currier A & Migraine-George T, "'Lesbian' / female same-sex sexualities in Africa" (2017) *Journal of Lesbian Studies* vol. 21 135.

<sup>171</sup> Njambi WM & O'Brien WE, "Revisiting "woman-woman marriage": notes on Gikuyu women" (2000) *NWSA Journal* vol.12 149.

blackwomxn as there is no interest in documenting their lives as within queer scholarship performed in West Africa, lesbians remain invisible. The findings of the collective include evidence of forced marriages and forced procreation as violence and disownment are pertinent factors.<sup>172</sup> Much like in South Africa, queer blackwomxn who have been victims of hate motivated violence fear reporting these cases to the police as the risk of being outed outweighs the pursuit for justice.<sup>173</sup> There exists a parallel between West African queer womxn and South African queer womxn as rape is used as a punitive tool and the stigma of being queer forces silence on victims as hospitals are not safe.<sup>174</sup> The threat of conformity perpetuates the culture of discretion and legitimizes the fallacy that lesbians in Africa are non-existent. For a multiplicity of reasons, the most pervasive being physical danger, queer blackwomxn in Africa fail to organize at the same level as queer black men as queer men are treated as primary sexual minority in Africa and resources such as funding for HIV/AIDS are reserved for queer men.<sup>175</sup> Therefore, participants in the study by QAYN expressed frustration at the lack of representation for the L in LGBTIQ+ in Africa.<sup>176</sup>

The participants in Ghana reiterated that it would be safer to engage in a heterosexual relationship than publically express their same-sex desires.<sup>177</sup> Queer blackwomxn residing in Africa express a common sentiment of desiring to suppress their queerness rather than face isolation and violence.<sup>178</sup> The worldview of womxn being the domestic and taking up roles as mothers is pervasive in traditional communities. While this promotes the erasure of queer blackwomxn, it is also dangerous as womxn living in Accra

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<sup>172</sup> Queer African Youth Networking, *Between Us: The Complexities of Lesbians, Bisexual and Queer Organizing in Francophone Sub-Saharan Africa* (2018) 11.

<sup>173</sup> Queer African Youth Networking, *Between Us: The Complexities of Lesbians, Bisexual and Queer Organizing in Francophone Sub-Saharan Africa* (2018) 11.

<sup>174</sup> Queer African Youth Networking, *Between Us: The Complexities of Lesbians, Bisexual and Queer Organizing in Francophone Sub-Saharan Africa* (2018) 11.

<sup>175</sup> Queer African Youth Networking, *Between Us: The Complexities of Lesbians, Bisexual and Queer Organizing in Francophone Sub-Saharan Africa* (2018) 11.

<sup>176</sup> Queer African Youth Networking, *Between Us: The Complexities of Lesbians, Bisexual and Queer Organizing in Francophone Sub-Saharan Africa* (2018) 11.

<sup>177</sup> Queer African Youth Networking, *Between Us: The Complexities of Lesbians, Bisexual and Queer Organizing in Francophone Sub-Saharan Africa* (2018) 11.

<sup>178</sup> Queer African Youth Networking, *Between Us: The Complexities of Lesbians, Bisexual and Queer Organizing in Francophone Sub-Saharan Africa* (2018) 11.

engaged in heterosexual relationships for the sake of conformity, are at a higher risk of contracting sexually transmitted diseases and unwanted pregnancies.<sup>179</sup> These womxn choose safety and the acceptance of the community over self-determination as abuse is usually meted out by family members whilst quoting the bible and highlighting the sin of homosexuality according to the story of Sodom and Gomorrah.<sup>180</sup>

In understanding the quadrant of family in the conquest of African societies, it is important to note that the colonialists regarded practices which were incongruent with Victorian marriage ideals as bestial. Thus, it indicates that colonial conquest operated through the disruption and vilification of difference. A link can thus be drawn in the treatment of LGBTIQ+ persons on the African continent and the vilification of their difference from the adopted ideal of a nuclear family. Queer blackwomxn are compelled and coerced in certain instances to pursue the nuclear family model in order to escape persecution.

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#### 1.4.4 Culture of discretion and the erasure of queer history

The effect of heterosexism results in queer identifying persons purposefully opting to perform heterosexuality for the sake of practicing same sex and queer desire behind closed doors. For queer black men living in Zimbabwe, the importance lies in satisfying societal expectations in that they have to perform heterosexuality in public and live as queer in the private space. Epprecht states that men who are attracted to other men do not regard their positions as threatened as their sexual virility is not questioned.<sup>182</sup> This rationale reflects the idea behind dominant masculinity because the performance of male duties through marriage and reproduction are fulfilled. Communities conformed to

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<sup>179</sup> Queer African Youth Networking, *Between Us: The Complexities of Lesbians, Bisexual and Queer Organizing in Francophone Sub-Saharan Africa* (2018) 12.

<sup>180</sup> Queer African Youth Networking, *Between Us: The Complexities of Lesbians, Bisexual and Queer Organizing in Francophone Sub-Saharan Africa* (2018) 11.

<sup>181</sup> Tamale S, "Exploring the contours of African Sexualities: Religion, law and power" (2014) *Religion, law and power* (2014) *African Human Rights Journal* vol. 14 155.

<sup>182</sup> Epprecht M, "The Unsayings of Indigenous Homosexualities in Zimbabwe: Mapping a Blindspot in African Masculinity" (1998) *Journal of Southern African Studies* vol.24 634.

heterosexual norms while ignoring subversive identities that were prevalent in the community. Zimbabwean lesbian and gay identifying persons purposefully married the members of the opposite sex while engaging in same sex relationships which were auxiliary to their marital unions.<sup>183</sup> This practice speaks to the culture of discretion which has proliferated the lives of queer persons where a public display of heterosexual conformity seeks to lessen the impact of homosexuality.

In his book *The Lives of Great Men*, Edozien a Nigerian born journalist residing in the USA, addresses the practice of young boys engaging in sexual practices while enrolled at boarding schools.<sup>184</sup> Although not overtly spoken of, the environment cultivated a space for subversive sexual expression. Edozien continues to expand on the lives of these young men who have become powerful men and opted to study abroad for the purposes of sexual gender discovery.<sup>185</sup> However, upon return to Nigeria, they fall into the inevitable expectations of performing heterosexuality by marrying and reproducing with their partners. However, many of these men continue to carry out same-sex affairs with other men who are considered “safe” as they are also within the confines of performed heterosexuality.<sup>186</sup> The invisibility manifests in the manner in which gay identifying persons choose to perform heteronormativity which facilitates the project of erasure. This moreover, adds to the narrative that homosexuality is UnAfrican.

The practice of entering into heterosexual unions cannot only be viewed as conformation for the sake of adhering to a societal norm. In some instances, the practice of marrying serves as a deterrent to material violence. An article recently revealed the practice in Cameroon of families marrying lesbian identifying girl children to older men.<sup>187</sup> The rituals

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<sup>183</sup> Epprecht M, “The Unsayings of Indigenous Homosexualities in Zimbabwe: Mapping a Blindspot in African Masculinity” (1998) *Journal of Southern African Studies* vol.24 634.

<sup>184</sup> Edozien CF, *The Lives of Great Men* (2017) 124.

<sup>185</sup> Edozien CF, *The Lives of Great Men* (2017) 27-44.

<sup>186</sup> Edozien CF, *The Lives of Great Men* (2017) 27-44.

<sup>187</sup> [www.iol.co.za/news/africa/cameroon-lesbian-witches-chained-raped-by-families-173194](http://www.iol.co.za/news/africa/cameroon-lesbian-witches-chained-raped-by-families-173194) (Accessed 04/10/2018).

involved in this include a cleansing ceremony and family sanctioned punitive rape by the spouse of the lesbian identifying person.<sup>188</sup>

For queer blackwomxn, the refusal to adhere to societal standards of womxnhood, which require marriage and reproduction, the consequences may be forced marriage. “Corrective” measures meant to discipline the subversive identities of queer blackwomxn residing in Africa include forced removals from families and arranged marriages.<sup>189</sup> In her book, *Under the Udala Trees*, Okparanta relays the story of a girl falling in love with another while their parents relentlessly wield the bible as a book which will correct the ill desires.<sup>190</sup> The protagonist in the book eventually marries a man but her desires remain unfulfilled. The womxn absconds from her matrimonial home and resumes a life of queerness which must be restricted to behind doors in order to safe keep herself.

Another anecdote shared by Berlin, a queer blackwomxn living as a refugee in Uganda, reveals the manner in which womxn are forced to flee from their families to avoid arranged marriages which ultimately remove them from their families into the care of men who are tasked with correcting their sexualities.<sup>191</sup> The womxn who assisted Berlin to escape from the death and rape that awaited her was later executed.<sup>192</sup>

## 1.5 Homophobic laws

In Ghana, the Criminal Code Amendment Act of 1992 refers to homosexuality as “unnatural carnal knowledge” and criminalises the same-sex activities between consenting adults.<sup>193</sup> Ghana, much like Malawi, Nigeria and Uganda, has had the state encouraging the invasion of privacy of perceived “homosexuals” by issuing a mandate to

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<sup>188</sup> [www.iol.co.za/news/africa/cameroon-lesbian-witches-chained-raped-by-families-173194](http://www.iol.co.za/news/africa/cameroon-lesbian-witches-chained-raped-by-families-173194) (Accessed 04/10/2018).

<sup>189</sup> [www.iol.co.za/news/africa/cameroon-lesbian-witches-chained-raped-by-families-173194](http://www.iol.co.za/news/africa/cameroon-lesbian-witches-chained-raped-by-families-173194) (Accessed 04/10/2018).

<sup>190</sup> Edozien CF, *The Lives of Great Men* (2017) 27-44.

<sup>191</sup> [www.mg.co.za/artile/2016-05-06-00-lesbian-rapper-dodges-death](http://www.mg.co.za/artile/2016-05-06-00-lesbian-rapper-dodges-death) (Accessed 04/10/2018).

<sup>192</sup> [www.mg.co.za/artile/2016-05-06-00-lesbian-rapper-dodges-death](http://www.mg.co.za/artile/2016-05-06-00-lesbian-rapper-dodges-death) (Accessed 04/10/2018).

<sup>193</sup> Queer African Youth Networking, *Between Us: The Complexities of Lesbians, Bisexual and Queer Organizing in Francophone Sub-Saharan Africa* (2018) 11.

landlords and tenants to report suspicious activities to law enforcement officers.<sup>194</sup> This mirrors the language which was used in the in the Anti- Homosexuality Bill of Uganda thus reiterating the influence of British colonialism in current Ugandan law. Essien describes the criminalisation of homosexuality in Ghana as a relic of colonialism.<sup>195</sup> The cumulative work of scholars tracing the anti-homosexuality laws in Commonwealth countries points to the influence of colonialism by the British on non-heteronormative relationship models on African countries. The influx of religious value and morals reiterated their non- acceptance of homosexuality.

In South Africa, the legacy of Penal laws that reflect a strong entanglement with religion regarded homosexuality as “unnatural”.<sup>196</sup> The colonial conquest of the Cape saw the introduction of Roman-Dutch legal codes. These laws were instrumental in the execution of two lovers, a white and Khoi man, who were imprisoned on Robben Island.<sup>197</sup> Ward also point out how the Dutch Reformed church formed the heart of the National Party and thus the entanglement of religion and politics occurred in the manner in which the former utilised the latter to create a society that created a universal moral compass.<sup>198</sup> The practice of sexuality which was deviant from the norms of Islam and Christianity was regarded as abhorrent. The church was as influential in the construction of white Afrikaner masculinities as it was in creating a culture of homophobia against queer persons. The idea of homosexuality being UnAfrican was strengthened by the lack of same sex policing in black communities by the Afrikaner which was incorrectly interpreted as homosexuality being a white problem. <sup>199</sup>

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<sup>194</sup> Queer African Youth Networking, *Between Us: The Complexities of Lesbians, Bisexual and Queer Organizing in Francophone Sub-Saharan Africa* (2018) 14.

<sup>195</sup> Essien K, “Cutting the head of the roaring monster: Homosexuality and repression in Africa” (2009) *African Study Monographs*

<sup>196</sup> Immorality Amendment Act of 1969.

<sup>197</sup> Ward, K *Religious Institutions and actors and religious attitudes to homosexual rights: South Africa and Uganda Human Rights, Sexual Orientation and Gender Identity in the Commonwealth: Struggles for Decriminalisation and Change*, Lennox C & Waites M (eds), 410.

<sup>198</sup> Ward K, “Religious Institutions and Actors and Religious Attitudes to Homosexual Rights: South Africa and Uganda” (2013) *Human Rights, Sexual Orientation and Gender Identity in the Commonwealth: Struggles for Decriminalisation and Change*, Lennox C & Waites M (eds), 411.

<sup>199</sup> Pattman R, “The beer drinkers say I had a nice prostitute but the church goers talk about thins spiritual” (2001) Morrell R (ed) *Changing Men in Southern Africa* 236.

During Apartheid, homosexuality was not only regarded as abhorrent but punishable by imprisonment of up to seven years.<sup>200</sup> Ironically, the effect of the migrant labour system in South Africa, which saw black men working and residing in the mines, was the sexual bonds that formed between men in these compounds. An example of this was in Johannesburg with older men engaging in sexual and intimate acts with younger men in the mining compounds as the Apartheid system ensured that womxn were not allowed in the compounds.<sup>201</sup> The assumption of sexual and intimate relations between these men were known as mine marriages.<sup>202</sup> It is the opinion of scholars that this new found manner of easing sexual desire through same-sex engagements forced the British to import Anti-Sodomy laws from India and apply them to South Africa.<sup>203</sup> These laws would gain ascendancy through Africa and form part of criminal law as forms of gross indecency and indecent assault. Although these acts were occurring between mutually consenting adults, these laws existed as a punitive measure against those who engaged in homosexual activities which were deemed as unnatural and remained disapproved of by the administration.<sup>204</sup>

Although South Africa differs from Uganda and Nigeria as a legislative framework is in place to protect the rights of the Queer community, the rights fail to translate to a grassroots level. In present day South Africa, the legal provisions in place serve to protect queer bodies from unfair discrimination. However, queer blackwomxn still experience material and symbolic erasure because the laws have failed to protect them from physical attacks or lack of services. Attitudes in the heteronormative society fail to mirror what is expressly stated in the constitution, the right to equality and the prohibition of unfair discrimination on the basis of sexual orientation.<sup>205</sup> In 2011, the National Council of

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<sup>200</sup> Pattman R, "The beer drinkers say I had a nice prostitute but the church goers talk about thins spiritual" (2001) Morrell R (ed) *Changing Men in Southern Africa* 236.

<sup>201</sup> Msibi T, "The lies we have been told: on (homo)sexuality in Africa" (2011) *Africa Today* vol.58 55.

<sup>202</sup> Van Zyl M, "Are Same-Sex Marriages UnAfrican? Same-Sex Relationships and Belonging in Post-Apartheid South Africa" (2011) *Journal of Social Issues* vol.67 342.

<sup>203</sup> Van Zyl M, "Are Same-Sex Marriages UnAfrican? Same-Sex Relationships and Belonging in Post-Apartheid South Africa" (2011) *Journal of Social Issues* vol.67 342.

<sup>204</sup> Epprecht M, *Heterosexual Africa? The history of an idea from the age of exploration to the age of AIDS* (2008) 128.

<sup>205</sup> The Constitution of South Africa

Traditional Leaders requested that Parliament remove sexual orientation from the list of prohibited grounds of unfair discrimination.<sup>206</sup>

## 1.6 The construction of masculinity

In understanding the pervasive attitudes towards queer bodies in Africa, it is necessary to identify how the construction of masculinity played an instrumental role in the erasing of queer bodies. The invention of womxn as well as the construction of masculinities illustrate clearly the introduction of entrenched gender binaries and the norms allocated to the roles.

In using Fanon as an example of androcentric colonialism discourse, Oyewumi quotes Fanon who refers to the construction of masculinity in the African context as informed by colonialism.<sup>207</sup> According to Fanon, the hegemonic masculinity which infiltrated Africa due to colonialism, had the effect of instilling a state of inferiority in the native African man. He states that the native observed the possessions of the settler with lust and envy as an expression of the longing for his own possessions.<sup>208</sup> The construction of masculinity that was influenced by the colonizers also revolved around the abhorrence of effeminacy in men. Men who were regarded as feminine lacked the required aggression that were imperative in furthering the agenda of strong hardworking men that worked to expand the empire and partake in wars to defend the empire.<sup>209</sup>

The introduction of a heteronormativity, which is formulated by monogamy and the framework of the nuclear family, upholds a system of patriarchy and capitalism which was beneficial to the colonizer. This brand of masculinity saw womxn and children being regarded as property rather than human beings with autonomy. This was for the benefit of the man being able to bequeath his property to his son or should he die intestate, the

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<sup>206</sup> Viljoen F, "Equal right in a time of homophobia: an argument for equal protection of sexual minorities in Africa" (2013) 11.

<sup>207</sup> Oyewumi O, *The Invention of Women* (1997) 121.

<sup>208</sup> Oyewumi O, *The invention of Women* (1997) 121.

<sup>209</sup> Epprecht M, *Heterosexual Africa? The history of an idea from the age of exploration to the age of AIDS* (2008) 126.

property accruing as per the system of male primogeniture.<sup>210</sup> The relevance of this observation by Tamale highlights the manner in which patriarchy and capitalism are system which benefit mutually benefit from the other. This further relates to the manner in which the bodies of womxn have been policed and denied the right to express sexual desire outside the realm of marriage.<sup>211</sup> Patriarchy ensured that marriage, which ideally resemble a nuclear family and is regarded as monogamous, would be the cornerstone of society. This elevation of monogamous marriage between a man and womxn concretises the idea of gender roles and binaries. It also plays a vital role in the construction of masculinities in Africa which regard womxn in the domestic role and traditionally expected to perform domestic labour in the form of reproduction and nurturing. Queer blackwomxn challenge this construction of marriage and by extension, patriarchy, by assuming subversive masculinities and failing to perform traditional gender roles. In this manner, queer blackwomxn are caught between the Evangelical Christianity and customs of African cultures which were influenced by colonial laws.

Hegemonic masculinity in South Africa is informed by violence and disenfranchisement. The Apartheid government represented a brand of masculinity that revolved around violence, religion and politics.<sup>212</sup> Although much less spoken of, colonizers abhorred lesbians because they challenged the narrative of womxn in the domestic, a womxn destined for motherhood and assuming chores that were fit for womxn.<sup>213</sup> The effect of Apartheid was that of a small white minority violently reinforcing hierarchy through disenfranchisement and separation while engineering a system based on the economic and socio-political incapacitation of the black majority. The result of the violence meted out materially and structurally by the Apartheid government was the violent resistance by the black majority. Through these considerations, it is evident that the history of the

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<sup>210</sup> Tamale S, "Exploring the contours of African Sexualities: Religion, law and power" (2014) *African Human Rights Law Journal* vol.14 155.

<sup>211</sup> Tamale S, "Exploring the contours of African Sexualities: Religion, law and power" (2014) *African Human Rights Law Journal* vol.14 155.

<sup>212</sup> Morrell R et al, "Hegemonic Masculinity/ Masculinities in South Africa: Culture, Power and Gender Politics" (2012) *SAGE* 17.

<sup>213</sup> Gender, Race and Class in the Colonial Era Accessed at [www.pearsonhighered.com/assets/hip/us/hip-us\\_pearsonhighered/samplechapter/0205743153.pdf](http://www.pearsonhighered.com/assets/hip/us/hip-us_pearsonhighered/samplechapter/0205743153.pdf) (Accessed 10/11/2018)

country is characterised by violence and the constant struggle over full citizenship and belonging.

