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The perfect enemy: From migrants to sexual minorities

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Why does Poland's conservative government, the Law and Justice Party, lounge an attack on the rights of lesbian, gay, bisexual and trans people (LGBT) as part of their 2019 European Parliamentary elections campaign? The ruling nationalist party aims to stem a decline in its popularity ahead of the elections by arguing that the opposition's support for sex-education that recognizes LGBT people, is a threat to Polish culture and should be stopped. Poland's governing party is far from alone in seizing on sexual minorities for mobilization purposes.

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We combine insights from three ongoing research projects funded by the Research Council of Norway: Sexual and reproductive rights lawfare - global battles; Political determinants of sexual and reproductive health in Africa; and Breaking BAD – backlash against democracy in Africa.

The timing of PiS’ targeting of the LGBT community is not surprising. PiS is facing a decline in popularity amid corruption allegations and questions about party chief Jaroslaw Kaczynski’s business dealings. Zeroing in on minority groups is a well-known strategy when support is in decline in an election year. The tactic worked well for the PiS in 2015 when anti-migrant rhetoric drummed up the party’s support before its election defeat of the governing centre-left Civic Platform. This time, LGBT persons serve as the perfect enemy. This also reinforces ties with the church and with right-wing nativists, who see homosexuality as a threat to the natural order of society and traditional, patriarchal family values.

In November 2018, Dar es Salaam’s governor, Paul Makonda, called for Tanzanians to report gay people as he announced a taskforce aiming to identify homosexuals, to be punished with lengthy prison sentences (unlike in Poland, homosexuality is illegal in Tanzania and punishable by up to 14 years in prison for men and 5 years for women). The governor’s targeting of Tanzania’s LGBT community must be understood as part of a broader attack on civil and political rights in Tanzania. And as in Poland, the governing party is in dire need of a focus shift. President John Pombe Magafuli was elected in 2015 on a promise to combat corruption. Since then, support for the President and his party have been ebbing. By attacking LGBT persons, the regime now aims for three things. First, by re-focusing national and international attention toward attacks on sexual minorities, domestic and international attention is shifted from corruption and escalating political violence. Second, the international condemnations following the attack on sexual minorities can be turned in the government’s favour by demonstrating for the Tanzanian population that the regime is not a puppet for international interests. Among the local populations, LGBT people have little support. Afrobarometer data from 2014/15 show that 81% of Tanzanians would dislike having homosexuals as neighbours although they are generally tolerant on other grounds. Thirdly, it portrays the government as addressing social problems, while shifting responsibility for social ills away. In deeply religious societies the Sodom-and-Gomorrah argument has significant traction: Natural and social disasters like floods, corruption, illness and crime are God’s punishment for the society allowing immorality.

By rooting out the “LGBT cancer”, and re-establishing the natural order of things, God will look favourably upon the country. A more secular version of the same argument is that homosexuality is fundamentally un-African, and that society is corrupted by straying from traditional African values.

Politicalized homophobia: An export from Africa – or the United States?

Across the world, in Tanzania, Uganda, Poland, Hungary, the United States of America, Russia, Turkey, Indonesia, Venezuela and Brazil, rights of sexual and gender minorities have become salient electoral campaign issues. President Mugabe in Zimbabwe, Jonathan Goodluck in Nigeria and Museveni in Uganda have all employed homophobia as arsenals in their fight to maintain power. Across Africa, as in Poland, the attacks on the gay community is tied to a reaction toward international, western liberal values. An argument that is repeated time and again is that western interest, through their promotion of gay rights, is trying to recruit homosexuals among the youth population in collaboration with the county’s gay community. In Russia, for instance, new anti-gay laws were justified as an attempt to protect Russian children from gay «recruiters».

Homosexuals are targeted as a group by incumbent politicians to divert attention away from pressing issues of corruption, economic decline or development challenges.