Walker addresses the crisis in masculinity experienced by South African men.<sup>214</sup> Masculinity as was designed and defined by Apartheid saw oppression being performed through militarisation, with the Christian Afrikaner identity being deeply entangled with violence and brutal force.<sup>215</sup> This brutal force was utilised to maintain the hierarchy of South African society which mirrors the tier addressed by Oyewumi.<sup>216</sup> Hegemonic masculinity is described as unattainable ideal of masculinity which ensures the continued subordination of womxn. Albee correctly posits that masculinity remains unstable and volatile due to the continuously evolving ideals on what “real” masculinity presents as.<sup>217</sup> The introduction of the liberal Constitution created a new framework of masculinity which is defined by the desire to be a respectable and responsible man.<sup>218</sup> The contemporary illustration of manhood is incongruent to traditional roles of masculinity particularly in South Africa where gender remains racialized. The portrayal of machismo is rooted in the ideals that males should present a certain way. In Apartheid, machismo demanded that white men be the protectors and enforcers of the obedience of rules which relegated black bodies to second class citizenship. Conversely, black men were involved in the resistance of this oppression, their masculinities being framed by violent resistance. The repressive regime of Apartheid mirrored the colonial project in that black men were continuously confronted with their incapability of achieving the paragon of masculinity which is represented by white men.<sup>219</sup> Walker and Reid state “If colonialism and apartheid shaped the masculinities of the past, the transition to democracy in South Africa in the 1990s has had the effect of unsettling entrenched masculinities: Masculinities, which were, in the

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<sup>214</sup> Walker L, “Men Behaving Differently: South African Men since 1994” (2005) *Culture, Health and Sexuality* vol. 7 265.

<sup>215</sup> Walker L, “Men Behaving Differently: South African Men since 1994” (2005) *Culture, Health and Sexuality* vol. 7 265.

<sup>216</sup> See paragraph 1.2 above.

<sup>217</sup> Albee A, Masculinity in South Africa and its Violent Consequences, <https://theafricanfile.com/academics/ukzn-papers/masculinity-violence/>

<sup>218</sup> Walker L, “Men Behaving Differently: South African Men since 1994” (2005) *Culture, Health and Sexuality* vol. 7 225.

<sup>219</sup> Lock Swarr A, “Paradoxes of Butchness: Lesbian Masculinities and Sexual Violence in Contemporary South Africa” (2012) *Signs* vol. 37 964.

main, patriarchal, authoritarian and steeped in violence.”<sup>220</sup> Xaba describes the young black men active in the liberation struggle as young lions who were heralded by the community as brave.<sup>221</sup> Conversely, struggle masculinities asserted that womxn were fair game and easy targets for the performance of violence.<sup>222</sup>

In Post-Apartheid South Africa, womxn have more legislative protection than in Apartheid. Constitutional recognition of equality that forbids the discrimination against womxn and queer persons is met with resentment by the same masculinities who feel displaced in Post-Apartheid South Africa. The protection of womxn displaces the “young lions” who were once celebrated are now vilified for the violence that they were once heralded for.<sup>223</sup> These provisions are deemed to be the root of the spiteful performance of violent masculinities on the bodies of womxn and furthermore, on the bodies of queer blackwomxn. The representation of womxn on a political platform does not translate to equality on the grassroots level. Testimony by a womxn in Hamber’s article asserts that the provisions made by the government for the financial and political equality of womxn result in emancipated men who do not fit into democratic society using rape as a punitive tool.<sup>224</sup> The purpose of using sexual violence as a tool is that sexuality is viewed as a vulnerability and an opportunity to mete out discipline. The testimony is as follows:

I think that this issue of having women in Parliament ... I think that thing has brought more oppression for us because at the grassroots men do things spitefully because they want to prove ... I don’t know, maybe they want to prove us wrong that what we are not what we think we are. That is why the increased rates of rape, abuse.<sup>225</sup>

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<sup>220</sup> Walker L, “Men Behaving Differently: South African Men since 1994” (2005) *Culture, Health and Sexuality* vol. 7 225.

<sup>221</sup> Xaba T, Masculinity and its Malcontents: The Confrontation between ‘Struggle Masculinity’ and ‘Post Struggle Masculinity’ (2001) *Changing Men in Southern Africa*

<sup>222</sup> Hamber B, “Masculinity and Transition: Crisis or Confusion in South Africa?” (2010) *Journal of Peacebuilding and Development* vol. 5. 78.

<sup>223</sup> Hamber B, “Masculinity and Transition: Crisis or Confusion in South Africa?” (2010) *Journal of Peacebuilding and Development* vol.5 78.

<sup>224</sup> Hamber B, “Masculinity and Transition: Crisis or Confusion in South Africa?” (2010) *Journal of Peacebuilding and Development* vol.5 78.

<sup>225</sup> Hamber B, “Masculinity and Transition: Crisis or Confusion in South Africa?” (2010) *Journal of Peacebuilding and Development* vol.5 78.

The punishment is for the allowance of womxn to work, to have laws protecting them from violence and abuse and finally, laws allowing womxn to express same sex desire and carry themselves in a manner which is regarded as counterfeit masculinity. Moore and Stuart assert that the crisis in masculinity creates a man who when confronted with frustration and displacement, express anger and aggression as those are the only acceptable emotions for men to display.<sup>226</sup> In the Post-Apartheid context that violent masculinities have gained ascendancy which seems paradoxical considering the constitutional protection of womxn and sexuality.<sup>227</sup> Xaba states that “The heroic struggle masculinity of the 1980s has been delegitimized and, without the prospects of the jobs and having lost the political status they formerly had, these young men have gone on a rampage, robbing, killing and raping.”<sup>228</sup> Contemporary masculinities battle displacement in that the realisation of rights for womxn has been perceived as an inequality to men dealing with the humiliation of existing as relics. Therefore, these masculinities no longer have a place in Post-Apartheid South Africa. This is exacerbated by their poor living conditions, unemployment and “emasculatation”. In the Post-Apartheid era, these masculinities remain inadequate, unable to provide economically while witnessing the world evolving and carving space for womxn to exist as equals. In interviews, men conceded that they are threatened by the increased representation of womxn in power and the provision of opportunities for womxn.<sup>229</sup> Again, hegemonic masculinity is unattainable because it is based on the subjugation and subordination of womxn. Queer blackwomxn constantly defy the hierarchy through masculine expressions and their sexual unavailability. These violent performances of raping and killing queer blackwomxn amplify the vulnerability of masculinity. In agreement with Xaba, I posit that when privilege is unseated and power is perceived to be withdrawn, resistance manifests and the targets are womxn.

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<sup>226</sup> Moore T.M & Stuart G.L, “A review of the literature in masculinity and partner violence” (2005) *Psychology of Men and Masculinity* 46-61.

<sup>227</sup> Moore T.M & Stuart G.L, “A review of the literature in masculinity and partner violence” (2005) *Psychology of Men and Masculinity* 46-61

<sup>228</sup> Xaba T, “Masculinity and its Malcontents: The Confrontation between ‘Struggle Masculinity’ and ‘Post Struggle Masculinity’ (2001) *Changing Men in Southern Africa*

<sup>229</sup> Walker L, “Men Behaving Differently: South African Men since 1994” (2005) *Culture, Health and Sexuality* vol. 7 229.

Womxn are perceived to have a sexual weakness, their sexuality is used as an entry point for assault as a means of discipline. The assertions made by both Gqola and Motsei sustain the argument that rape is not a sexual act but rather a display of power.<sup>230</sup> Phallogocentric notions of masculinity allow the use of the phallus as an extended tool of terror. Motsei speaks of the war that is fought on the bodies of womxn.<sup>231</sup> This statement is a testament to the fact that the bodies of specifically queer blackwomxn in South Africa are a site of violence. The phallus described in violent means and often closely associated as a weapon. In Post-Apartheid South Africa, vulnerable masculinities utilise their phalluses as weapons and a means to perform power in order to reassert the superiority of masculinity. The South African News Agency reported that the murder rates for women has increased by 117% in the period between 2015 and 2016.<sup>232</sup> The news agency also reported that fear restricted the mobility of womxn as they were cautious of engaging in daily activities or expressing their sexual orientation.<sup>233</sup> The increase of homophobic violence in Post-Apartheid South Africa became rampant in 1998 as a response to the manner in which the Constitution “subverted the heterosexual landscape” of South Africa.<sup>234</sup>

The displacement of struggle masculinities is blatant in the abovementioned testimony. The violence performed on the bodies of queer blackwomxn is the consequence of unseated masculinity. As previously mentioned, masculinity is heavily dependent on the biological and society accepts the only form of legitimate masculinity as such being performed through male body. Therefore, the biological has to match the expression. Lesbian and queer masculinities undermine the societally agreed upon notion that masculinity must be accompanied by the appropriate biology.

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<sup>230</sup> Motsei K, *Kanga and the Kangaroo Court* (2007) and Gqola, P “Rape: A South African Nightmare” (2015).

<sup>231</sup> Motsei K, *Kanga and the Kangaroo Court* (2007) 125.

<sup>232</sup> [www.sanews.gov.za/south-africa/gender-based-violence-rise](http://www.sanews.gov.za/south-africa/gender-based-violence-rise) (Accessed on 25/08/2018).

<sup>233</sup> [www.sanews.gov.za/south-africa/gender-based-violence-rise](http://www.sanews.gov.za/south-africa/gender-based-violence-rise) (Accessed on 25/08/2018).

<sup>234</sup> Reid G and Dirsuweit T, “Understanding systemic violence: homophobic attacks in Johannesburg and its surrounds” (2002) *Urban Forum* 229.

## 1.7 Conclusion

In this chapter, I trace how epistemicide as an erasure has emerged to facilitate the symbolic and material erasure of queer blackwomxn. The purpose of this chapter is to define and identify the manner in which epistemicide manifests. The creation of entrenched gender norms and binaries as illustrated by the headings “The invention of womxn” and “The construction of masculinity” serve to highlight how rigid gender roles play a role in upholding heteronormativity and patriarchy.

Through the headings of “the culture of discretion and erasure of queer history” and “the induction of heteronormativity” I highlight the manner in which the existence of queerness has been erased from dominant sources of knowledge. Additionally, the culture of performing heterosexuality for the sake of conformation has the effect of ridding the public domain of the knowledge of queer existence.

Homophobic laws played an instrumental role in erasing queer history and developing the adage of homosexuality being UnAfrican. This is because the law has facilitated the criminalisation of queer black bodies and refer to queer relationships as unnatural.

The sections of the chapter converge to address the erasure of queerness on the African continent which is historical and emerges through institutions such as the law and religion.

In the next chapter, I address the material erasure which is performed against queer blackwomxn. The rationale behind the hate rape and murder of queer blackwomxn in South Africa is a consequence of a heterosexist society. The ideas around constructed masculinity influence the anxiety that the perpetrators of the assault and murder have against the existence of queer blackwomxn. These womxn subvert the compulsory heterosexuality while creating new masculinities which are contested. The constructions mentioned in this chapter on epistemicide serve as the basis behind the manifestations of physical violence which is performed on the bodies of queer blackwomxn.

## Chapter 2: The material violence performed on the bodies of queer blackwomxn

### 2.1 Introduction:

The main research problem in this study is to investigate different forms of erasure experienced by queer blackwomxn in South Africa. In this chapter I address material erasure. Material erasure manifests through violent acts such as murder, rape, physical and verbal abuse. The reason why I refer to these acts as erasure is that the motivation behind these acts is to diminish and or erase queer bodies. These acts are motivated by the fact that queer blackwomxn are unattainable in a society which prizes the capacity of men to dominate and assert power over the bodies of womxn.

This chapter primarily deals with the bodies of masculine presenting queer blackwomxn. Thus I will address the manner in which their masculinity is contested, how their aesthetic places them at the risk of exposure and how representation is a catalyst for violence. Queer blackwomxn who present as masculine are hypervisible and become vulnerable to attacks while living in communities which regard homosexuality as UnAfrican. Through their presentation, queer blackwomxn subvert the traditional trajectory expected of blackwomxn. Living in the townships and frequenting communal spaces such as taverns, shops and taxi ranks elevate the possibility of being noticed and therefore being specifically targeted for hate motivated attacks. These attacks include murder, physical and verbal assault as well as rape.

I address the use of language and its potential to further violate the bodies of queer blackwomxn. The term “corrective rape” is regarded as problematic as it further perpetuates the stigma that queer womxn are in need of rectification in order to subscribe to compulsory sexuality and gender roles. Similarly, the lack of representation in the media furthers the stigmatization of queer blackwomxn in South Africa. The way in which the murders are reported furthers the erasure of queer blackwomxn by reducing them to statistics or portraying them as incapable of leading fulfilling lives. Instead, the media continues to elevate negative imagery of queer blackwomxn as a dominant representation for queer blackwomxn.

In order to understand the unique positioning of queer blackwomxn in South Africa, I expand on social location and its role in heightening the danger of queer blackwomxn. Additionally, social location determines the way a body navigates society and experiences belonging and access to full citizenship.

## 2.2 “Rape: A South African Nightmare”

In this heading I draw from the book by Gqola which explores rape as a pandemic in South Africa.<sup>235</sup> As a feminist scholar, Gqola analyses the role which rape place in the upholding of patriarchy. This book interrogates the construction of toxic masculinities and how entrenched gender norms play a role in the use of rape as a tool to assert power over the bodies of womxn. As a feminist project, this book interrogates the manner in which the law and other structures in place remain heteronormative and patriarchal. I use this book in order to provide context of manner in which violence manifests in South African society to the detriment of womxn. Furthermore, I investigate why rape is used as a tool to discipline womxn who subvert gender norms by being unavailable and inaccessible.<sup>236</sup> Therefore, I posit that rape is not merely a sexual act but a display of power.

Rape has survived as long as it has because it works to keep patriarchy intact. It communicates clearly who matters and who is disposable.<sup>237</sup>

The abovementioned quote adequately shows the manner in which queer blackwomxn inhabit a position of invisibility in the South African context. I quote the alarming numbers of rape reported in South Africa above. The motivation behind the rape of queer blackwomxn illustrates the manner in which their bodies are deemed not to be of value unless they subscribe to the heteronormativity and the brand of womxnhood prescribed by patriarchy. Gqola rightly asserts that rape is a communication of patriarchal power used as a tool to “reign in, enforce submission and punish defiance.”<sup>238</sup> At the launch of

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<sup>235</sup> Gqola P, *Rape: A South African Nightmare* (2015)21.

<sup>236</sup> Gqola P, *Rape: A South African Nightmare* (2015) 21.

<sup>237</sup> Gqola P, *Rape: A South African Nightmare* (2015) 21.

<sup>238</sup> Gqola P, *Rape: A South African Nightmare* (2015) 21.

*You have to be gay to know God*, author Siya Khumalo spoke of the phenomenon of punitive rape not being because one lesbian identifying womxn rejected one man, but has rejected all men, which serves as a blow to toxic notions of successful masculinity.<sup>239</sup>

Material erasure manifests in rape acts to reign in sexual deviance and operates under the misconception that the deviance represents a need for heterosexual sex to rectify and force conformity. This rape also acts to enforce submission as the patriarchy requires accessibility and availability of womxn to sustain itself. Lastly, hate rape as a punitive tool serves to inflict injury on those who deviate from heteronormativity and present as womxn who are misbehaving. Wilderson in congruence with Gqola describes rape as a “disciplinary form of violence which is contingent upon a real, imagined or projected transgression.”<sup>240</sup>

Hate rape cannot be regarded as merely isolated instances of homophobia. Gqola states that “this type of rape in the South African instance is so widespread that it is difficult to locate a lesbian who has not suffered rape, near rape or other forms of violence specifically because of her sexuality.”<sup>241</sup>

The accuracy of these descriptions of rape in the context of queer blackwomxn lies in the notion that the mere existence of such bodies serves as a transgression to not only heteronormativity, but also to patriarchy. Homosexuality as a taboo in South Africa has been sustained by the narratives of it being a lifestyle choice informed by the West, teaching womxn disobedience and eroding the values of a nuclear family. In describing homophobia directed at lesbians, bell hooks addresses the culturally accepted notion that womxn are defined by their child bearing capabilities, a notion which is deeply rooted in religious and moral beliefs.<sup>242</sup>

Phallogocentric notions of masculinity are invested in the assertion that the penis has the capacity to biologically alter the body of the womxn. This rhetoric forms the basis that

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<sup>239</sup> Khumalo S, *You have to be gay to know God* (2018)

<sup>240</sup> Wilderson III F, “Reciprocity and rape: Blackness and the Paradox of Sexual Violence” (2017) *Women and Performance: a journal of feminist theory* vol. 27 104.

<sup>241</sup> [www.pumlagqola.wordpress.com/2007/07/24/hate-crimes-against-black-lesbians-2/](http://www.pumlagqola.wordpress.com/2007/07/24/hate-crimes-against-black-lesbians-2/) (Accessed 26/06/2018)

<sup>242</sup> hooks b, *Talking Back: Thinking Feminist, Thinking Black* (1989) 121.

perpetrators of hate rape use their penises as weapons of warfare and destruction. It is more than just an act of violence, it is violently removing one from oneself and inhabiting a body in a show of ownership. The rape victim that Muholi refers to as Kid, heard continuous utterings during the assault from her perpetrator that demanded affirmation while continuously reminding her that she was a womxn.<sup>243</sup> In the next section, I will address the manner in which the law further victimises queer blackwomxn who are rape victims. This is illustrated through the post- sexual assault ordeal that Kid went through as a masculine presenting queer blackwomxn.<sup>244</sup>

#### 2.4 Problematizing the term corrective or curative rape

The hate rape of Lesbians in South Africa is problematically named “corrective rape” or “curative rape”. Curative rape is defined as “the rape of women perceived of as lesbian by men as an ostensible cure for their sexualities.”<sup>245</sup>

Scholars such as Hames and Matebeni have cautioned against the use of this term as it may communicate that there exists a certain type of rape that is legitimate.<sup>246</sup> As the term contributes to the views of the perpetrators, it may be perceived that the act of violence is legitimate. In unpacking the term of “corrective rape”, I find it fundamentally violent for various reasons. The point of departure is the perception that there is something intrinsically wrong with being a queer identifying womxn. The fact that the media uses the term with disregard, highlights the manner in which queer identifying bodies are portrayed as inherently wrong. Victimhood is essentialised into the experiences of queer blackwomxn through this media portrayal. There is no interrogation into why this term has gained popularity and why a more appropriate term such as “hate rape” is not used and thus, the term itself increases the violation which is rape.

As mentioned by Matebeni, the popularity of the term in association with black lesbians in South Africa paints a one sided story of black lesbians living in townships as perpetual

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<sup>243</sup> Muholi Z, “Thinking through Lesbian Rape” (2004) vol. 61 120.

<sup>244</sup> Muholi Z, “Thinking through Lesbian Rape” (2004) vol. 61 120.

<sup>245</sup> Mutheini B, “Queering Borders: An Afrikan Activist Perspective” (2007) *Journal of Lesbian Studies* vol. 11 321.

<sup>246</sup> Matebeni Z, “Deconstructing Violence Towards Black Lesbians” (2013) *Queer African Reader* 345.

victims and survivors of violence and negates the capacity of such bodies to live full lives.<sup>247</sup> This dangerous attachment serves to hypervisibilize black lesbians as victims and asserts a negative narrative which in itself erases their everyday experiences. I agree with Matebeni who states that this term, by being associated with a certain class of lesbian womxn, serves to limit the experiences of other lesbians who do not fall into the class of a poor black lesbian womxn living in the township.<sup>248</sup> Without a correct term to categorize hate rape, there is restriction on the recording of such rapes. The term “corrective rape” is thus attached to a specific category of queer womxn. This category is the black lesbian identifying womxn. Therefore, if a queer womxn fails to fall into this category, there is a restriction in the recording of hate rapes.

Hames, like Matebeni, expresses the necessity for creating language that refers to lesbian attacks in a manner that is not harmful nor legitimizes the attack in a manner that “curative” or “corrective” do. Hames discusses the need for a linguistic framework that is not all encompassing, such as gender based violence, as it is a non-specific term.<sup>249</sup> The term violence against womxn may be useful in centralizing the impact of violence against womxn however I propose that such a term may be unsuitable especially in respect of the queer community. I concur with Hames in the problematic use of the term curative rape as it has been used by the media to sensationalize the attacks experienced by blackwomxn living in townships.<sup>250</sup> Nkonyana’s case highlights the manner in which the media sensationalizes the terms of curative rape and fails to focus on the manner in which the intersectional struggles of womxn impacts their quality of life and vulnerability in an oppressive system.<sup>251</sup> Lake references De Waal in a Daily Maverick article where she articulates the problematic nature of using the stories of victims to further another agenda.<sup>252</sup> For the media, the case of Nkonyana was just another illustration of the failure of the criminal justice system, it was the usage of a picture to illustrate a point while relegating Nkonyana to a statistic. This journalism manoeuvre fails to recognize the

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<sup>247</sup> Matebeni Z, “Deconstructing Violence Towards Black Lesbians” (2013) *Queer African Reader* 345.

<sup>248</sup> Matebeni Z, “Deconstructing Violence Towards Black Lesbians” (2013) *Queer African Reader* 345.

<sup>249</sup> Hames M, “Violence Against Black Lesbians: Minding our Language” (2011) *Agenda* 87.

<sup>250</sup> Hames M, “Violence Against Black Lesbians: Minding Our Language” (2011) *Agenda* 87.

<sup>251</sup> Matebeni Z, “Deconstructing Violence Towards Black Lesbians” (2013) *Queer African Reader* 345

<sup>252</sup> Lake N, *Corrective Rape and black lesbian sexualities in contemporary South African Contexts* (2011) 13.

human aspect of the victim and fails to articulate to the greater audience that is not family or friends who the victim really was.

It has been used to pathologise queer blackwomxn and essentialise the victimhood of such bodies. The media plays an influential role in the portrayal of queer blackwomxn and the representation and exaggeration of facts at the expense of the bodies reported on has proven harmful. This has been illustrated in the exaggerated numbers of “corrective rape” that a news outlet claims to have obtained from the Triangle Project.<sup>253</sup> The harm occurs in the essentializing of trauma to all queer blackwomxn and again, negating the agency and the experiences of such bodies outside of victimhood. This dissertation does not aim to further marginalize queer blackwomxn by framing these bodies as perpetual victims of erasure but rather to address the various ways in which these erasures manifest.

I agree with the points raised by Hames, one being that there is disproportional violence experienced by queer blackwomxn but media sensationalism creates an encompassing net that all lesbian womxn should live in fear in South Africa.<sup>254</sup> This ignores the factors that aggravate the violence against particularly black lesbian womxn living in the township and how their social location influences their susceptibility.<sup>255</sup> The act of re-traumatization occurs when the violated bodies are shared in the media as a means to cause a spectacle for the heterosexual gaze.<sup>256</sup>

Taking into account the manner in which historically, homosexuality was regarded as a mental illness, the terms corrective and curative carry negative connotations in an alternative dimension and the act of rape can do more than serve as a reminder of prescribed womanhood, namely to present as a cure of mental illness.

Matebeni cautions against the use of an exclusive term used to describe lesbian rape.<sup>257</sup> Muholi qualifies the reason why some lesbian identifying womxn refuse to report sexual

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<sup>253</sup> Lake N, *Corrective Rape and black lesbian sexualities in contemporary South African Contexts* (2011) 13.

<sup>254</sup> Hames M, “Violence against Black Lesbians: Minding Our Language” (2011) *Agenda* 88.

<sup>255</sup> Van Zyl M, “Are Same-Sex Marriages UnAfrican? Same-sex Relationships and Belonging in Post- Apartheid South Africa (2011) *Journal of Social Sciences* vol.67 338.

<sup>256</sup> Violence Against Black Lesbians: Minding Our Language” (2011) *Agenda* 89.

<sup>257</sup> Matebeni Z, “Deconstructing Violence Towards Black Lesbians” (2013) *Queer African Reader* 345.

assault and physical assault to the police as they are not yet “out” to their families and their communities because it may further endanger them when they are identified as queer.<sup>258</sup> This of course may be accompanied by the “shame and humiliation that comes along with the systematic re-victimization by the very people who are constitutionally obliged to protect their rights as womxn, as lesbians, as rape survivors.”<sup>259</sup> I agree that this label of corrective or curative rape serves as an identifying factor that may cause harm and further victimization of survivors. This discourse relates to the opinion that has gained momentum in the queer community of staying in the closet as a means for self-preservation. I am in agreement with the point made by Matebeni about the dangers involved in being identified as queer and being forced to come out. This, as illustrated by Matebeni, can be life threatening to the person or result in ostracization from the immediate family and or/community.<sup>260</sup>

However, the appropriate categorization of this rape can articulate the double blow of rape on lesbians who suffer the violence of humiliation and removal from the self in order to comprehend the assault. This form of symbolic violence also hinders the reporting of sexual assault by queer blackwomxn. I further explore this violence in the next chapter. The recording of this category of rape may also provide accurate statistical recordings and challenge the perception that sexual orientation is not a motive for the attack. The following statement by an SAPS police officer highlights the crisis that the lack of a proper categorization causes.

What is corrective rape? I’m not sure what corrective rape is. As far as we are concerned, corrective rape is not a problem here in South Africa. Based on the way the crimes are reported – if somebody reports a crime of rape, it is investigated as rape. We don’t have a phenomenon or a crime category called corrective rape that will be able to tell you that this is reaching alarming proportions.<sup>261</sup>

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<sup>258</sup> Muholi Z, “Thinking through lesbian rape” (2004) *Agenda* 118.

<sup>259</sup> Muholi Z, “Thinking through lesbian rape” (2004) *Agenda* 118.

<sup>260</sup> Matebeni Z, “Deconstructing Violence Towards Black Lesbians” (2013) *Queer African Reader* 345.

<sup>261</sup> Matebeni Z, “Deconstructing Violence Towards Black Lesbians” (2013) *Queer African Reader* 345.

This statement taken from Matebeni's essay highlights the various ways in which queer identifying womxn, in this case lesbians, are left unimagined in the heteronormative imaginary of South Africa. Not only does the law and its officials treat this violation in a totalized manner but the system does not recognize the onslaught of violence on queer blackwomxn in South Africa. It is simply not a matter of language but a judicial and legislative oversight as there exists a group of people in South Africa who are vulnerable and unprotected. The Human Rights Watch Report identifies that the problem is manifested in the lack of categories of rape as there exists no concise database recording specifically hate rape.<sup>262</sup> This makes it impossible to determine concisely the number of transmen and lesbian womxn who are assaulted on the basis of their gender identity or sexual orientation. The statement made by the SAPS spokesperson articulates that the law does not acknowledge the existence of lesbian womxn, furthermore concretizing how the system refuses to recognize the context in which this specialized form of body disciplining and violation occurs. The spokesperson mentioned above further asserts that there is no such problem in South Africa simply because the language and the specialized category do not exist. This in itself is an inherently violent statement, one which completely erases the experience of queer blackwomxn living in society. It further highlights the manner in which the criminal justice system re-victimizes the survivor because they cannot comprehend the attack because it is not recognized and consequently, the law enforcement officers lack the tact and knowledge to assist survivors who are queer blackwomxn.

Additionally, queer blackwomxn are vulnerable because of their social location which makes the law inaccessible to them. Above, I address how the law has served to further marginalize these vulnerable bodies that are already seen as pariahs in society and face violence from society as well as from law enforcement and the judiciary. In the section of geography and the racialization of the city, I expand on the effect of Apartheid spatial planning on the lives of queer blackwomxn. As a result of living in township areas, the opportunities for education and mobility are limited. All of these factors exacerbate the vulnerability of queer blackwomxn.

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<sup>262</sup> Lake N, *Corrective Rape and black lesbian sexualities in contemporary South African Contexts* (2011) 12.

The SAPS Police Commissioner made the following statement with regard to “Corrective rape”:

One must understand that the police mirror the population... so therefore it is a difficult task... you cannot take a member and give him training for a week and then expect that he will be the most gender sensitive person on earth. This new phenomenon of “corrective rape” is something that we have not yet established as a trend in South Africa. We still regard it as exceptions. But we are taking note of it and we are planning accordingly.<sup>263</sup>

Again, a SAPS official has used an official platform to articulate in a violent manner the non-recognition of attacks experienced by queer blackwomxn by referring to “corrective rape” as a new phenomenon. Furthermore, the commissioner expresses that the police may reflect the society within which they operate from and thus require training in grasping gender sensitivities. Indeed, this highlights the society that is rooted in heterosexism and homophobia as even the guardians and law enforcement officials operate from a paradigm that “others” queer blackwomxn.

The problematic categorization of hate rape as “corrective” or “curative” is from the perspective of the perpetrator which, Matebeni warns, can be misinterpreted as legitimate and the survivors as deserving of the crime.<sup>264</sup> This speaks to rape being a destructive weapon of power that denies womxn in general autonomy over their bodies. The rationale of “corrective” rape and its description as such elevates the position of the perpetrator and works to further stigmatize survivors.<sup>265</sup> Conversely, if the language revolved around the hateful and intolerant nature of the attack, the orchestration of such would not be normalized and statements such as the one by the SAPS spokesperson would be condemned. The label of curative or corrective attached to the assault does not actually achieve the purpose of rectifying the sexual orientation of the victim. It only further ostracizes them while a celebration of the perpetrator ensues by those who encourage

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<sup>263</sup> [www.vodpod.com/watch/1433057-lesbians-are-being-targetted-for-corrective-rape-in-south-africa](http://www.vodpod.com/watch/1433057-lesbians-are-being-targetted-for-corrective-rape-in-south-africa)  
(Accessed 23/06/2018)

<sup>264</sup> Matebeni Z, “Deconstructing Violence Towards Black Lesbians” (2013) *Queer African Reader* 346.

<sup>265</sup> Matebeni Z, “Deconstructing Violence Towards Black Lesbians” (2013) *Queer African Reader* 346.

this form of homophobia. The symbolic erasure simultaneously manifests as the victim may be forced to hide their sexual orientation by presenting in a manner that does not expose their sexual orientation and same sex desires. Therefore, this illustrates how symbolic and material forms of erasure are linked.

### 2.3 Inaccessibility of the law

Pondering on the tedious and extremely violent system that re-traumatizes rape victims who are queer blackwomxn, Muholi recounts the journey of assisting Kid.<sup>266</sup> Kid uses a pseudonym in the article originally published by Muholi illustrating the inaccessibility of the law and other structures put in place to supposedly help rape victims.<sup>267</sup> Kid was raped by a close friend after a night out at a local tavern.<sup>268</sup> The deep fear of the female erotic autonomy is evident in the manner in which the perpetrator is often a close relation of the victim. In this case, the perpetrator was a friend who had expressed acceptance of Kid's sexuality but repeatedly made utterances during the assault that it was motivated by her supposed frequent meetings and sexual encounters with foreign men in exchange for material items.<sup>269</sup> The language was accusatory and the act meant to discipline her erotic autonomy. The assailant then further stated that he was going to impregnate her and infect her with HIV.<sup>270</sup> The utterances made by the perpetrator reflect the entitlement created by patriarchy of its beneficiaries. All the declarations made by the perpetrator indicate the intention inhabit the body of the victim in a performance of ownership by either impregnating her against her will, which is an act intended to remind the lesbian womxn of the traditional gender role she ought to be playing, or infecting her with HIV as a manner of punishment.<sup>271</sup> HIV as a disease still carries a taboo that is associated with promiscuity and regarded in certain communities as punishment for sexual deviance.<sup>272</sup> The act of

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<sup>266</sup> Muholi Z, "Thinking through Lesbian Rape" (2004) vol. 61 120.

<sup>267</sup> Muholi Z, "Thinking through Lesbian Rape" (2004) vol. 61 120.

<sup>268</sup> Muholi Z, "Thinking through Lesbian Rape" (2004) vol. 61 120.

<sup>269</sup> Muholi Z, "Thinking through Lesbian Rape" (2004) vol. 61 121.

<sup>270</sup> Muholi Z, "Thinking through Lesbian Rape" (2004) vol. 61 120.

<sup>271</sup> [www.hrc.org/resources/debunking-common-myths-about-hiv](http://www.hrc.org/resources/debunking-common-myths-about-hiv) (Accessed 2018/11/05)

<sup>272</sup> [www.hrc.org/resources/debunking-common-myths-about-hiv](http://www.hrc.org/resources/debunking-common-myths-about-hiv) (Accessed 2018/11/05)

infecting Kid with HIV represents as a mark to announce her perceived immoral behaviour and further, serves to ostracize her from the community and hinder her dating prospects.

The account by Kid illustrates one of the reasons why the statistics of rape in the country may not reflect the reality of the endemic. Firstly, the stigma of rape permeates into the psyche of the victim and popular rape myths inform the reactions of law enforcement and the healthcare sector. For Kid, a womxn impoverished and unable to access the appropriate channels for assistance after sexual assault, the system sent her and Muholi from pillar to post. She received Rape counselling at POWA, an organization opposing gender based violence, at the suggestion of Muholi. The first public hospital was not in possession of a rape kit and the nurse stated that the doctor would not be able to testify in court as she was inundated with other sexual assault cases. The day was laborious for a sexual assault victim and expensive as she was unemployed and had no means for transport other than public transport which was costly and dangerous. At the second hospital, the female doctor refused to assist and after an extended wait, a male doctor arrived. This was followed by the interrogation of her integrity as a Christian womxn who practiced a lifestyle for sinners. This anecdote reflects the attitudes of healthcare practitioners who are either flippant and desensitized to the trauma of rape victims, or openly chastise them for their sexual identity. Analysing cases such as these provides various reasons why womxn, especially those who are black and queer, are hesitant to report their sexual assault. The narrative that justice will fail to be served is perpetuated by state organs who refuse to partake in appropriately assisting rape victims.

For lesbian womxn, there exists a lack of empathy as patriarchal notions are embedded into health practitioners and the police. The dominant narrative of the victim being the sole cause of their assault, which is a deeply entrenched myth that remains perpetuated by heteropatriarchy, manifests into extended blame for queer womxn. Their bodies as sites for violence exist in that condition because of their unavailability to fulfil heterosexual male desires and therefore they are raped. Those who wield power over society, the benefactors and performers of patriarchy hold the power to burden the victim with shame. Secondly, the victims choose to remain silent because of the stigma attached to being a queer blackwomxn in the South African post -colonial context. This involves chastisement

as to why traditional roles of femininity are not being upheld through taking up roles as wives and child bearers. Communities that these queer blackwomxn find themselves being confined to, sanction the rapes against them because of their sexually deviant behaviour which is seen as abhorrent and requires rectification. Lastly, the queer blackwomxn opt to choose silence as a measure self- protection as to not reveal their sexual identities and hypervisibilize themselves in a manner that may elevate the dangers already faced.

Prior to 1994, homosexuality was considered illegal in South Africa. As a consequence, queer persons could not report abuses directed against them because to the justice system regarded them as perpetrators of crimes themselves.<sup>273</sup> The consequences of this permeated into the current police service as victims of rape are re-traumatized and accused of being the cause of their own abuse. The policing of queer bodies was instrumental in invisibilization of gay men and lesbian womxn as they had to perform compulsory heterosexuality as to not face ostracization in society.<sup>274</sup> Heterosexism was and continues to be reinforced by legal discourse, the police and healthcare workers. This is evident through the account of Kid's experience as narrated by Muholi above.

In the midst of the Apartheid era, homosexuality as a punishable offence placed queer bodies in a precarious position as any hate crime performed against them was unreportable. The reason for this was because their existence was as criminal as the offences they would report. Institutions that were instrumental in the policing of queer bodies have retained the homophobic attitudes formed by heterosexism. In theory, homosexuality is legal in South Africa, but deviant sexualities remain punishable. In this regard, the mentality remains which sees police officers regarding homosexuality as an offence and victims of hate crime being regarded as offenders. This phenomenon is called secondary victimization and takes the form of verbal and physical abuse, black mail and victim blaming.<sup>275</sup> In Kid's scenario, secondary victimization took place once she had

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<sup>273</sup> Wells H & Polders L, "Anti-gay hate crimes in South Africa: prevalence, reporting practices and the experiences of the police" (2006) *Agenda* vol. 67 20.

<sup>274</sup> Wells H & Polders L, "Anti-gay hate crimes in South Africa: prevalence, reporting practices and the experiences of the police" (2006) *Agenda* vol. 67 20.

<sup>275</sup> Wells H & Polders L, "Anti-gay hate crimes in South Africa: prevalence, reporting practices and the experiences of the police" (2006) *Agenda* vol. 67 25.

disclosed her sexual orientation and found the processes involved in reporting a hate crime of rape hostile through the actions and utterances made by the various persons, including the doctor.

Hate crimes performed against queer bodies cannot be restricted to those that manifest physically. As mentioned in the previous chapter, the micro aggressions often encountered by queer blackwomxn do not fall into the dominant discourse surrounding the violence against these bodies in South Africa. Harassment and verbal abuse are rarely framed as frequent forms of hate crimes that occur in the daily lives of queer blackwomxn who frequent public spaces more than white bodies. These spaces include access points for public transport and navigating spaces while walking. I argue that it is due to this reason that instances of non-physical assaults are the least reported cases of hate crimes by queer blackwomxn. Victims of such assaults do not report these to the police for fear of secondary victimization that arise because queer bodies are forced to disclose their sexual identities to the police in order to open a case. In a report provided by Wells and Polders, victims of verbal abuse stated the reasons for the lack of reporting for this form of abuse. It is pertinent to note the stark differences between the white and black participants in the survey. 78% of the black participants felt the police would not have taken the crime seriously contrasted with 68% of the white participants. Furthermore, 41% of the black participants stated a fear of the police knowing their sexual orientation contrasted with the 22% of white participants. Lastly, 36% of the black participants stated that the incidents of homophobic attacks experienced occurred too frequently to report and that they are used it compared to the 16% of white responses.<sup>276</sup>

The abovementioned highlight a contrast in the experience of black queer bodies versus white queer bodies in the reporting of hate crime. I argue that the reliance of police officers working in police stations which are within the community creates an exposure to black queer bodies. This is because their sexual orientation may become well known leaving them vulnerable and exposed to further victimization. Additionally, the notion of

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<sup>276</sup> Wells H & Polders L, "Anti-gay hate crimes in South Africa: prevalence, reporting practices and the experiences of the police" (2006) *Agenda* vol. 67 26.

homosexuality being taboo and “UnAfrican” persists in these communities and influences the belief systems of the police officers living and working within these communities.<sup>277</sup>

Connell states the importance of noting that police culture in itself is rooted in masculine hegemony that innately regards masculinity as dominant and regards femininity as weaker.<sup>278</sup> Law enforcement as a culture represents an institution that is invested in the safekeeping of masculinity and deterring any deviant forms of masculinity or femininity from being displayed.<sup>279</sup> Therefore, it is an institution which is invested in the upkeep of heterosexism and patriarchy as a dominant structure. With the legacy of policing the consensual sexual encounters of queer bodies, the culture of the police remains innately homophobic in ensuring that dominant masculinity prevails. The laws that were instrumental in the criminalization of sodomy and sex-work have been conducive to the hostility experienced by queer bodies in the current time. Police culture in the United States saw it as unbecoming of a police officer to be queer.<sup>280</sup> State sanctioned homophobia permeated into police culture and remains. As to protect the status of the police as an organization and as a performance of masculinity, police officers might partake in homophobic acts to be seen as subscribing to heterosexual masculinity.<sup>281</sup>

An illustration of law enforcement being invested in promoting a safe society rooted in heterosexism is displayed by the contrast in the manner in which Karabo Mokeona, a heterosexual womxn’s murder and that of Nonkie Smous, a lesbian womxn who was raped and killed in the same period.<sup>282</sup> For Mokoena, who was killed by her partner and whose bod was discovered in April 2017, justice was swiftly served with the accused found guilty and sentenced in May 2018. For Smous, whose disappearance and killing did not attract as much media attention as Mokoena, the investigation has become

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<sup>277</sup> Wells H & Polders L, “Anti-gay hate crimes in South Africa: prevalence , reporting practices and the experiences of the police” (2006) *Agenda* vol.67 26.

<sup>278</sup> Connell RW, *Masculinities* (1995).

<sup>279</sup> Bernstein M & Kostelac C, “Lavender and Blue: Attitudes About Homosexuality and Behavior Toward Lesbians and Gay Men Among Police Officers” (2002) *Journal of Contemporary Criminal Justice* vol. 18 307.

<sup>280</sup> Bernstein M & Kostelac C, “Lavender and Blue: Attitudes About Homosexuality and Behavior Toward Lesbians and Gay Men Among Police Officers” (2002) *Journal of Contemporary Criminal Justice* vol. 18 307.

<sup>281</sup> Bernstein M & Kostelac C, “Lavender and Blue: Attitudes About Homosexuality and Behavior Toward Lesbians and Gay Men Among Police Officers” (2002) *Journal of Contemporary Criminal Justice* vol. 18 307.