Africa may be considered a “front-runner” continent in terms of employing homophobia as an issue of political contestation and conflict. A growing literature, describing political attacks on the rights of LGBT persons across the African continent, links politicized homophobia to political or economic crises. Politicization refers to the process by which a social phenomenon becomes the basis of mobilization by societal and political actors, who turns it into an issue of major political significance, as a subject of heated public argument, mobilization, and conflict. A common argument is that homosexuals are targeted as a group by incumbent politicians to divert attention away from

pressing issues of corruption, economic decline or development challenges. The mobilization of latent homophobia is a strategy employed by political actors to divert attention when a regime's fate is at stake - in elections, due to public opposition, or internal power struggles.

Zimbabwe's President Robert Mugabe was the first African leader to use homophobia as a central political tool. His attack on Gays and Lesbians of Zimbabwe (GALZ) in his speech at the opening of the 1995 Zimbabwe International Book Fair (themed "Human Rights and Freedom of Expression") became the start of international attention to politicized homophobia in Africa, much due to the mobilization of GALZ and their international partners. Shortly after, Mugabe delivered his infamous Hero's Day speech: *"Homosexuality degrades human dignity. It's unnatural and there is no question of allowing these people to behave worse than dogs and pigs...if you see people parading themselves as lesbians and gays arrest them and hand them over to the police"*. The political focus on homosexuality further intensified with the high-profiled arrest of Zimbabwe's former President Canaan Banana on sodomy charges the following year, and later his trial and conviction in 1999.

Politicization of homosexuality

The trajectory of politicization of homosexuality in Zimbabwe illustrates some important patterns that we now see in many other countries. It shows how anti-gay sentiments are interwoven with the politics of democratic backsliding. Anti-gay sentiments are typically mobilized to divert attention from a looming economic- or governance crisis (which Zimbabwe experienced in the late 1990s) or to secure support in elections. Allegations and formal charges of homosexuality are also used against political opponents, or allies fallen out of favour. Yet, as illustrated by the Zimbabwe trajectory, politicization, while hurting and exposing gays, lesbians and trans-people to violence and ostracism, simultaneously gives strength to the LGBT movements. For GALZ the attention brought by Mugabe's attacks boosted both their domestic membership as well as their international financial and political support. Finally, the Zimbabwe case illustrates the dual face of the courts. In convicting Canaan Banana for sodomy, the court arguably lent itself to political use – without necessarily being biased: While the charges and evidence in the case were credible, and the conviction in this sense valid, the prosecution is widely seen as politically motivated and strategically used to get rid of potential competition. At the same time GALZ secured important court victories. When the government tried to ban it from the 1996 Book Fair, GALZ brought the Ministry of Home Affairs to court and won the right to participate that year and at all future events.

In Uganda, the "Kill the Gays Bill"-saga received enormous international attention, from the moment David Bahati tabled the Anti-Homosexuality Act in Parliament in 2009, as a private member's bill, proposing the death penalty for homosexuality. The bill also broadened the crime to public display of same-sex affection, and "aiding and abetting" through informing about LGBT rights or providing finance. It also proposed mandatory reporting of the crime of homosexuality, including by teachers, health personnel and family members. International attention remained focused on the Bill through its repeated resurfacing on the Parliamentary agenda, its adoption (in modified form) in December 2013, the signing into law by President Museveni in February 2014, and its nullification by the Constitutional Court on 1 August the same year. Similar to the Zimbabwean case, Uganda's ruling party has put anti-gay sentiments to political use - both for populist 'scapegoat' mobilization, and against political opponents. The Uganda case also parallels – and far supersedes – the Zimbabwean case in the way in which the LGBT movement has drawn strength from the politicization; both in terms of international support and their domestic position. Despite harsh rhetoric and harassment, the LGBT movement has been able to engage with the government under the radar.

LGBT debates are framed, not only as a threat to public morality, but to African values, national integrity and sovereignty.