<sup>282</sup> See 2.7 below for a detailed discussion of these incidents.

stagnant. Those accused of the killing of Smous were reportedly out on bail and continuing with their practices of harassing queer blackwomxn in the community.<sup>283</sup>

## 2.5 The dangerous link between aesthetic and exposure

The manner in which masculine presenting queer blackwomxn physically present makes them identifiable and susceptible to violence. Therefore, through dress code and mannerisms, masculine presenting queer blackwomxn can be identified as queer. Paradoxically, the hypervisibility of masculine queer blackwomxn facilitates erasure in that they become identifiable and targeted for violence. It is for this reason that queer blackwomxn who are masculine presenting purposefully conceal their queer identity through altering their presentation in different spaces.

I posit that queer blackwomxn who are masculine presenting suffer from a hypervisibility that makes them more susceptible to violence than those who present as femmes. The term femme is defined as “Feminine gender expression; a popular term within lesbian and transgender communities to describe lesbians and bisexual women whose gender expression is feminine.”<sup>284</sup> I argue that feminine presenting lesbians, although having to deal with the scourge of discrimination and violence, have the protection of subscribing to gender norms, through their presentation, which in turn insulates them from violence. The insulation from violence is afforded by the fact that they do not appear to be queer through their dress code and mannerisms. The hypervisibility of masculine presenting queer blackwomxn endangers them, as their sexuality often does not need to be declared.

Although it cannot be uniformly stated that all womxn who dress in a manner that is perceived to be masculine identify as queer or lesbians, their presentation leads to them being seen as such. Living in the township creates a hypervisibility for queer blackwomxn, an environment which is not isolated and demands interpersonal relations in order to belong to that community. Often one is known in their community by virtue of walking to

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<sup>283</sup> [www.pinknews.co.uk/2017/12/08/a-lesbian-was-brutally-murdered-now-her-friend-is-calling-on-south-africa-to-stand-up-for-lgbt-rights/](http://www.pinknews.co.uk/2017/12/08/a-lesbian-was-brutally-murdered-now-her-friend-is-calling-on-south-africa-to-stand-up-for-lgbt-rights/) (Accessed 10/09/2018)

<sup>284</sup> Human Rights Watch “‘We’ll show you you’re a woman’ – Violence and discrimination against black lesbians and transgender men in South Africa’ (2011) I.

different spaces where social activities such as drinking and eating are done in communion. Bodies that are deemed as subversive are constantly under surveillance with masculine presenting womxn being identifiable through clothing, mannerisms and partaking in activities which are traditionally reserved for men. These activities include smoking, walking in a manner perceived to be masculine, drinking beer and sitting with their legs open while wearing pants. Lock Swarr identifies the relationships between queer blackwomxn as a catalyst for violence, informed by the perception that black masculine presenting (butch) lesbians seek straight womxn (who may be queer womxn who present as femme).<sup>285</sup> This informs the rhetoric that queer blackwomxn are “taking our womxn and wearing our clothes” and are therefore embodying masculine traits that are supposedly reserved for “real men”.<sup>286</sup> Masculinities are societally accepted as being housed in male bodies.<sup>287</sup>

## 2.6 Legitimate masculinity

“Violence is often the single most evident marker of manhood.”<sup>288</sup>

In 2015, The Rape Crisis Centre reported that there were 147 cases of rape reported a day, bringing the annual toll to 53 617.<sup>289</sup> South Africa has been named the rape capital of the world, with the majority of the perpetrators being male.<sup>290</sup> In a *News24* article, it was articulated that the label of “rape capital of the world” could never be denied or confirmed due to the underreporting of rape. However, statistics reported in this article from the SAPS confirmed that 1.25 million rapes had been reported in the period from 1994 to 2014 which translates to 170 assaults per day.<sup>291</sup> According to Stats SA, 49445

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<sup>285</sup> Lock Swarr A, “Paradoxes of Butchness: Lesbian Masculinities and Sexual Violence in Contemporary South Africa” (2012) *Signs* vol. 37 965.

<sup>286</sup> Lock Swarr A, “Paradoxes of Butchness: Lesbian Masculinities and Sexual Violence in Contemporary South Africa” (2012) *Signs* vol.37 964.

<sup>287</sup> Lock Swarr A, “Paradoxes of Butchness: Lesbian Masculinities and Sexual Violence in Contemporary South Africa” (2012) *Signs* vol.37 964.

<sup>288</sup> Kimmel MS, *The Gender of Desire: Essays on Male Sexuality* (2005) 36.

<sup>289</sup> <https://rapecrisis.org.za/rape-in-south-africa/> (accessed 01/06/2018)

<sup>290</sup> [www.huffingtonpost.co.za/2017/08/31/the-horrific-reality-of-south-africas-rape-problem-will-shock-you\\_a\\_23192126/](http://www.huffingtonpost.co.za/2017/08/31/the-horrific-reality-of-south-africas-rape-problem-will-shock-you_a_23192126/) (Accessed 2018/06/04)

<sup>291</sup> <https://www.news24.com/MyNews24/The-Rape-Capital-of-the-World-20140821> (Accessed 2018/06/24)

sexual assaults were recorded during the period of 2016/2017.<sup>292</sup> In a country that has neglected to confront historical trauma of womxn performed by men against womxn's bodies, reports of rape remain alarming. The Rape Crisis Centre further states that there may be a discrepancy in the statistics recorded because survivors are not forthcoming due to fear of retaliation and shame created by the myths that surround rape.<sup>293</sup>

In an article, artist and lesbian activist Muholi describes interviews conducted with lesbian identifying womxn in a township.<sup>294</sup> Muholi notes that of the 29 womxn who stated that they were physically and sexually assaulted, 29 of them were familiar with their attackers and only 16 reported the hate crimes to the police.<sup>295</sup> Unfortunately, there exists no category for hate rape/ punitive rape and therefore there exists no way to identify which rapes were specifically orchestrated against queer womxn.

According to a study conducted by the Action Aid Organization, it is clear that black lesbians are more susceptible to hate motivated violence than white lesbian womxn<sup>296</sup>. This reflects the manner in which the socio economic circumstances of queer blackwomxn put them at an elevated risk as they have no means to insulate themselves from violence economically. Action Aid reported that 86% of black lesbians stated that they were constantly in fear of sexual violence than the 44% of white lesbians.<sup>297</sup> Queer blackwomxn face a higher prejudice as often culture is cited as a reason for the intolerance and intentional ostracization of such bodies in black communities.<sup>298</sup>

From the abovementioned statistics, it is evident that patriarchy holds hegemony in South Africa and ideas of masculinity remain deeply entrenched in South Africa.<sup>299</sup> Sanger argues that the high levels of punitive rape and other physical attacks against black lesbians are directly linked to the culture of hetero-masculinity.<sup>300</sup> Wells further articulates

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<sup>292</sup> <http://www.crimestatssa.com/national.php> (Accessed 2018/06/24)

<sup>293</sup> <https://rapecrisis.org.za/rape-in-south-africa/> (accessed 01/06/2018)

<sup>294</sup> Muholi Z, "Thinking through lesbian rape" (2004) *Agenda* 118.

<sup>295</sup> Muholi Z, "Thinking through lesbian rape" (2004) *Agenda* 118.

<sup>296</sup> ActionAid, "Hate Crimes: the rise of corrective rape in South Africa" (2009).

<sup>297</sup> ActionAid, "Hate Crimes: the rise of corrective rape in South Africa" (2009).

<sup>298</sup> Judge M, *Blackwashing Homophobia: Violence and the Politics of Sexuality, Gender and Race* (2018) 59.

<sup>299</sup> Msibi T, "Not Crossing the Line: Masculinities and Homophobic Violence in South Africa" (2011) *Agenda* 51.

<sup>300</sup> Sanger N, "The real problem need to be fixed first: Public discourses on sexuality and gender in South Africa" (2011) *Agenda* 116.

the manner in which effeminate gay men and queer blackwomxn are regarded as gender traitors in South Africa for failing to adhere to prescribed gender identities and the characteristics associated with such.<sup>301</sup> This stems from the view that gay men are betraying the superiority of masculinity and masculine presenting queer womxn are attempting to overthrow the superiority of dominant and hegemonic masculinity. As these two categories of bodies challenge patriarchy, Wells describe hate rape and other punitive practices as an orchestration at realigning the natural social order.<sup>302</sup> The defining narratives that perpetuate hate crimes against queer bodies and contribute to the pathologisation of such bodies are often uttered by males in powerful positions This is illustrated through the sentiments that are shared by prominent African leaders. Former President Jacob Zuma, who was acquitted for rape of a queer identifying blackwomxn, stated the following in 2007:

Same sex marriages are a disgrace to God and the nation... When growing up, ungqingili would not stand in front of me as I would knock them out.<sup>303</sup>

The former president uttered the homophobic sentiments by using a derogatory term associated with gay men and further qualified the statement by stating that it was his personal opinion as a man.<sup>304</sup> Zuma continued to become president regardless of the manner in which he sanctioned homophobia at a public rally. Even more troubling was the erasure of Zuma's rape accuser's identity as a queer womxn. Although the transcripts of the case reflected that she was a queer womxn, there was no interrogation of the link between her identity and the rape allegation made against Zuma.<sup>305</sup>

Zuma is not the only politician who has sanctioned intolerance of LGBTIQ+ in their political capacity. In 2012, King Goodwill Zwelithini was reported stating that "gays are

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<sup>301</sup> Wells H, *Homophobic Hate Crimes: Prevalence, consequences and the impact of Gender* (2006) 20-28.

<sup>302</sup> Wells H, *Homophobic Hate Crimes: Prevalence, consequences and the impact of Gender* (2006) 20-28.

<sup>303</sup> <https://www.iol.co.za/news/politics/zumas-anti-gay-comments-lead-to-backlash-295249>(Accessed 01/06/2018).

<sup>304</sup> <https://www.iol.co.za/news/politics/zumas-anti-gay-comments-lead-to-backlash-295249>(Accessed 01/06/2018).

<sup>305</sup> S v Zuma 2006 2 SACR 191 (W)

rotten”.<sup>306</sup> In 2014, leader of the Democratic Alliance Party, Mmusi Maimane, was recorded in a sermon stating the following:

So, you know what I am most grateful of, is that in my friendship circles there are Muslims, there are gay people, because I believe that is what God has called us to do. I take the verse that Jesus says, ‘I didn’t come for the well but I came for the sick’. I take that quite seriously<sup>307</sup>

This quote by Maimane, a prominent political figure, further perpetuates that there is something inherently wrong with homosexuality. Although he expresses tolerance towards the LGBTIQ+ community, Maimane compares homosexuality to sickness. This is problematic in that it furthers the dangerous categorisation of homosexuality as sickness. Similar to the homophobic mechanisms used in the before mentioned countries such as Uganda, religion is used as a tool to other and ostracise the LGBTIQ+ community. Furthermore, Maimane’s utterances become an example of what McIntosh describes as homosexuality being used as a marker for sickness or criminal activity.<sup>308</sup>

Through the use of entrenched systems like culture and religion, these figures do not appeal to the morality of the South African society, but activate a panic that the societal order of things is being attacked by the existence of gender traitors. As I show in chapter 1, religion and culture played and continue to play a role in the epistemic violence and violent erasure of same sex relations archiving in Africa. These views by political figures highlight their visceral intolerance, an intolerance which is dangerously perpetuated by the power of their positions and the manner in which these positions legitimize what they share. Using the fallacy of what authentic Africanness and authentic Christianity represent, political figures use systems of power entrenched to uphold patriarchy to delegitimize the existence of queer bodies. Unfortunately, the fact that South Africa operates from a framework that does not tolerate or recognize difference makes sanctioned homophobia palpable and legitimate as it appeals to popular moral norms.

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<sup>306</sup> <https://mg.co.za/article/2012-01-23-zwelithini-gays-are-rotten> (Accessed 24/06/2018).

<sup>307</sup> <https://www.enca.com/south-africa/maimane-zuma-and-other-anti-gay-statements-sa-politics> (Accessed 24/06/2018).

<sup>308</sup> McIntosh M, “The Homosexual Role” (1968) *Social Problems* vol. 16 182-192.

Concurring with Msibi, violence against queer blackwomxn is a response to the stripping of way of power from men through Constitutional attempts at recognition and equality for marginalized groups such as womxn and LGBTIQ+ persons.<sup>309</sup> Those who are beneficiaries and performers of traditional forms of masculinity house the anxiety associated with the emergence of various masculinities which are incongruent to dominant masculinity. With regards to masculinity, there evidently exists a concentrated effort in performing homophobia to erase any association that may be seen as endorsement of or a participation in homosexuality. Some of these violent performances of toxic masculinities are exactly that, performances that serve to prove that the performer is not a homosexual and does not endorse masculinity. The performance of these rapes involve more than just violence but further demand respect from the victim and aim to demonstrate that desire from queer bodies can be attained through violence.

In attempting to unpack how the performance of masculinity by masculine presenting queer blackwomxn displaces societal norms of masculinity, I consider the vulnerable and unstable framework from which masculinity as a whole operates. Lock Swarr acknowledges how the presence of female bodied masculinity exposes the vulnerability of masculinity as the former is considered as illegitimate.<sup>310</sup> The illegitimacy stems from the societally agreed upon norm that a body and its expression must be congruent. Therefore, a male bodied person can successfully attain and perform masculinity in a normative manner that does not transgress heteronormativity. Similarly, female bodied persons must express and perform femininity in a confirmatory manner that demands desirability, docility and accessibility. The acts of violence performed against queer blackwomxn who are explicitly masculine presenting emanate from a rationale of purging a masculine place of subversive identities that disrupt the space. The contestation is due to the fact that masculinity is no longer monolithic in nature and various identities have emerged that challenge patriarchal culture. Swarr furthermore states that the

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<sup>309</sup> Msibi T, "Not Crossing the Line: Masculinities and Homophobic Violence in South Africa" (2011) *Agenda* 52.

<sup>310</sup> Lock Swarr A, "Paradoxes of Butchness: Lesbian Masculinities and Sexual Violence in Contemporary South Africa" (2012) *Signs* vol. 37 962.

masculinities embodied and performed by black lesbians are not the copying of dominant male masculinity but a creation of varying masculinities.<sup>311</sup>

The history of violence in South Africa aggravates the manner in which violence is used as a reaction to threat. Msibi correctly asserts that what men perceive as emasculation increases the probability that they will assert their masculinities through violence.<sup>312</sup> This observation links to the violent masculinities that Lock Swarr unpacks, black masculinities that remain vulnerable and unstable through the emasculation project that was colonization and later, Apartheid. Masculinities in Apartheid which are categorized as struggle masculinities by Xaba, were dependent on the constant need to assert superiority over womxn.<sup>313</sup> South Africa's entrenched masculinities which have existed prior to the democratic dispensation have been uprooted and unsettled by the democratization of the country.<sup>314</sup> Therefore masculinities in South Africa operate from within a framework of violence that was and continues to be informed by the legacy of Apartheid.

In both the cases of Simelane and Nkonyana, which I discuss in detail in the introduction, the motivation for the attacks were informed by contested masculinity and the incapacity of queer blackwomxn to embody a subversive masculinity housed in a biologically female body. The contestation is that womxn are supposed to adhere to the traditional societally accepted norms of their homosociality. Therefore, an anxiety is created when they present a different brand of masculinity while being womxn and failing to conform to the cult of femininity. Lock Swarr describes it as a tripartite threat: Firstly, to heterosexuality as womxn are engaging in relationships with other womxn. Secondly, there exists a threat to gender norms through subversive masculine expression and presentation. Thirdly, the

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<sup>311</sup>Lock Swarr A, "Paradoxes of Butchness: Lesbian Masculinities and Sexual Violence in Contemporary South Africa" (2012) *Signs* vol. 37 962

<sup>312</sup> Msibi T. "Not Crossing the Line: Masculinities and Homophobic Violence in South Africa" (2011) *Agenda* 52.

<sup>313</sup> Xaba T, "Masculinity and Its Malcontents: The Confrontation between 'Struggle Masculinity' and 'Post-Struggle Masculinity'" (2001) *Changing Men in Southern Africa* 105.

<sup>314</sup> Lock Swarr A, "Paradoxes of Butchness: Lesbian Masculinities and Sexual Violence in Contemporary South Africa" (2012) *Signs* vol. 37 965.

threat lies in the mechanics of sex, with the accepted form of sexual interaction being between biologically male and female bodied persons.<sup>315</sup>

The first threat relates to the manner in which queer blackwomxn are perceived to be inaccessible and purposefully present themselves as undesirable. It is common place, although not universally assumed, that masculine presenting queer blackwomxn engage in relationships with femme womxn. This is often misinterpreted even within the queer community, as a relationship operating within the framework of heterosexual normativity. This misconception forms a dangerous catalyst for attack as same sex relationships that present in this manner are perceived to be replicating heteronormativity. This informs the language that centres queer blackwomxn's experience as aspiring to become a man or performing acts associated with manliness. Therefore, an anxiety is created by what is perceived to be a synthesized heterosexual relationship and assailants rationalize their attacks as corrective and a means of restoration.

The second is confirmed and manifests in the testimony made by the perpetrator of punitive rape. In conversation with Muholi, Xolani (pseudonym) states in detail how he and a gang of his fiends raped a lesbian identifying acquaintance.<sup>316</sup> The womxn had entrusted her safety in these young men who identified as her friends while they had premeditated raping her in order to prove to her that she was a womxn. This attack was also motivated by the fact that the womxn was a virgin and had not been with a man before therefore the perpetrators where of the opinion that she would enjoy their assault and start to adhere to gender norms and behave as girls should.<sup>317</sup>

The third threat upholds the theory by Ratele who describes masculinity around sex and the mechanics of sex.<sup>318</sup> Successful masculinity is dependent on sexual activity and thus the value of a man and the validity of his masculinity is dependent on sex. Ratele states the following:

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<sup>315</sup> Lock Swarr A, "Paradoxes of Butchness: Lesbian Masculinities and Sexual Violence in Contemporary South Africa" (2012) *Signs* vol. 37 963.

<sup>316</sup> Muholi Z, "Thinking through lesbian rape" (2004) *Agenda* 121.

<sup>317</sup> Muholi Z, "Thinking through lesbian rape" (2004) *Agenda* 121.

<sup>318</sup> Ratele K, 'Male Sexualities and Masculinities' (2011) *African Sexualities Reader* 399.

Nearly everywhere in the world manliness is closely associated with our sexual partner(s), the sexual appeal of our partner(s), the size of our penises, the claims we make about our sexual stamina, whether we can maintain a healthy erection and how virile we are. These are just a few examples, yet they go to the heart of how sex is used to construct a particular for, of masculinity and manliness.<sup>319</sup>

The legitimacy of sexual relations between queer persons has been scrutinized and dismissed as a taboo because patriarchy demands the presence of a penis for validity. Further on in the chapter, I argue that the link between the penis as a powerful object (that is sometimes tantamount to terror) and its usage as a means to discipline the erotic and deny queer blackwomxn bodily autonomy. It is this use of the phallus as a weapon that enables the configuration of toxic masculinity practices. This argument is affirmed by Plummer who states that states that men who subscribe to “an aggressive configuration of masculine heterosexuality” relate to a womxn through fucking and possessing rather than intimacy.<sup>320</sup> The above mentioned quote describes the heavy dependence of successful masculinity on sexuality and virility. Therefore, the aim of sexuality, as stated by Plummer, is conquest. It is not based on the notions of lovemaking and intimacy but simply on inhabiting a body and taking ownership of it. That is the aim of dominant masculinity.

Ratele states that understanding dominant masculinity requires an investigation into what it means in Africa for womxn to love other womxn through the lens of what society considers to be a man.<sup>321</sup> It is also important to understand masculinity through investigating why womxn loving womxn is a cause of the anxiety of men. In interrogating the cause, I find that dominant masculinity informs the anxiety as the measure of a successful man, as stated by Ratele, stems from their sexual success and conquests, a culture which is entrenched from the formidable years of a man. The above mentioned threats highlight the points at which the bodies of queer blackwomxn begin to be sites of violence.

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<sup>319</sup> Ratele K, ‘Male Sexualities and Masculinities’ (2011) *African Sexualities Reader* 399.

<sup>320</sup> Plummer K, “Male Sexualities” (2005) *Handbook of Studies on Men and Masculinities* 190.

<sup>321</sup> Ratele K, ‘Male Sexualities and Masculinities’ (2011) *African Sexualities Reader* 399.

The language used during the assaults by the perpetrators captures the fear that lesbian womxn pose to masculinity. For instance, in attack against Millicent Gaika, the assailant said the following:

“I thought he was going to kill me; he was like an animal. And he kept saying, ‘I know you are a lesbian. You are not a man, you think you are, but I am going to show you, you are a woman. I am going to make you pregnant. I am going to kill you.’”<sup>322</sup>

The language points to the various notions that toxic masculinity depend upon in order to advance. The first notion is that successful femininity depends on the capacity to bear children. The second is that men have the capacity to fundamentally alter a womxn’s body through their penis and forcefully create conformation. Through the attack, the womxn who identifies as a lesbian will be reminded of her femininity and womxnhood, which are aligned with her docility and subservience and further result in impregnation. Through this language, the attacker performs a reminder that even as a heterosexual womxn, she is without agency with regard to choices involving sexual reproduction rights.

Gqola states that it is intrinsic in a system of violent gender power to celebrate that which is masculine and thus because society does not recognize an “in between”, that which is feminine will conversely be that which is shamed.<sup>323</sup>

## 2.7 The role of the media in perpetuating erasure

The question begs to be asked, what is the link between lack of representation and material erasure? Relationships between queer blackwomxn are often viewed with abhorrence and maligned as unacceptable as they present as an abnormality. The lack of representation of queer blackwomxn has been a site for criticism as it perpetuates stigma against such bodies. I argue that a representation of queer blackwomxn in popular culture heightens visibility while simultaneously educating those who may be ignorant to queer desire. The erasure of queer blackwomxn and inadequate representation of such

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<sup>322</sup> Nicholson Z, “You Are Not a Man, Rapist Tells Lesbian.” (2010) Cape Argus, April 4.

<sup>323</sup> Gqola P, *Rape: A South African Nightmare* (2015) 39.

bodies prevail in South African main stream media. Referring to the abovementioned theory by Matebeni, queer blackwomxn receive attention only when there is the attachment of violence to their experience.<sup>324</sup> The portrayal of queer blackwomxn as anything other than aggressive and unfit to mother children would be contrary to the ideals of patriarchy and capitalism that require male saviours and male partners for the sustainability and lack of difference of blackwomxn. In an article by *Bitch Media* the author criticizes the portrayal of queer womxn on mainstream TV as dysfunctional womxn in heterosexual relationships who happen to dabble in queer relationships.<sup>325</sup> Again, this negative representation inflames the misconception that queer blackwomxn are ill disciplined and a meting out of punishment is required to discipline the erotic and the trajectory of their lives. The writer of the article further criticizes this negative framing of queer blackwomxn as a reincarnation of an age old paranoia of sexually open and fluid womxn being morally corrupt and uncontrollable.<sup>326</sup>

For queer blackwomxn, same sex desire transcends just an indiscretion of sexual deviance but presents as an attack on the traditional notion of femininity. The position of a womxn is cemented by child birth and the security of a heterosexual marriage. Forced marriages are often used as a corrective measure for queer people and as a means to bring honour to a family that would otherwise have experienced dishonour through a queer child.

Azuah chastises the negative portrayal of womxn in the media who are attracted to other womxn.<sup>327</sup> The dominant narrative seems to be a performance of sexual desire for the gratification of a male spectator and more often than not, this display ends in violence.<sup>328</sup> This also informs the misconception that same -sex desire for queer blackwomxn is a phase or experimentation rather than a way of being. Azuah also correctly notes how the

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<sup>324</sup> See 2.4 above.

<sup>325</sup> [www.bitchmedia.org/article/nova-nola-annalise-queer-black-women-onscreen](http://www.bitchmedia.org/article/nova-nola-annalise-queer-black-women-onscreen) (Accessed on 08/05/2018)

<sup>326</sup> [www.bitchmedia.org/article/nova-nola-annalise-queer-black-women-onscreen](http://www.bitchmedia.org/article/nova-nola-annalise-queer-black-women-onscreen) (Accessed on 08/05/2018)

<sup>327</sup> Azuah U, "Same-sex sexuality issues in some African Popular Media" (2002) *Canadian Journal of African Studies* vol.43 184.

<sup>328</sup> Azuah U, "Same-sex sexuality issues in some African Popular Media" (2002) *Canadian Journal of African Studies* vol.43 184.

sexual interactions of queer blackwomxn are treated with either humour or contempt as a Western import that is abnormal and not organic in Africa.<sup>329</sup>

As Matebeni has stated, the media fails to recognize queer blackwomxn as full human beings when reporting on “corrective rape”, a term that has become synonymous with black lesbians. In her thesis, Lake correctly identifies that the media fails to present queer blackwomxn, specifically lesbians, as agents but present them as perpetual victims.<sup>330</sup> This contributes to the heightened visibility and simultaneous erasure of lesbians, making black queer womxn susceptible to hate motivated attacks while being presented as exclusively victims. This argument presented by Lake is congruent to the views of Matebeni that language can be a catalyst of violence and those who have biases towards particularly black queer womxn can misunderstand or legitimize attacks against such bodies as having a corrective aspect. Again, the portrayal of the media of black lesbians in particular has an endangering effect of framing queer blackwomxn as accessible sights for violence where the perceived rectification of queerness can be performed.

In confronting the issue of representation, the media plays a significant role in shaping and informing societal views. The manner in which the lives and deaths of lesbians have been reported reflects a heterosexist attitude which creates stereotypes by focusing on the subversive nature of lesbians by incorrectly defining what it means to be queer while ignorantly and dangerously using terms such as corrective rape.

The daily victimization and assaults that queer blackwomxn living in South Africa face, seem to be hidden from the public consciousness if they are deemed not to be newsworthy by the media. The stories of Eudy Simelane and Zoliswa Nkonyana made headlines due to the violent nature of their deaths. In agreement with Hames, the reason for these headlines, I argue, was to further perpetuate the narrative of the dangerous society which is South Africa. As I point out later in this paragraph, media reports of lesbians who are victims of the crimes are dwindling. Rather, punitive rape is still regarded as a series of isolated events rather than endemic in South African society. Sanger

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<sup>329</sup> Azuah U, “Same-sex sexuality issues in some African Popular Media” (2002) *Canadian Journal of African Studies* vol.43 184.

<sup>330</sup> Lake N, *Corrective Rape and Black Sexualities in Contemporary South African Cultural Texts* (2017) 1.

criticizes the decontextualization of reported hate rapes as if they exist outside of the heterosexism paradigm that society operates from.<sup>331</sup> It is my argument that the media neglects to interrogate the systems of oppression that interlock and facilitate the acts of violence against queer blackwomxn. The media should be involved in an in depth analysis in on why hate rape is pervasive in South Africa and the links between these violent acts and toxic masculinity and socio-economic considerations amongst other factors.

An example of a case poorly reported is that of Nonkie Smous, a lesbian living openly in Kroonstad in the Free State. At the same time her body was discovered, social media was in uproar over the killing of Karabo Mokoena, a heterosexual womxn who was killed by her boyfriend in Johannesburg. Nonkie's name was not afforded the same utterance that escalated Karabo's case into international headlines.<sup>332</sup> These brutal killings, similar in their level of brutality made one a household name and another reduced into a nonentity. Perhaps this is an indication of media fatigue regarding another dead lesbian whose case was not seen to be high profile. The question arises why there exists a selective outrage over these two killings, both orchestrated by men who share the entitlement over the bodies of womxn.

Smous' case represents the multiple ways in which violent erasures of queer blackwomxn manifests. The cases existed in the same timeframe where Karabo Mokoena's killer has already received a sentence while no updates have followed in the mainstream media over Smous' case. The media displays a lack of apathy as there exists no effort to follow up on the cases such as Smous. The last report states that three men were arrested in connection to her murder and rape however two were released and the other charged with robbery but again, was later released.<sup>333</sup> In a statement made by an LGBTIQ+ activist and relative of Smous, Nthabiseng Mokonyane expressed how information from local law enforcement was inaccessible. Furthermore, one of the alleged suspects had

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<sup>331</sup> N Sanger, "The real problems need to be fixed first: Public discourses on sexuality and gender in South Africa (2010) *Agenda* 118.

<sup>332</sup> [www.health-e.org.za/2017/05/24/killed-because-of-her-identity/](http://www.health-e.org.za/2017/05/24/killed-because-of-her-identity/) ( Accessed 29/05/2018)

<sup>333</sup> [www.health-e.org.za/2017/05/24/killed-because-of-her-identity/](http://www.health-e.org.za/2017/05/24/killed-because-of-her-identity/) (Accessed on 29/05/2018).

threatened the lesbian community in the area stating that they would orchestrate killings and decapitations of all lesbians in the area.<sup>334</sup>

The similarity between Smous and Mokoena's cases lies in the disappearance and extended period required with regard to the identification of their bodies as they both burnt beyond recognition. However, because of the intense interest in the case by society that was sparked by social media outrage, I am of the opinion that the case was fast tracked seeing as it was under such high public scrutiny.

Again, Nkonyana's case was not afforded the same of scrutiny and judicial efficiency as it was postponed more than 40 times. Another case which inducted the 070707 Campaign was the double murder of Sizakele Sigasa and Salome Massoa who were victims of hate crimes while residing in Meadowlands in Soweto. The media coverage dwindled with the lack of progress made with regards to arrest and follow up.<sup>335</sup> Although members of the campaign remained committed to pressurizing the legal system and its organs to secure justice for the slain lesbian couple, no such outcome has materialized. Highlighting the manner in which media buries stories which cease to rouse public interest, Gqola states the following:

Many large newspapers either buries the brutal murders of Sigasa and Massoa in brief coverage in their main bodies, or ignored this news altogether. Clearly what happens to young blackwomxn of alternative sexualities is neither newsworthy nor important enough to compete with the front page posturing of politically visible men, or the noise about upper middle class crime levels. Does the media's blasé approach to this face of violent crime contribute to how invisible most black lesbians continue to feel?<sup>336</sup>

Although the case saw extensive media coverage, the interest discontinued as is the norm in media when there no longer exists an angle to further sensationalize. Linking with

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<sup>334</sup><http://www.mambaonline.com/2017/04/12/burnt-lesbian-murder-victim-pain-nonkis-family-suspects-released/> (Accessed 29/05/2018).

<sup>335</sup><http://www.thedailyvox.co.za/070707-ten-years-on-and-the-struggle-against-homophobic-hate-crimes-continues-emily-craven/> (Accessed 29/05/2018).

<sup>336</sup> [www.pumlagqola.wordpress.com/2007/07/24/hate-crimes-against-black-lesbians-2/](http://www.pumlagqola.wordpress.com/2007/07/24/hate-crimes-against-black-lesbians-2/) (Accessed 26/06/2018).

the above mentioned thoughts by Hames, it is clear that the media plays an incredible role in the formulation and perpetuation of ideas surrounding gender, sexuality and sexual orientation.<sup>337</sup> With that being mentioned, it is imperative to recognize and analyse the media reporting trends picked up by Sanger in order to contextualize the selective outrage expressed when a queer blackwomxn and other black queer bodies are materially erased.

Firstly, there exists an inconsistency in media reporting of homophobic attitudes and behaviour with only incidents of material violence being recorded such as murder. It is thus important to note the minimal mainstream recording of other forms of homophobia that may not manifest in physical violence. In a column in the *Sunday Sun* newspaper, then Ambassador to Uganda and writer, John Qwelane wrote an article which was published by the paper titled *Call Me Names but Gay's not okay*. The article included a series of homophobic slurs and demanded the rewriting of the Constitution to excise sections that endorse and promote the degradation of society's moral fibre.<sup>338</sup> Qwelane continued to use the platform to equate same sex marriage to bestiality and commended the views of ex-President Robert Mugabe for being unapologetic about gayness being wrong. The media in its role of informing and influencing societal attitudes published an "opinion" that is tantamount to hate speech while justifying it as an opinion. The publication facilitated an opinion that openly advocated for the hate and intolerance of LGBTIQ+ persons merely two months after the rape and murder of Banyana Banyana superstar Eudy Simelane. This not only highlights the insensitivity of the media towards the lives of the queer blackwomxn but also shows the non-recognition and non-belonging of queer blackwomxn in a society that treats their bodies as disposable. Media sensationalism was deemed more important than the bodies of queer persons that were endangered by these views expressed by a writer and Ambassador to Uganda.

In a hearing where the SAHRC was an applicant, the deputy editor of the Sunday Times Ben Viljoen stated that the publication and not the journalist were to blame for the column

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<sup>337</sup> Sanger N, "The real problems need to be fixed first: Public discourses on sexuality and gender in South Africa (2010) *Agenda* 119.

<sup>338</sup> Qwelane J, "Call me names but gay's not okay!" (2008) *Sunday Sun* 14.

and not the journalist.<sup>339</sup> He further stated that the apology issued by the publication was unsatisfactory but the feelings that were hurt by the column should not usurp freedom of expression and result in media censure.<sup>340</sup> I tend to concur with the views of the High Court Judge Dimpheletse Seun Moshidi who stated that the column written by Qwelane "did not contain constitutional value at all" and was not produced in order to encourage debate on homosexuality, "but rather to persuade readers of Qwelane's own views and position on homophobia and call on others to join him in that".<sup>341</sup> The case instituted by the SAHRC has been granted leave to appeal to the Supreme Court of Appeal. The column clearly not only presents an intolerance and blatant advocacy for hate against LGBTIQ+ but represents the dangerous idea that queer persons are inherently diseased and that their existence is wrong.

Again, these ideals are considered dangerous because they echo the sentiments of men who perform the material erasure of queer blackwomxn in South Africa. Importantly, this observation illustrates how the operates from an institutionalized heterosexism framework and is thus unable to recognize the value in reporting every day homophobic incidents that cannot be easily sensationalized.<sup>342</sup> The media itself plays an active role in informing selective outrage as they decide what is newsworthy and stories involving murder and rape will illicit more outrage than of day to day harassment of queer bodies in a society which already has homophobia ingrained into its fabric. Simply put, a homophobic society cannot be outraged at homophobia if it is common place and endorsed by public figures and entrenched systems of oppression.

The second pattern that Sanger presents links to the column written by Qwelane. Media reports fail to contextualize the manner in which sexual norms around heterosexuality drive homophobia and heterosexist views.<sup>343</sup> Newspapers such as the Sunday Sun

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<sup>339</sup> <https://www.businesslive.co.za/bd/national/2017-03-08-jon-qwelanes-column-is-offensive-but-it-must-not-be-used-to-muzzle-the-media/> (Accessed 26/06/2018)

<sup>340</sup> <https://www.businesslive.co.za/bd/national/2017-03-08-jon-qwelanes-column-is-offensive-but-it-must-not-be-used-to-muzzle-the-media/> (Accessed 26/06/2018)

<sup>341</sup> <https://www.iol.co.za/news/politics/jon-qwelane-granted-leave-to-appeal-hate-speech-ruling-14559262> (Accessed 26/06/2018)

<sup>342</sup> Nel J et al, "Exploring homophobic victimization in Gauteng, South Africa: Issues, impacts and responses" (2008) *Acta Criminologica* vol. 21(3) 19.

<sup>343</sup> Sanger N, "The real problems need to be fixed first: Public discourses on sexuality and gender in South Africa

provide a platform for the continuation of homophobia under the guise of freedom of speech. Media reports fail to adequately illustrate the link between the punitive rape and physical attacks of queer blackwomxn and the South African society that performs “successful” masculinity through violence.

Thirdly, Sanger states that there is a lack of discourse in the manner in which the lives of black lesbians in South African township are endangered further by the intersection of their race, gender, class, religion and geographical location.<sup>344</sup> This links again to the first analysis in highlighting the failure of mainstream media to report on general heterosexual violence and homophobic stances unless there is a murder to accompany the incident. Instead the media focuses on the rapid rate of crime in South Africa without recognizing that the position where black lesbians are placed makes them even more susceptible to violence. Sanger notes that even in instances of good reporting where voices of LGBTIQ+ activists are considering in qualifying attacks as homophobic, the media still fails to acknowledge the link between heterosexism and homophobia.<sup>345</sup> This lack of recognition perpetuates the notion that incidents of homophobia are isolated events and not endemic in South African society. The media further does nothing to challenge the patriarchal framework from which homophobia operates and fails to expose the root cause. Therefore, the discourse remains stagnant while society debates whether homosexuality is “UnAfrican” or not instead of confronting the systems which have conditioned society to view queerness as abhorrent and ugly because it does not present any patriarchal gains.

In an interview with the Mail and Guardian, lesbian activist and founder of Luleki Sizwe Ndumie Funda, explains the manner in which lesbian womxn are raped and killed in townships but their names fade as people forget while the world will never know their names or the erasure they experienced at the hands of men. The article opens with Funda narrating her experience of hostility experienced in a taxi and a man stating that “[she]

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(2010) *Agenda* 119.

<sup>344</sup> Sanger N, “The real problems need to be fixed first: Public discourses on sexuality and gender in South Africa (2010) *Agenda* 119.

<sup>345</sup> Sanger N, “The real problems need to be fixed first: Public discourses on sexuality and gender in South Africa (2010) *Agenda* 121.

must be taught a lesson because [she] is too much like a man.”<sup>346</sup> The media does not offer extensive coverage to the everyday challenges faced by black queers but rather perpetuates heteronormativity by reporting queer bodies in a sensationalist way, focusing on the subversive bodies and sexual preferences that are not perceived as normative.<sup>347</sup>

Theoretically, the selective outrage in response to homophobic attacks targeted at primarily queer blackwomxn can be attributed to the impunity with which masculinity is performed. At the funeral of Noxolo Nogwza, Funeka Soldaat expressed disappointment in the community for their lack of stillness or lamentation during the period of grief. Soldaat noted that the community continued implementing their daily tasks with indifference and failed to recognize the gravity of what had occurred. Commenting on the recent death of 23-year-old Noxolo Xakeka who was allegedly stabbed in the Strand area of Cape Town, Soldaat stated the following:

It would be nice if the issue of Noxolo raises the issue of women who continue to be mutilated by men because of choices that they make in their lives. It can't just be a lesbian issue. It has to be a community issue. It's a human rights issue. It has to be a women's rights issue.<sup>348</sup>

The statement made by Soldaat addresses various pertinent issues regarding the recognition of LGBTIQ+ rights and violations. The media fails to perform as a catalyst for change by conscientising society that the material erasures experienced by queer folks in South Africa represent an entrenched system and are not just random incidents that are orchestrated by a criminal element.

The mapping of Feminism as an intellectual tradition places issues regarding queer womxn, specifically lesbians as auxiliary to any discussion. Rich states that Feminist Theory should no longer consider lesbianism as an alternative lifestyle worthy of mention

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<sup>346</sup> <https://mg.co.za/article/2011-05-06-people-are-dying-as-we-speak> (Accessed on 29/05/2018)

<sup>347</sup> Sanger N, “The real problems need to be fixed first: Public discourses on sexuality and gender in South Africa (2010) Agenda 119.

<sup>348</sup> <http://www.sabcnews.com/sabcnews/23-year-old-killed-alleged-homophobic-attack/> (Accessed 25/05/2018).

only in the manner of tokenism but insists on “a feminist critique of compulsory heterosexual orientation.”<sup>349</sup>

The manner in which these cases were handled was vastly different, highlighting how acts of violence against queer blackwomxn are orchestrated with impunity. These violent acts occur in communities who live in close proximity to the streets in township. In Naledi, Lerato Moloji was killed, the residents claiming that her cries were reminiscent to laughter. In the case of Eudy Simelane, residents claimed that killings occurred so frequently in that area that any cause for alarm was ignored in fear for their own lives. The existence of violent and toxic masculinity thrives in townships as it relies on fear and ownership. The Soweto township was home to the 1980s gang, the jackrollers, who introduced a culture of the abduction and gang rape of girls. This occurred without impunity and as an operation dependent on fear. This culture has existed in South African townships and I cautiously refer to 2012 media reports that highlighting the re-emergence of jackrolling as a part of initiation culture for young boys.<sup>350</sup>

South Africa’s history is deeply embedded in unresolved trauma. The rape of womxn in Apartheid was a barely acknowledged narrative in the TRC, with rape being categorized along with other violations perceived as not harrowing or intrusive as murder, kidnapping and torture. There seems to be an estranged relationship between the contemporary South African space and the history of gender based violence in South Africa.