Factors driving the politicization of homosexuality in Africa

A central feature of the politicization of LGBT debates in Africa is that they are framed, not only as a threat to public morality, but to African values, national integrity and sovereignty. Homosexuals are used as scapegoats and to enhance powers of incumbent governments to channel criticism away from more serious matters, in a context where religion serves as refuge for a growing population who are increasingly disappointed with the promises of development. Some scholars focus on the ability of anti-gay mobilization to tap into a "cultural anger", marshalling intense emotions across diffuse domains and arenas of action, and thus uniting disparate individuals and groups in political pursuit of a common enemy or scapegoat. Others have questioned the link between disappointment with development and homophobia, pointing to the significant economic growth on the African continent in the period of cross-national rise in homophobic sentiments. The most vocal anti-gay voices are urban-based religious actors, attracting educated professionals who are generally not the main "losers" of economic development. They emphasize the role of the Evangelical Pentecostal churches, mobilizing

against homosexuality to strengthen collective identity and promote a “political project of Christian nation building”. The anti-gay agenda also serves to forge coalitions between political factions, and to unite them with important opinion leaders among in the churches, and among traditional leaders. This also has a profound international dimension. Anti-gay activists and missionaries from the US – and religious international networks more generally – play important direct and support roles in these dramas, which has led some to argue that homophobia in Africa primarily should be seen an export of the US culture wars – or, acknowledging the strong local agency, as an African import of strategies and tactics from US allies.

Another aspect of the international dimension is that - within the discourses of nationalism, modernity and “cultural authenticity” – gay rights (and universal human rights), are frequently described as a “dangerous western import” that must be fought against. An example is the homosexuality debate in Uganda, where a key characteristic of the discourse was the portrayal of the West as decadent and depraved in contrast to the Ugandan morally pure national self. Resisting donor pressure to drop the Bill was framed as taking a stance for “traditional” Ugandan values and against the threat that homosexuality poses to the family as the fundamental societal unit. As a result, there is debate about whether international LGBT rights organizations well-intentioned work to mobilize local LGBT activism have been counterproductive. Middle-East specialist, Joseph Massad, argues that what we see is the reaction of an international network of mostly Western organizations seeking to introduce a western conception of sexuality, and the homo/hetero dyad, in places where this has not been part of the discourse. This has politicized the issue in some cases leading to “crackdown” on and “persecution” of “the poor and nonurban men who practice same-sex contact and who do not identify as homosexual or gay” (Massad, 2002). Others also warn that donor promotion of LGBT rights lends itself to portrayal as a western imperial project, and several African LGBT activists urge the West not to provoke further backlash by for instance leveraging donor aid. Overt pressure from Western actors might provide anti-LGBT movements with ammunition for arguments of cultural imperialism.

Legal victories and political boomerangs

The picture of sexual minorities being used as the perfect enemy to win support needs nuances. While

politicization is posing threats to sexual and gender minorities across the world, legal battles are being fought, and won, to safeguard LGBT rights. The South African Constitution provides strong protections against discrimination based on sexual orientation and gender identity and same-sex marriage was legalized in 2006. Lesotho decriminalized homosexuality in 2014, Mozambique followed in 2015 and Angola in 2019. The African Human Rights Commission is also playing an active role in combating discrimination on the grounds of sexual identity. In the world’s largest democracy, India, section 377 of the constitution that criminalized homosexuality, a law based in the colonial era sodomy laws, was removed by the Supreme Court in 2018, inspiring litigation elsewhere, including in Kenya, where the matter is currently before the Nairobi High Court.

Some scholars analysing US developments, see the legal victories for LGBT rights as drivers of the shifts that have taken place in public opinion towards greater acceptance of sexual and gender minorities. Others argue the contrary, that it is a reason for the rise in a conservative anti-gay mobilization. The argument is that if legal change, and in particular court decisions are too far removed from public opinion, this creates scope for counter mobilization to reverse the change. The so-called “backlash thesis” – developed among other by Gerald Rosenberg in *The Hollow Hope* (1991/2008) holds that social rights won in court are likely to be ineffectual or counterproductive as they almost invariably will provoke a conservative counter mobilization and is likely to lead to polarized debates, stifling moderate voices..

Mirroring the politics of homosexuality in Africa, «the Polish culture war» that is now being fought pitching Catholic, national, patriarchal family values against a liberal-democratic human rights perspective where sexual and gender minorities are protected, bear all hallmarks of a polarized debate and a political backlash against the legal impositions of the global liberal regime. However, the question remains whether «Stay away from the children» is the best slogan for a party that has tied its fortunes closely to the Catholic Church. As the mayor of Warsaw suggested, the warning should perhaps be directed toward the same church at a time when 382 priests are indicted for molesting children.