In the next chapter I expand on the effect of rape on queer blackwomxn. The legacy of violence has resulted in the performance of violence on the bodies of womxn. Specifically, I interrogate the terror of rape on the bodies of queer blackwomxn.

## 2.8 Rape: A multidimensional erasure

While the act of sexual assault manifests physically, for masculine presenting and butch identifying womxn there exists an added violence that manifests as erasure. To unpack the impact of rape on masculine presenting queer womxn, one must be cognizant of the

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<sup>349</sup> Rich A, “Compulsory Heterosexuality and Lesbian Existence” (1980) *Signs* 631.

<sup>350</sup> [www.mg.co.za/article/2012-05-07-how-gang-rape-is-the-norm-in-south-africa](http://www.mg.co.za/article/2012-05-07-how-gang-rape-is-the-norm-in-south-africa) (Accessed 25/05/2018).

added violation that disrupts the identity of the victim. For some masculine queer blackwomxn, their power manifests in opting to engage in sexual intercourse without having to be touched. In some instances, masculine presenting lesbians actively seek relationships with femme presenting womxn in order to affirm their masculinity.<sup>351</sup> The act of dating femme lesbians is misconstrued as an act which undermines dominant masculinity.<sup>352</sup>

The concept of homosociality is described as a structure where social bonds form between a group of people of the same sex.<sup>353</sup> A male oriented homosocial revolves around the upkeep of hegemonic patriarchy which demands a continuance of gender inequality and access to the bodies of womxn. Masculine identifying queer blackwomxn exist outside of the male homosociality that is deemed as a structure which advances gender inequality and encourages masculinity that is based on sexual success and the ability to access womxn. Womxn who identify as queer in a society that regards homosexuality as UnAfrican are seen as symbols of rejection. Their added refusal of conforming to femininity standards becomes a point of inaccessibility as they do not actively engage in the project of making themselves smaller and appealing for the male gaze. Gqola states that it is intrinsic in a system of violent gender power to celebrate that which is masculine and thus because society does not recognize an “in between”, that which is feminine will conversely be that which is shamed.<sup>354</sup> This speaks to the debasement of womxn that queer masculine presenting womxn challenge and is met accordingly with violence. This also speaks to the anxiety of womxn who do not belong to the ideal homosociality of heterosexual men or heterosexual womxn. As mentioned by Van Zyl, legitimate masculinity must be accompanied by a masculine body. Gqola also states that according to the structural composition of society in terms of binaries, women cannot legitimately attain masculinity while living in female bodies. Thus the emergence of the practice of womxn having to make themselves appealing for the masculine.<sup>355</sup>

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<sup>351</sup> Lock Swarr A, “Paradoxes of Butchness: Lesbian Masculinities and contemporary violence in South Africa” (2012) *Signs* vol.4 961.

<sup>352</sup> Lock Swarr A, “Paradoxes of Butchness: Lesbian Masculinities and contemporary violence in South Africa” (2012) *Signs* vol.4 961.

<sup>353</sup> Hammaren N & Johanssen T, “Homosociality: In Between Power and Intimacy” (2014) *Sage Open* 1.

<sup>354</sup> Gqola P, *Rape: A South African Nightmare* (2015) 39.

<sup>355</sup> Gqola P, *Rape: A South African Nightmare* (2015) 39.

While this speaks to the unease that womxn have to their bodies, it also highlights the manner that masculine presenting queer womxn fail to conform to the narrative of their bodies being excessive and dirty and needing to be corrected for male approval. Therefore, masculinity demands of womxn to subscribe to a constructed femininity, which according to Gqola, produces a tired and beaten womxn perpetually working at making herself smaller.<sup>356</sup> As masculine presenting queer womxn fail to perform this femininity for masculine approval, their existence unsettles the volatile masculinity that is constructed by heteropatriarchy. The consequences, which emerge from a masculinity that bears cracks highlighted by its vulnerability, are the material and symbolic violence meted out to queer blackwomxn.

The existence of masculine presenting queer blackwomxn is defined by embodying that which is masculine. This manifests through their appearance and engaging in activities which are traditionally reserved for men such as smoking, wearing pants and engaging in relationships with feminine presenting womxn amongst others. Their power manifests in their desire to claim this identity and act in a manner considered to be aberrant. The admission of an assault disempowers them while violently disrupting their identity as they do not desire or interact with the biological penis as heterosexual womxn do. The trauma specifically manifests as a result of their masculine identities being delegitimized through sexual assault.<sup>357</sup> There exists an additional shame for masculine presenting womxn as the sexual assault is framed as an emasculation project. The deviant masculinity that is expressed by masculine lesbians is regarded as abominable and the premise from which the perpetrators operate. Successful masculinity is framed through the accessibility to womxn. As queer blackwomxn subvert successful masculinity, their existence is constantly contested based on the fact that these bodies are not available to control and access as dominant masculinity demands. As Baghdadi comments on the experience of a lesbian blackwomxn raped by her uncle, he notes that the function of this assault was to assert that she was iniquitous.<sup>358</sup> The violence manifests in the shifting of blame from

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<sup>356</sup> Gqola P, *Rape: A South African Nightmare* (2015) 39.

<sup>357</sup> Muholi Z, "Thinking through lesbian rape" (2004) *Agenda* vol. 61 118.

<sup>358</sup> Baghdadi F, Corrective Rape of black lesbian women in Post-Apartheid South Africa accessed at <http://dostoevskiansmiles.blogspot.com/2013/06/corrective-rape-of-black-lesbian-women.html>

the perpetrator to the victim and distributing the shame to the victim. There exists a misappropriation of symbolic power in the South African Post-Apartheid imaginary. Bunch references Bourdieu who describes symbolic power as a world making power.<sup>359</sup> Thus those who possess that power have the capacity to impose their vision of the world and present that vision as legitimate.<sup>360</sup> The world envisaged by African heteropatriarchy has no space for queerness especially that of blackwomxn who identify as such. The misappropriation of symbolic power by heteropatriarchy becomes the basis of the violent exclusion and violation of queer black bodies. Queer blackwomxn have no place in the narrative and do not belong in the imaginary and thus makes it acceptable in this society to violently diminish them. Baghdadi identifies the perpetual trauma of queer blackwomxn in South Africa as the preoccupation with overcoming the devastation of colonialism has left blackwomxn in the periphery and specifically queer blackwomxn as unimagined.<sup>361</sup> The symbolic violence endured by survivors of corrective rape involves the trauma of understanding the assault from the heterosexual perspective.<sup>362</sup> Thus, the survivor has to remove their self from their identity as queer in order to understand the trauma as their identity does not desire the biological penis. I use the term biological to differentiate from the prosthetic phallic objects used in intimate pleasure. The survivor's reality is muddled by the physical violence due to the failure to comprehend the attack subjectively.<sup>363</sup> The survivor is forced to conform to heteronormativity to grasp the transgression in its physical sense. According to Baghdadi, this creates a disenchanting self. This disruption of identity is violent.<sup>364</sup> The erasure is multidimensional as it manifests in violence through reasserting ownership and secondly, it manifests symbolically through the disruption of identity.

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<sup>359</sup> Bunch A, Bunch A, "Epistemic Violence in the Process of Othering: Real World Applications and moving Forward" (2015) *Scholarly Undergraduate Research Journal at Clark* Vol 1 11.

<sup>360</sup> Bunch A, Bunch A, "Epistemic Violence in the Process of Othering: Real World Applications and moving Forward" (2015) *Scholarly Undergraduate Research Journal at Clark* Vol 1 11.

<sup>361</sup> Baghdadi F, *Corrective Rape of black lesbian women in Post-Apartheid South Africa* accessed at <http://dostoevskiansmiles.blogspot.com/2013/06/corrective-rape-of-black-lesbian-women.html>.

<sup>362</sup> Baghdadi F, *Corrective Rape of black lesbian women in Post-Apartheid South Africa* accessed at <http://dostoevskiansmiles.blogspot.com/2013/06/corrective-rape-of-black-lesbian-women.html>.

<sup>363</sup> Baghdadi F, *Corrective Rape of black lesbian women in Post-Apartheid South Africa* accessed at <http://dostoevskiansmiles.blogspot.com/2013/06/corrective-rape-of-black-lesbian-women.html>.

<sup>364</sup> Baghdadi F, *Corrective Rape of black lesbian women in Post-Apartheid South Africa* accessed at <http://dostoevskiansmiles.blogspot.com/2013/06/corrective-rape-of-black-lesbian-women.html>.

The analysis done by Muholi with regard to the reluctance of rape reporting by masculine presenting queer womxn can be linked to Kenyan Feminist Shalija Patel's thoughts on shame. Gqola references Patel's work when explaining the debasement project which is rape. Stating, "you want to understand how power works in a society, watch who is carrying the shame and who is doing the shaming".<sup>365</sup> As shame is described as a product of dehumanization and that all systems of violent oppressive power produce power from those they oppress, the expression of trauma and pain is a manifestation of pain. The reluctance of hate rape survivors to report these attacks reaffirms the relationship of power and debasement to shame.

## 2.9 Conclusion

In this chapter I show the manner in which erasure manifests materially. In identifying the manner in which erasure manifests materially for queer blackwomxn, I identify rape as a tool used to discipline queer blackwomxn. As queer blackwomxn subvert gender norms by behaving and dressing in a manner which is incongruent to gender norms, they become hypervisible and consequently, the targets for hate rape.

Queer blackwomxn are hypervisible in their communities and spaces because of their outward representation. Masculine presenting queer blackwomxn are susceptible to violence as they are identifiable through their aesthetic.

I have identified the mainstream media culpable in the material erasure of queer blackwomxn. This is due to the use of problematic language of "corrective rape" and the framing of black lesbians as perpetual victims. The media fails to portray positive images of queer blackwomxn in South Africa and thus only refers to them when there is violence involved. This hinders positive portrayals of queer blackwomxn and thus essentialises violence to their experiences.

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<sup>365</sup> Gqola P, *Rape: A South African nightmare* 2015 38.

In the next chapter I interrogate the way in which erasure manifests symbolically. The themes explored in this chapter overlap with those in the next chapter. This is because the multiple forms of erasures overlap and perpetuate one form of erasure by another.

## Chapter 3: Symbolic Erasure

### 3.1 Introduction

The main research problem of this study is to identify the different levels at which erasure manifests for queer blackwomxn. In this chapter I consider the manner in which erasure manifests in a symbolic manner.

The research question which guides this chapter is how erasure manifests symbolically for queer blackwomxn. By symbolic erasure I consider the systems in place that perpetuate the erasure of queer blackwomxn. I interrogate how social location acts as a determinant in the erasure of queer blackwomxn. Queer blackwomxn are positioned in society as queer and blackwomxn. Through an intersectional approach, I identify that erasure manifests differently for queer blackwomxn due to the fact that they are marginalised by their race, gender, social location and poor economic standing. It is due to these intersecting oppressions that queer blackwomxn remain outliers.

The social location of queer blackwomxn affects the citizenships of queer blackwomxn. In this chapter I illustrate how queer blackwomxn fail to belong in society as citizens because they fail to conform to the heterosexual imaginary of Post-Apartheid South Africa. Additionally, the geography and racialization of space ensure that queer blackwomxn remain in the margins of society. This is because the space that queer blackwomxn navigate fails to recognize them as victims and leaves them exposed. Queer blackwomxn thus remain vulnerable and exposed in spaces which are heteronormative and patriarchal.

Lastly, I interrogate the manner in which queer blackwomxn remain marginalized within the LGBTIQ+ community. This is because the allotment of rights impacts the lives of people who are privileged by race and class. Spaces such as Gay Pride are located in areas that intend to exclude queer blackwomxn who do not have access to them as they are in the suburban areas. In this way, queer blackwomxn are outsiders in their own communities as queer rights appear to protect those who are not exposed to openly homophobic public spaces found in the townships and CBDs of cities in South Africa.

In this chapter, I unpack the manner in which erasure manifests symbolically. This demands the interrogation of the intersectionality that defines the existence of blackwomxn, in particular queer and lesbian blackwomxn. As I mention in the previous chapter, queer blackwomxn are disproportionately affected by violence that is informed by the hate of their identity than queer white men. This hate is built on the societally agreed upon notions of femininity and womxnhood that queer blackwomxn betray. The framework of intersectionality, a term coined by Crenshaw, captures the simultaneity of oppression on the basis of race, class and gender.<sup>366</sup> This framework also serves as a critique of the tendency to treat race and gender as mutually exclusive.<sup>367</sup> As citizens, blackwomxn are faced with non-belonging in the heteronormative imaginary of South Africa. The result manifests in the non-belonging that characterizes the lives of queer blackwomxn in South Africa and bars them access to society, thus not affording these bodies full citizenship. The lack of full citizenship exists in tandem with the denial of safety and the law existing as an inaccessible tool to especially poor queer blackwomxn. Furthermore, an interrogation is required into the law and other structures that entrench the oppression of blackwomxn. Lastly, an interrogation is required into the manner in which feminism that is primarily concerned with opposing Western notions of patriarchy totalizes the experiences of womxn. This dominant model of feminism exists while disregarding how oppression manifests differently for blackwomxn and particularly, queer blackwomxn who have accumulated a distinct burden because of their position in society where class, race, gender and sexuality intersect.

### 3.2 Social location as a determining factor for full citizenship

Social location forms part of the interrelated levels of belonging that are constructed by Yuval-Davis.<sup>368</sup> Social locations are informed by collective identities which are race, gender, class and age. The collective struggles of a group of people who share a similar identity tend to be characterized by where their collective identities intersect. For queer

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<sup>366</sup> Combahee River Collective, "A Black feminist statement" (1983) *This Bridge called my back* 210-218.

<sup>367</sup> Crenshaw K, "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics" (1989) *University of Chicago Law Forum* 139.

<sup>368</sup> Yuval-Davis N, *The politics of belonging* (2006) 196-213.

blackwomxn in South Africa, their intersection often falls in a category of poor, black and queer. This intersection of collective identity illustrates the specific marginalization these bodies face which is unlike that of their white middle class counterparts with whom they share the identity of queer. Moreau articulates the importance of scholarly work involving the analysis of multiple identities which exist simultaneously as a means to comprehend the legal incorporation and embodied experience of citizenship for marginalized groups.<sup>369</sup> Therefore by viewing the oppression of queer blackwomxn through an intersectional lens, I unpack the points where various identities which are singularly markers for oppression intersect and create a unique experience of the unimagined citizen who is a queer blackwomxn in Post-Apartheid South Africa.

Queer blackwomxn face the violence of non-belonging which nullifies their legitimate existence in society. This is due to the non-recognition of queer blackwomxn as full citizens belonging in a society that views queerness as Other. The inability of the national imaginary, produced by the constituents of the country, to include queer blackwomxn is a form of symbolic violent erasure. Their identity is nullified because they fail to be imagined as part of the country and therefore the erasure manifests.<sup>370</sup> Van Zyl succinctly describes the concept of belonging as one which is inherent to human behaviour.<sup>371</sup> As belonging is used as a tool to measure inclusion, one cannot reconcile one's identity with a society that does not recognize one's full identity. White men and womxn enjoy a semblance of belonging and have full access to society based on their social locations, which are determined by race and class. White bodies exist with the history of privilege afforded to them by virtue of their race and economic advantages that were secured by Apartheid spatial planning and access to wealth. Social location refers to where a person is located within the intersections of social hierarchies and the morals that specific society holds.<sup>372</sup> Concisely put, one's sense of belonging is influenced by where one is positioned

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<sup>369</sup> Moreau J, "Intersectional citizenship, violence and lesbian resistance in South Africa" (2015) *New Political Science* 495.

<sup>370</sup> Baghdadi F, *Corrective Rape of black lesbian women in Post-Apartheid South Africa* accessed at <http://dostoevskiansmiles.blogspot.com/2013/06/corrective-rape-of-black-lesbian-women.html>

<sup>371</sup> Van Zyl M, "Are Same-sex Marriages UnAfrican? Same-sex Relationships and Belonging in Post-Apartheid South Africa" (2011) *Journal of Social Issues* vol 67 336.

<sup>372</sup> Van Zyl M, "Are Same-sex Marriages UnAfrican? Same-sex Relationships and Belonging in Post-Apartheid South Africa" (2011) *Journal of Social Issues* vol 67 335.

in society. I argue that queer blackwomxn do not belong and do not enjoy full citizenship as a result of their marginalization. Discrimination against queer bodies in South Africa is informed by heterosexism and homophobia. Heterosexism refers to a society which operates through the normalization of heterosexuality and thus, heterosexuality is viewed as the only acceptable sexual identity while rendering any identity that diverts from it as deviant and unacceptable. Queer black womxn fail to behave in a manner that the hegemonic system of white heteropatriarchy demands and consequently fail to have full access to a society defined by heterosexism. Queer white men however, enjoy the access granted by their whiteness and identification as men.

The faces of bodies who were instrumental in the attainment of rights for queer people in South Africa were mainly white middle class men and womxn. The landmark case which has allowed same- sex unions in South Africa, *Minister of Home Affairs v Fourie*, involved a white lesbian couple applying for the right to marriage for homosexual couples in South Africa.<sup>373</sup> Their case was based on Constitutional grounds, namely the equality clause of section 9.<sup>374</sup> Even though the historical organizations that advocated for the liberation of queer bodies in Johannesburg were spearheaded by black queers fighting for an intersectional inclusion of every marginalized body, a divergence occurred. In an interview conducted by Canham, a participant stated the following:

I die and I get raped and I still see my rapist every day, my rapist passes by, everybody will see he's the one who raped me, I had evidence, but no one is arresting him because he raped a lesbian. I get to face my hell every day... He can come and do it again and again.<sup>375</sup>

This quote reflects the alienation that queer blackwomxn feel when LGBTIQ+ rights are mentioned. The constitutional recognition of rights does not reflect the daily realities that face queer blackwomxn. On paper, queer blackwomxn are able to marry and adopt children while having their sexual acts decriminalized. However, the law has not

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<sup>373</sup> *Minister of Home Affairs and Another v Fourie and another* [2005] ZACC 19.

<sup>374</sup> *Minister of Home Affairs and Another v Fourie and Another* [2005] ZACC 19.

<sup>375</sup> Canham H, "Mapping the black queer geography of Johannesburg's lesbian women through narrative" (2017) *PINS* vol 55 97.

permeated into societal views which act as catalysts for the violence experience by queer blackwomxn.

Black queer bodies who navigate public spaces are prohibited from expressing their same sex desires as it may be received as offensive and countered with an attack aimed at correcting deviant behaviour. The analysis by Crenshaw resonates in the case of queer blackwomxn in South Africa as there exists a distorted analysis of homophobia because the experiences represented are those of white queer bodies.<sup>376</sup> The narrative is then warped and dangerously perpetuates stigma against queer black bodies who remain constantly erased because the narrative does not centre around their experiences but around the experiences of white queers who do not share the burdens of queer blackwomxn caused by their social location and positionality.

As described by Muholi, queer blackwomxn remain outsiders within the borders of a South Africa that celebrates a democratic Constitution while black lesbians and other black queer bodies are denied entry into public spaces to express their same sex or other desires which may be perceived as sexually deviant.<sup>377</sup> Furthermore, the performance of these same-sex desires is rebutted through the performance of violence against their bodies. The manner in which queer blackwomxn experience violence materially and symbolically is informed by how their identities interlock. Factors such as gender, sexual orientation, social location and geographic positioning affect their experience of violence.<sup>378</sup> The deduction made from these interlocking oppressions is that womxn from a lower socio-economic standing are more susceptible to violence which is gender based such as rape than those on a higher level.<sup>379</sup> In a study conducted by the Triangle Project in 2009, it was found that only 44% of white lesbians versus 86% of black lesbians were in fear of being punitively raped.<sup>380</sup> Considering these statistics, it must be interrogated what significance LGBTIQ+ rights have to different queer bodies in a country that has

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<sup>376</sup> See the Introduction chapter above.

<sup>377</sup> Muholi Z, "Thinking through Lesbian Rape" (2004) *Agenda* vol 61 117.

<sup>378</sup> Sanger N, "The real problems need to be fixed first: Public discourses on sexuality and gender in South Africa" (2010) *Agenda* vol. 83 116.

<sup>379</sup> Sanger N, "The real problems need to be fixed first: Public discourses on sexuality and gender in South Africa" (2010) *Agenda* vol. 83 116.

<sup>380</sup> ActionAid, "Hate Crimes: the rise of 'corrective' rape in South Africa" (2009).

adopted a constitutional protection of LGBTIQ+ rights by prohibiting the unfair discrimination of persons based on their sexual orientation.

The bodies of queer blackwomxn have been sites for violence executed as a performance of toxic masculinity. This chapter aims to explore the manner in which material violence manifests through acts of rape, sexual violation, verbal and physical assault. The performers of these acts identify biologically as men and openly contest the masculinities presented by queer blackwomxn. As a manner to challenge the subversive identity of queer blackwomxn, these violent acts of erasure are performed with impunity in Post-Apartheid South Africa as queer blackwomxn fail to fit into the national imaginary of the so called “rainbow nation”. The transition from Apartheid South Africa into the democratic dispensation has seen the re-centering of power that remains largely androcentric and patriarchal.<sup>381</sup> Therefore, systems that inform and perpetuate prejudice such as racism, heteronormativity and patriarchy remain entrenched. This therefore requires an investigation of why heterosexual womxn allow these acts of violence to occur and remain complicit in their silence. This chapter unpacks masculinity and gender normativity in exploring ways in which both these concepts uphold heteronormativity.

Toxic masculinity informs the violence that is performed against queer blackwomxn. Toxic masculinity can be described as the accumulation of negative attitudes that describe masculinity as inherently violent and successful only when dominant and presenting as a project of inferiorization and debasement of against womxn. As blackwomxn who are masculine presenting provide an alternative demonstration of masculinity, this creates an unease and discord in a heteronormative society which is rectified through the performance of rape, murder and assault which may be of a physical or verbal nature.

### 3.3 Geography, space and the racialization of the city

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<sup>381</sup> Lock Swarr A, “Paradoxes of Butchness: Lesbian Masculinities and Sexual Violence in Contemporary South Africa” (2012) *Signs* vol. 37 964.

Apartheid geography was instrumental in the social stratification that affects post-apartheid South Africa today. The legacy of Apartheid has been instrumental in maintaining economic privilege for white people whilst ensuring the bulk of black people remain impoverished and continue to reside in the townships of South Africa. The spatial planning of Apartheid ensured that white people resided in luxurious spaces which accessed the economic hubs of the country while black townships were designed to remain at the periphery of the cities in areas that were characterized by poverty.<sup>382</sup> The function of the Group Areas Act was to ensure that society was divided by distinct racial lines to deter and prevent the fraternization of bodies who belonged in different racial groups.<sup>383</sup> The spatial planning of Apartheid has highways acting as a buffer zone to prevent the racially marginalized from spilling over into the city. In Post-Apartheid South Africa, the racially marginalized are still prevented by these constructed boundaries from spilling over into suburbia and the city. Access into the city continues to revolve around the working class travelling to economic hubs that remain under white control.<sup>384</sup> The specific design of Apartheid architecture disallowed black people from having direct access to suburbia while being obliged to travel into the cities for work purposes. At the demise of Apartheid, The Group Areas Act was repealed which saw the migration of black people from the ghettos into the inner city while simultaneously, white people were fleeing into the suburban areas of Cape Town to escape the influx of a city that was deemed to be becoming a “black city”.<sup>385</sup> Goldberg describes these movements as normalized racism in the face of ending Apartheid.<sup>386</sup> It is pertinent to note that the queer club scene in Johannesburg was largely concentrated in areas such as Hillbrow and Yeoville and when the migration of whites to the Northern Suburbs occurred, these clubs were abandoned.<sup>387</sup> The concentration of queer white bodies and middle class black bodies

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<sup>382</sup> Canham H, “Mapping the black queer geography of Johannesburg’s lesbian women through narrative” (2017) *PINS* vol 55 85.

<sup>383</sup> Mesthrie U, “Tinkering and Tampering: A Decade of the Group Areas Act (1950–1960)” (1993) *South African Historical Journal* 177.

<sup>384</sup> Goldberg D, *Racist Culture, Philosophy and the Politics of Meaning* (1993) 193.

<sup>385</sup> Goldberg D, *Racist Culture, Philosophy and the Politics of Meaning* (1993) 195.

<sup>386</sup> Goldberg D, *Racist Culture, Philosophy and the Politics of Meaning* (1993) 195.

<sup>387</sup> Canham H, “Mapping the black queer geography of Johannesburg’s lesbian women through narrative” (2017) *PINS* vol .55 98.

are found in suburbia in spaces such as Fourways and Sandton which serves as racial segregation which affords entrance to those with social mobility.

The legacy of the Group Areas Act permeates into the contemporary lives of South Africans as financial advantages remain inaccessible to the majority of black South Africans residing in the townships where the economy remains inaccessible and multiple factors contribute to systemic poverty. This impacts access to healthcare and education and consequently bars the access of black people to society. The denial of full citizenship for black lesbians living in the township manifests through the inability to leave the township and obtain safety elsewhere in the suburban areas where their bodies will not be hypervisible. For queer black bodies, certain spaces become dangerous to navigate as their presence drastically changes the environments that they may find themselves in. Queer blackwomxn in particular lack the financial means to insulate themselves from violence while their white counterparts are geographically situated in areas that allow privacy and insulation. Where a queer body exists and how they are perceived in that space will determine their experience within the space. Therefore, queer black bodies are in continuous transition and seeking safety through ensuring safe spaces in which to exist.<sup>388</sup> As will be illustrated, the socio-economic positioning of queer blackwomxn inhibit them from exploring and finding spaces which are accessible and accommodating. The transition from one space to another involves navigating spaces where their queer black bodies are hypervisible and on display, making them susceptible to danger. For others, leaving spaces such as townships is not immediately possible because of the financial implications involved when travelling. For this reason, spaces created for queer expression are located in the city that are easily accessible by means of public transport.<sup>389</sup> However, historically gay nightlife spaces have been abandoned and reached their demise through the migration of white queer bodies moving into suburbia and creating spaces that are frequented by predominantly whites. Through this analysis, the legacy of segregation is axiomatic.

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<sup>388</sup> Matebeni Z, "Tracks : researching sexualities walking about the city of Johannesburg" (2011) *African Sexualities: A reader* 55.

<sup>389</sup> Canham H, "Mapping the black queer geography of Johannesburg's lesbian women through narrative" (2017) PINS vol. 55 98.

Class and space interact and dictate the safety of a space.<sup>390</sup> Black queer bodies living in the township are susceptible to violence that is aggravated by various factors. Using public transport that operates on regulated routes results in walking to exact destinations. This indicates the vulnerability and the exposure to danger that is a daily experience for womxn living in the townships. When the accused in the Simelane case claimed that they were robbing her of her shoes, her best friend vehemently denied this allegation stating that:

The judge was definitely homophobic in the first case, he accepted their story that it was a robbery which went wrong. As if Eudy would have been carrying any money! We don't even have anything to eat before we go to bed!<sup>391</sup>

The effect of Apartheid geography and the engineered society condemn black people to lives of poverty and for queer blackwomxn, residing in townships increases the probability of violent erasure. What more of the queer blackwomxn who are faced with the increased trauma of non-belonging from family structures who refuse to furnish financial support to their abominable children? The zoning was racialized, leaving black people pushed out of the city where the infrastructure was developed and that which was perceived to be black and lesser remains impoverished and at the margins of these cities. The effect of this apartheid geography which persists today aggravates the heinous circumstances of queer blackwomxn today. This remains evident in the lack of access to education, jobs and transport, leaving these bodies exposed with no means to insulate themselves from violence. As previously mentioned, because of the intimate spaces that characterize townships, queer blackwomxn remain hypervisible and vulnerable to material violence. A symbolic violence then further manifests in the erasure of the existence of queer blackwomxn in areas which are still perceived to be white Post-Apartheid as there are spaces that require money for access. The rising black middle class have obtained the means to insulate themselves from material violence while enjoying the Pride festivities that are held in suburban areas. However, the dominant queer narrative which enjoys

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<sup>390</sup> Canham H, "Mapping the black queer geography of Johannesburg's lesbian women through narrative" (2017) PINS vol. 55 98.

<sup>391</sup> <http://www.causeofdeathwoman.com/eudy-simelane> (Accessed 12/05/2018).

popularity in South Africa is that of queers that are white and male residing in areas such as Sandton in Gauteng or Seapoint in Cape Town. Consequently, events such as Pride are also held in spaces which are mostly accessible to middle class white queers and are characterized by the pink washing and white men clad in speedos and fur scarves. The narrative excludes the poor black queers and perpetuates the invisibilisation of this type of queer that is black and womxn.

In discourse with Nadia Davis, Matebeni expresses the desire to map queer existences throughout Cape Town and document their existence outside of the dominant narrative of Suburban queers.<sup>392</sup> This investigation includes delving into history and uncovering the existence of queer bodies living in places that are now being gentrified and erasure is occurring at a mass scale. Gentrification in this sense perpetuates the structural oppression entrenched by Apartheid which ensured that poor and black people are expelled from the cities to make way for the white middle class. In cases such as Bo Kaap where there exists a rich queer history, the spaces are being appropriated, the history being erased as the decision makers aim to make Cape Town the Gay African Capital.<sup>393</sup> Matebeni unpacks the concept of gayness in South Africa and where “gayness” diverges from queerness. Queer, as an umbrella term of the LGBTIQ+ community represents more than identifying with a subversive identity. Queerness for blackwomxn cannot be merely seen as aligning with a particular sexual orientation but must be seen as a politic. Cohen challenges the understanding of queerness as merely being affected by oppression on a single axis but purports for queerness to be seen as a political identity that is inclusive and transformative while realizing how major systems of oppression overlap and interlock.<sup>394</sup>

South African gay white men, as is purported by Matebeni, expressed their divergence in the 1980s as they refused to align themselves with Simon Nkoli as they saw themselves as an apolitical gay white party.<sup>395</sup> The context behind this included an arrest of gay white

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<sup>392</sup> Matebeni Z & Davids N, “Queer politics and intersectionality in South Africa” (2017) *Safundi* 162.

<sup>393</sup> Matebeni Z & Davids N, “Queer politics and intersectionality in South Africa” (2017) *Safundi* 162.

<sup>394</sup> Cohen CJ, “Punks, Bulldaggers, and Welfare Queens: The Radical Potential of Queer Politics?” (1997) *GLQ* vol. 3 441.

<sup>395</sup> Matebeni Z & Davids N, “Queer politics and intersectionality in South Africa” (2017) *Safundi* 162.

men, who dominated the narrative, as well as transgender persons and a gay black man by the name of Simon Nkoli. Nkoli was a prominent gay black man who advocated for the healthcare access of gay black men living in the township who were living with HIV.<sup>396</sup> Nkoli as a member of the Gay Association which hugely comprised of white gay men sought intervention when he was arrested from the organization as he was not only a political prisoner but also an openly gay member of their association. However, the responses received while seeking assistance reflected a strong disassociation with gay politics which overlapped with race. The movement was clearly anti intersectionality and only aligned itself with a compartmentalized identity of homosexuality instead of taking a transformative stance of queerness that is inclusive to all those who stand on the margins. Juxtaposed against the Free Gender, a collective operating in Khayelitsha, there is a clear contrast in the recognition of how the multilocality of queer blackwomxn affects citizenship in South Africa. Unlike the Gay Association, Free Gender operates from a township and exposes the manner in which homophobic violent erasure affects black queer persons positioned in townships and therefore for these bodies, queerness cannot be apolitical. Queer black bodies such as Simon Nkoli recognized the need for a political queerness that exists and advocates for access to society through adequate healthcare in the townships and in the case of Free Gender, for the safety of black queer identifying bodies. In the documentary *Simon and I*, footage of a rally before Pride is shared with Nkoli highlighting the importance of intersectionality and the queer politic. Nkoli states the following:

This is what I say to my comrades in the struggle asking me why I waste time fighting for Moffies. This is what I say to white gay men or womxn who ask me why I spend so much time talking about Apartheid when I should be fighting for Gay Rights. I am black and I am gay. I cannot separate the two parts of me into secondary or primary struggle, they will be all one struggle.<sup>397</sup>

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<sup>396</sup> Matebeni Z & Davids N, " Queer politics and intersectionality in South Africa" (2017) *Safundi* 162.

<sup>397</sup> *Simon and I* (2002) <http://stepsforthefuture.co.za/video/simon/> (Accessed 07/08/2018).

The sentiments echoed by the activist reflect what Cohen describes as politics that must challenge the manner in which people understand and respond to sexuality.<sup>398</sup> Furthermore, a queer political stance which recognizes that the axis on which marginalization occurs is not singular but that multiple systems of oppression intersect. For Nkoli who was an activist on trial with his ANC co-accused, the response from the black men who were fighting a white oppressive system and standing alongside him on trial was that they could not be associated with a gay man. As previously mentioned, gay white men wanted to distance themselves from Nkoli as they wanted to appear apolitical and considered LGBTIQ+ rights and rights for blacks as mutually exclusive.

In an interview with Peter Thatchell, Dr. Ruth Mompoti articulated sentiments which equated queerness to whiteness. This is a reflection of how persons who were instrumental in the liberation struggle of South Africa failed to acknowledge queer bodies as ones meant to belong in the “rainbow nation”. Mompoti was quoted stating the following:

I hope in a liberated South Africa people will live normal lives. I emphasize the word ‘normal’ ... Are lesbians and gays normal? No, it is not normal. I cannot even begin to understand what people want lesbian and gay rights. The gays have no problems. They have nice houses and plenty to eat. I don’t see them suffering. No one is persecuting them. We haven’t heard about this problem in South Africa until recently. It seems to be fashionable in the West.<sup>399</sup>

The statement presents itself in various ways which remain instrumental in the othering and erasing process of black queer bodies residing in South Africa. Firstly, the narrative of queerness being Un-African is repeated by her stating that it is a Western problem. The statement layered with accusations which were reflected during the Fees Must Fall protests in 2016 that queer black bodies in particular were digressing from the national narrative of emancipating the black child from the institutional and financial oppression which persists in South Africa. Most importantly, the association of queerness to opulence

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<sup>398</sup> Cohen CJ, “Punk Bulldaggers and Welfare Queens: The Radical Potential of Queer Politics” (1997) *GLQ* vol.3 440.

<sup>399</sup> <https://www.dailymaverick.co.za/article/2015-05-19-op-ed-straightening-the-record-on-mompoti-and-gay-rights/> (Accessed 21/07/2018).

and wellbeing which translates back to queerness being tantamount to whiteness. The rights that were granted by the Constitution to queer identifying people make it possible for black queers to marry and adopt children however, the legislation does not go further to protect queer blackwomxn from being materially erased. The statement does not reconcile that black poor queer identifying people exist.

Mompati had acknowledged that her views on the LGBTIQ+ community had since shifted over time. However, her initial statement reinforces the sentiments that queerness is a “white middle class phenomenon”.<sup>400</sup> The access to education and general economic privilege that characterizes white queer lives allows them visibility not afforded to queer blackwomxn. This links into the interdependency that characterizes township lives. Unemployed and uneducated persons who do not have the means to provide for themselves financially rely on family members for survival. Those who cannot support themselves would place themselves in precarious situations because the support can be withdrawn at any point while simultaneously facing ostracization from the entire community. The earlier sentiments shared by Mompati echo the messages received by Ditsie when she became identifiable as a lesbian activist. Her position caused an anxiety to society as a black womxn cannot be seen as gay and advocating for something which is still thought to be abhorrent and unnatural in the black community. Soweto is a township located 20 km from where the Pride March occurred.<sup>401</sup> The experience of Ditsie highlights the close relation between sexuality and space and how negotiating space as a queer person can be dangerous.

Matebeni conducts research on the implications of walking abOUT the city. For black lesbians living in townships, walking is a necessity while using public transportations to navigate from one space to another. An element of danger exists as walking in public makes one body visible and available for consumption. This leads to assumptions of sexual identities through the aesthetic. The body can be identified as queer through clothing and mannerisms which may be associated as feminine or masculine. A queer

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<sup>400</sup> Wells H & Polders L, “ Anti-gay hate crimes in South Africa: prevalence , reporting practices and the experiences of th e police” (2006) *Agenda* vol. 67 20.

<sup>401</sup> Matebeni Z, “Tracks: researching sexualities walking abOUT the city of Johannesburg” (2011) *African Sexualities: A Reader* 55.

soccer player addresses the dangers presented through the association of a certain aesthetic with queerness. A symbolic erasure manifests in the manner that this particular subject was forced to conform to accepted notions of femininity which had the effect of removing her from her identity in order to ensure her safety while walking in the Johannesburg CBD. This included taking on a femme role, pretending her partner was her voice, speaking in a less aggressive tone and modifying her apparel.<sup>402</sup>

The violence associated with policing one's identity and gender expression is particularly complicated in spaces such as Johannesburg. A study on the spatial navigation of black lesbian identifying womxn reflected that Johannesburg represented a freedom of association with queerness as a response to living in a space which supposedly allows freedom of expression. A subject in the study who works as a gender activist expressed the precarity of her economic situation and how being "outed" could endanger her source of income.<sup>403</sup> For this subject, self-realization arrived only once she had moved to Johannesburg from a rural area in her 30s. The violence of being forced to suppress one's gender expression manifests in a space that facilitates such gender exploration and additionally serves as a paradoxical city.<sup>404</sup> For the subject and her partner, the paradox lies in freedom and inhibition as the homophobic gaze persists.<sup>405</sup>

### 3.4 The marginalization of queer blackwomxn within the LGBTIQ+ community

#### 3.4.1 LGBTIQ+ rights or white gay rights?

The judgment in the *Fourie* case declared the common law definition of marriage as unconstitutional.<sup>406</sup> The Civil Union act was created to accommodate marriages that are

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<sup>402</sup> Matebeni Z, "Tracks: researching sexualities walking abOUT the city of Johannesburg" (2011) *African Sexualities: A Reader* 55.

<sup>403</sup> Canham H, "Mapping the black queer geography of Johannesburg's lesbian women through narrative" (2017) *PINS* vol. 55 90.

<sup>404</sup> Canham H, "Mapping the black queer geography of Johannesburg's lesbian women through narrative" (2017) *PINS* vol. 55 90.

<sup>405</sup> Canham H, "Mapping the black queer geography of Johannesburg's lesbian women through narrative" (2017) *PINS* vol. 55 90.

<sup>406</sup> *Minister of Home Affairs and Another v Fourie and another* [2005] ZACC 19.

between same sex partners and others wishing to conduct a civil partnership. My argument is centred around the recognition of marriage for same sex partners being a replication of a patriarchal and heterosexist institution that reflects the image of a nuclear family as presented by middle class whiteness. I interrogate the use of a nuclear family rationale to further ostracize queer black bodies. In terms of queer black bodies in South Africa, the Civil Union act still presents as a problematic solution that maintains the status quo of negatively “othering” queer bodies. The premise of the recognition of same sex marriages is purported to be on the recognition of human dignity. However, I argue that the recognition of such marriages is rooted in the reproduction of patriarchy and gender roles that advance the supremacy of masculinity over the inferiority of what is perceived to be feminine. Therefore, the Civil Union Act affords legal recognition to those who mimic heterosexual unions.<sup>407</sup>

Bonthuys correctly asserts that the question should not be “should queer bodies be allowed to marry” but rather “which queer bodies” would be allowed to be married considering who is in possession of the civilizing power.<sup>408</sup> The introduction of the Civil Union Act as conduit for the reproduction of Western marriage ideal has the effect of severing the context of black queer bodies in South Africa. Therefore, the act has been designed to Act as a one dimensional representation of marriage while erasing the various identities that exist in South Africa. The Civil Union Act reflects the attitudes of a society that recognizes a Christian value system that considers marriage as a Victorian replication which is considered as the apex of unions. Such weddings are colloquially termed “white weddings” as they present a different framework of marriage that is contrary to customary and traditional wedding ceremonies. The existence of “white weddings” reaffirms the superiority of one paradigm over others, effectively stunting the growth of other marriage institutions that are represented through Customary Marriage. Importantly, Bonthuys identifies the history of customary marriage being treated as inferior and when contrasted with common law, the connotation is that other marriage institutions are incapable of developing in order to recognize queer bodies.<sup>409</sup> The erasure manifests in

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<sup>407</sup> Bonthuy E, “Race and Gender in the Civil Union Act” (2007) South African Journal on Human Rights vol. 23 526.

<sup>408</sup> Bonthuy E, “Race and Gender in the Civil Union Act” (2007) South African Journal on Human Rights vol. 23 526.

<sup>409</sup> Bonthuy E, “Race and Gender in the Civil Union Act” (2007) South African Journal on Human Rights vol. 23 526.

the failure of the legislature to recognize what queerness represents as to South African black bodies as full citizens desiring to engage in customary marriage. Instead, a global view of gayness was adopted and haphazardly applied in order to avoid contradicting the Constitution.

The matter of same sex marriage in South Africa adequately displays the disparity between the rights that are afforded to queer bodies in a totalizing manner while the unique positioning of queer blackwomxn and queer black bodies as a whole are disregarded. The legislative framework adopted effectively operates to highlight the non-belonging of queer black bodies and thus is a weapon of social exclusion. This occurs through the negation of customary law's capacity to develop and facilitate a space for black queers to belong and conduct marital rites that are not a replication of Victorian marriages.

#### 3.4.2 Marginalization within the community

Queer blackwomxn in South Africa are positioned in a location where the intersecting inextricable parts of their identities endanger their lives. The queer blackwomxn faces exclusion even within the queer community. The dominant narrative associated with Gay Pride Marches around South Africa today still revolve around terms such as "elitist" and "exclusionary". The narrative of Pride has shifted from the first Pride organized by GLOW which was focused on the how factors such as race, class and gender affect the experiences of queer bodies. An illustration of this exclusion was the violence that ensued at Johannesburg Gay Pride in 2012.<sup>410</sup> South African Prides have been held in areas which are, as a result of apartheid geography, inaccessible to black people. In Johannesburg, the most recent Pride Marches have been held in affluent areas such as Melrose Arch, making it a space that is saturated by middle class black queer folk and white folk. The incident which occurred in 2012 was a result of the predominantly white parade refusing to allow a space for black lesbians to hold a moment of silence for the victims of material violence in the townships. The demand for the observation of silence was an act of civil disobedience orchestrated by the One in Nine campaign, a group of

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<sup>410</sup> <https://mg.co.za/article/2012-10-12-00-no-cause-to-celebrate-a-racist-pride> (Accessed 10/07/2018).

lesbian and feminist activists opposing gender based violence. In an article by *The Mail and Guardian*, it was reported that disruption was caused by the organization's discontent at the manner in which the Pride narrative as well as the organizers of Pride did not take the interests and politics of black queer bodies into consideration.<sup>411</sup> The symbolic violence manifested during the altercation in various ways. Firstly, the erasure of the traumas of black queer bodies in the township through the refusal to observe a moment of silence. Secondly, the violent verbal altercations that followed where black lesbians from the One in Nine campaign were told to go back to the ghetto. In unpacking the problem nature of the assault towards the black lesbians in attendance at the march, it is imperative to remain cognizant of the fact that queerness does not erase the capacity to remain racially prejudiced. The white organizers of Pride remained accusatory towards the One in Nine campaign group by stating that they should've obtained permission from administration before orchestrating the sit in. I tend to agree with Schutte, the writer of the article, that the asking of permission to observe this moment of silence would have relegated this act into just another item on the itinerary and simultaneously boosted the appearance of the organization.<sup>412</sup> Ultimately, it would have been a window dressing activity that "gave political legitimacy to a movement that did not deserve it".<sup>413</sup> A mere programme inclusion of the moment of silence would have been obsolete in its effect as the organizer's had not thought to include this act themselves. This highlights the manner in which the bodies of queer blackwomxn (lesbian and transwomxn) and gender nonconforming bodies remain unimagined even within the ideal of the queer community. The moment was seen as an inconvenience. According to the article, the same organizer of pride threatened to drive over the One in Nine campaign group who were obstructing the predetermined route of the parade by lying across the path. She then proceeded to rev her car and articulate that it was "my route".<sup>414</sup> Ultimately, a violent encounter ensued on camera where the attackers, who were predominantly white men, physically assaulted black womxn and black gender non-conforming persons while shouting for them to return to the location. The organizer has not shown remorse but rather harped on about the

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<sup>411</sup> <https://mg.co.za/article/2012-10-12-00-no-cause-to-celebrate-a-racist-pride> (Accessed 10/07/2018).

<sup>412</sup> <https://mg.co.za/article/2012-10-12-00-no-cause-to-celebrate-a-racist-pride> (Accessed 10/07/2018).

<sup>413</sup> <https://mg.co.za/article/2012-10-12-00-no-cause-to-celebrate-a-racist-pride> (Accessed 10/07/2018).

<sup>414</sup> <https://mg.co.za/article/2012-10-12-00-no-cause-to-celebrate-a-racist-pride> (Accessed 10/07/2018).

illegality of the act and the manner in which the demonstrators embarrassed the queer community, disregarding the role of the actual attendees of Pride in escalating the situation into a violent one.<sup>415</sup>

In critiquing the actions of the organizer of that specific march, I argue that Pride parades that continue to lack a political ethic and remain devoid of consciousness in terms of intersectionality continue to advance the interests of middle class queers while brushing the ugly reality of material erasures orchestrated against queer blackwomxn under the carpet.

As part of a study done by Canham, a student stated the following in response to the violence encounter that ensued:

When the 2012 incident happened I realized that the people that were against honouring those who had been killed were people that were privileged. They were not worried about getting attacked or raped. It highlighted divisions of class and race. Most of the time, you find that people that are white or more privileged were inside the Pride fence and more black people were outside the fence and had to enter Pride from outside. So it was more outside looking in to the freedom.<sup>416</sup>

The violence that ensued at Joburg Pride is one of the symptoms of depoliticisation, an ailment that has gripped pride and undone the work of the Ditsie and Nkoli, the black queer bodies that were instrumental in the organizing of the first Pride in Africa.<sup>417</sup> Instead of the focus of such a march being on the politics of queerness and how oppressions intersect to elevate the dangers faced by black queers, the narrative has deteriorated into a costume party that is devoid of politic. The One In Nine campaign has since called for the boycotting of a Pride that remains depoliticized and pink washed.<sup>418</sup> There exists no discourse mapping the manner in which queer persons remain in the periphery and continue to face symbolic erasure that is heightened by their social location.

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<sup>415</sup> <https://mg.co.za/article/2012-10-12-00-no-cause-to-celebrate-a-racist-pride> (Accessed 10/07/2018).

<sup>416</sup> Canham H, "Mapping the black queer geography of Johannesburg's lesbian women through narrative" (2017) *PINS* vol. 55 90.

<sup>417</sup> <https://citizen.co.za/news/south-africa/1627201/celebrating-bev-ditsie-for-her-role-in-making-lgbti-rights-in-sa-a-reality/> (Accessed 07/08/2018) .

<sup>418</sup> <https://mg.co.za/article/2012-10-12-00-no-cause-to-celebrate-a-racist-pride> (Accessed 10/07/2018).

Consequently, no solutions follow as to how to combat these various forms of violence whether it be the inaccessibility of the law to victims of punitive rape or the re-victimization that queer persons face when they report a hate motivated attack against them.

Furthermore, South African Pride Parades have not been spaces that facilitate the celebration of difference but rather continue to make queer black bodies outliers in another part of society and fostering another environment of non- belonging. The geographical location presents as the first means to obstruct the inclusive celebration of queers residing in South Africa. Imagining a person such as Kid who was written about by Muholi, would not have access to that space because of geography and financial means. Suburban spaces such as Rosebank and Melrose Arch remain inaccessible unless one has the means to utilize public transport. Again, the use of public transport for people residing in townships can not only present itself as dangerous but requires money in the usage of various modes of transport which may be unreliable or unavailable at certain points of the day such as at night. Therefore, lack of financial means and the inaccessibility and unreliable nature of public transport restrict mobility for black queer persons residing in townships. This leaves the question of where black queer people are meant to celebrate their identities if they have no access to spaces that are supposedly created for their safety and enjoyment?

The first Pride organized in Africa was spearheaded by two black bodies and happened in Johannesburg, a city that has history of LGBTIQ+ activism and visibility. For Ditsie, a womxn who has been recognized as instrumental in the drafting of the Constitution and its inclusion of LGBTIQ+ rights, activism threatened her wellbeing. The manner in which she had been vocal about fighting for equality and recognition of queer bodies elevated her visibility while living in Orlando West. Footage was shared on a religious television program followed by testimony from a priest stating that “Gays should be killed”. In the days following the parade, a large gathering of men surrounded her house and ordered her grandmother to hand her to the angry mob so that “she could be taught a lesson.”<sup>419</sup> This serves as an illustration of the danger of involved in negotiating the inextricable identities of being a queer blackwomxn who is hyper-exposed. The angry mob extended

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<sup>419</sup> *Simon and I* (2002) <http://stepsforthefuture.co.za/video/simon/> (Accessed 07/08/2018).

their threat of performing the act of rape Ditsie's grandmother who was refusing to acknowledge her presence in the house. In diary segment of the documentary, Ditsie acknowledges the material violence which threatens the everyday experience of womxn in the township but further articulates the fear creating by hypervisibility as a black lesbian womxn. This fear is created by the imminent threat of being raped as a display of machismo from a man who feels rejection. The constant policing that occurs in the intimate architecture of township spacing and the lack of mobility and privacy that characterised Ditsie's life resulted in her mother escorting her daily to the taxi rank to ensure her safety. For Ditsie, an assurance of safety would only be provided by moving out of the township space.<sup>420</sup> As mentioned by Matebeni for queer black bodies, transitioning consistently from space to space is necessary to ensure acceptance and safety. The case studies of both Zoliswa Nkonyane and Eudy Simelane illustrate the dangers involved in living in a space that is heavily policed and perceived sexual deviance is punishable by death.

Ditsie described GLOW as a political space to belong.<sup>421</sup> This illustrates clearly what queerness should mean as politics that must be represented at Pride parades. However, due to the high commercialization that has overtaken the narrative of Pride, blackwomxn continue to be stereotyped as angry and destructive which is not conducive to selling products. Considering the 2012 Pride violence and the responses from the mostly white Pride goers, blackwomxn and non-binary people were seen as killjoys who were tainting the carefree happiness that characterizes Pride, the type of image that attracts sponsors and brands.<sup>422</sup> The exclusion of queer black bodies is not only limited to space but translates to the exorbitant prices charged for food and liquor. Through these mechanisms, poor black bodies are pushed out of the environment that is constructed to prohibit them access to express their identities.

The violence against black queer bodies who are residing in townships and considered working class is not administered from white capitalist spaces such as Pride only. Middle

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<sup>420</sup> *Simon and I* (2002) <http://stepsforthefuture.co.za/video/simon/> (Accessed 07/08/2018).

<sup>421</sup> *Simon and I* (2002) <http://stepsforthefuture.co.za/video/simon/> (Accessed 07/08/2018).

<sup>422</sup> Scott L, "Disrupting Johannesburg Pride: Gender, race and class in the LGBTI movement in South Africa" (2017) *Agenda* 46.

class black queer bodies replicate the systems of oppression by ostracizing working class queers as 'dirty' and not belonging in the space. The utterances made towards black lesbians in them being called "dirty lesbians" are influenced by the material items and an aesthetic which is not reflective of what "gayness" should represent. Black queer bodies living in the townships are considered dirty because of multiple reasons and it reflects the sentiment that poverty is dirty and inconvenient. In this manner, the constituents of queer organizing who are predominantly middle class white gay men and lesbians have created a monolithic representation of queerness that is successful and financially capable of occupying these spaces.

### 3.5 Conclusion

In this chapter, I answered the research question of how erasure manifests symbolically for queer blackwomxn.

Social location effects the way in which queer blackwomxn experience their existence in Post-Apartheid South Africa. The race, gender, sexual orientation and economic standing of queer blackwomxn affect how queer blackwomxn experience citizenship in Post-Apartheid South Africa. The geography and racialization of the city affect the manner in which queer blackwomxn have access to spaces where they can fully express their sexuality. Therefore, the social location of queer blackwomxn renders them outsiders in the LGBTIQ+ community and the broader society.

The analysis of Ditsie's participation in GLOW and subsequent withdrawal serves to highlight the unique positioning of queer blackwomxn within the LGBTIQ+ community. This is also a clear example of intersectional struggle because the race, class, gender and sexual orientation of queer blackwomxn position them in a different category that queer black men or queer white womxn. Furthermore, the position of privilege of other queer bodies granted by their race and class enables them to form part of the structural

oppression against queer blackwomxn. This oppression is performed by the creation of queer spaces in areas that are inaccessible to queer blackwomxn. The spatial construction of Pride perpetuates the non-belonging of queer blackwomxn because they are held in exclusive suburban areas. Additionally, Pride has become a space devoid of radical politics. Issues such as the material erasure of queer blackwomxn are not considered.

## Conclusion:

The main research problem in this study is to illustrate the multiple levels of erasure that queer blackwomxn face in Post-Apartheid South Africa. In this dissertation, I investigate the manner in which these erasures manifest in an epistemological, material and symbolic nature. This interrogation required an analysis into the various oppressive systems which interlock and create a specific oppression of queer blackwomxn.

The research questions served to identify how erasure manifests epistemologically, symbolically and materially.

I have illustrated how erasure manifests in an epistemic manner by interrogating the various systems introduced in Africa through colonialism. Entrenched gender binaries which were introduced through the construction of masculinity and the invention of women. These ideas which have gained hegemony continue to define accepted gender norms. As queer blackwomxn transgress these norms, they are persecuted in society through symbolic and material violence. Therefore, chapter one of the dissertation serves to illustrate the different systems that inform the hate crimes which are perpetrated against queer blackwomxn in Post-Apartheid South Africa. I use Commonwealth African countries to draw parallels between South Africa and other African countries that were colonised by the British. Like Malawi, Zimbabwe, Uganda and Nigeria, South Africa saw the introduction of colonial laws which were intertwined with a religion that regarded homosexuality and queer behaviours as unnatural.

South Africa differs from the abovementioned countries in that there is Constitutional protection against unfair discrimination. However, the similarity within these Commonwealth countries is the homophobic attitudes that prevail and allow the citizens of the country to perform violent erasure on the queer bodies.

The chapter on epistemic erasure is intended to show the structural systems which are in place that allow the erasure of queer black bodies. The popular justification for the violence performed on queer black bodies is that homosexuality is UnAfrican. I trace the rationale behind this adage to the death of knowledge. Those in possession of symbolic

power have the capacity to determine what is considered as legitimate knowledge. Therefore, I argue that the history of queer relations and queer identity was erased by the introduction of rigid gender norms and the induction of heteronormativity. Additionally, the induction of heteronormativity had the effect of pushing queer relationships into the private sphere while queer bodies performed heteronormativity in public. This performance was and continues to be for the sake of conforming the heteropatriarchal society.

Chapter two addresses the question of how the erasure of queer blackwomxn manifests materially. In this chapter I focus on the material erasure that is in the form of murder and hate rape. I identify the manner in which toxic masculinities are intended to uphold patriarchy by doing the work of punishing queer blackwomxn. Queer blackwomxn are punished through the use of hate rape. In this chapter, I contextualise the history of violence in South Africa and the manner in which rape culture is pervasive in Post-Apartheid South Africa. Rape is a tool which is used to discipline womxn as it is a way to illustrate power over the bodies of womxn by showing them that they do not have autonomy.

The contestation of legitimate masculinity plays an instrumental role in the erasure of queer blackwomxn. Through the legacy of entrenched gender norms, womxn and men are expected by society to behave in a manner that is congruent to their genders. The masculinity of queer blackwomxn is not considered to be real because their biology does not match their identity. This section links to the toxic masculinities which feel the anxiety of being unseated. Therefore, queer blackwomxn are punished for acting in a manner which is incongruent to societal expectations of femininity.

The law remains inaccessible to queer blackwomxn because of their social location. Although South Africa ensures the Constitutional protection of queer blackwomxn, these protections do not reflect to queer blackwomxn. Although queer bodies are permitted to marry and adopt children, queer blackwomxn are not permitted the freedom of expressing their identities and desire in public as they run the risk of exposure and endangerment to violence. Using the case of Kid as an example, I highlight the manner in which systems which are in place to protect rape victims, work to further perpetuate their trauma. In this

case, Kid was faced with the humiliation of being victim blamed by the doctor who questioned her sexual orientation. Additionally, she was told that there was no rape kit available by the police. The reporting of hate rape for queer blackwomxn exposes them to the danger of being exposed. There is also the risk of the miscarriage of justice. This was illustrated in the Simelane trial where the judge refused to acknowledge her sexual orientation as the motivation for the crime even though she was living openly as a lesbian womxn.

I further identify the various factors which make queer blackwomxn vulnerable to violence in Post-Apartheid South Africa. The first factor is the way in which queer blackwomxn present. The clothing and mannerisms of queer blackwomxn which are associated with men and masculinity are used as an identifier of queerness. Therefore, queer blackwomxn are mistakenly accused of trying to be men. Hate rape is thus used as a tool to discipline queer blackwomxn for not conforming to societal expectation of femininity and appealing to men through dress code and mannerisms.

The second factor which I address is the fact that queer blackwomxn are negatively portrayed by the media. The dominant narrative which is presented by mainstream media is that of queer blackwomxn being perpetual victims of “corrective rape.” I challenge the use of this term as it becomes an inextricable association with black lesbians in particular. Furthermore, I posit that this term is problematic as it frames the assault through the viewpoint of the perpetrator and further perpetuates the stigma of homosexuality being intrinsically wrong. Therefore, the use of the terms denotes that queer blackwomxn are in need of fixing through the violent act of rape. The media also fails to interrogate the systems in place that allow for the violation of queer blackwomxn but rather sensationalises the erasure of queer blackwomxn without igniting discourse on the toxic masculinities which enact these violent acts. Through these negative portrayals, the media perpetuate erasure of queer blackwomxn.

In chapter three I consider the structural systems in place that perpetuate the symbolic erasure of queer blackwomxn. The argument consists of examining the social location of queer blackwomxn, the geography and racialization of the city and marginalization within the LGBTIQ+ community.

In investigating symbolic erasure, I examine how the social location of queer blackwomxn is instrumental in the unique oppression of queer blackwomxn. As I use an intersectional approach in this dissertation, I identify how queer blackwomxn experience violence differently due to their position in society. Queer blackwomxn living in the townships are not afforded the same insulation as queer bodies residing in the privacy of suburbs and who are able to afford private mobility. Therefore, queer blackwomxn in townships are hypervisible and exposed. The cases of Simelane and Nkonyana illustrate how queer blackwomxn are identifiable and exposed to danger. The acts of walking and using public transport allow queer blackwomxn to be under scrutiny and identifiable thus susceptible to attack.

The analysis of the geography and racialization of the city overlaps with material erasure in that it illustrates the points of vulnerability for queer blackwomxn. Negotiating certain spaces such as taxi ranks, CBDs and the township require queer blackwomxn to exercise caution by concealing their identity. These areas remain unsafe and become points of attack for queer blackwomxn.

The geography and racialization of the city links to the marginalization of queer blackwomxn within the LGBTIQ+ community. A clear example of this is Johannesburg Pride where queer blackwomxn from the townships do not belong. This is shown through the suburban location aimed at middle class white Pride goers. Additionally, the space is constructed to exclude queer blackwomxn.

Through the three chapters, I have structured the manner in which queer blackwomxn experience erasure in Post- Apartheid South Africa. The erasures overlap and intersect to create a specific point of oppression for queer blackwomxn. Epistemicide plays an instrumental role in deleting queer history and perpetuating the stereotype that homosexuality is UnAfrican, Furthermore, the entrenched ideologies around race, sex

and gender created by colonialism work to further perpetuate both material and symbolic erasure of queer blackwomxn. Queer blackwomxn are killed and raped in the attempt to discipline their bodies for being queer. Structurally, queer blackwomxn fail to have access to the law and certain spaces as a direct consequence of their social location.

In conclusion, I posit that queer blackwomxn experience erasure on the three levels which are epistemic, material and symbolic.

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