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South Africa

Correct the homophobes

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On the last day of May 2011 we celebrated the Equality Court's hate speech judgment against self-confessed homophobe Jon Qwelane, who now serves as South Africa's High Commissioner to Uganda. In his July 2008 Sunday Sun column titled 'Call me names but Gay is not OK', Qwelane expressed support for Robert Mugabe's brutal and oppressive treatment of LGBTI people in Zimbabwe. The article was accompanied by a cartoon showing someone in a suit marrying a goat, and it 'pray[ed] for the day when politicians will rewrite the Constitution', removing the right to equality therein.

The timing of this judgement is particularly significant given that four known cases of hate crimes and 'corrective rape' against lesbians were widely reported within the last month. Twenty-year old Nokuthula Radebe's body was discovered in an abandoned building with her pants off in Everest Thokoza, Ekurhuleni; there was the rape and brutal murder of 24-year-old Noxolo Magwaza from KwaThema, Gauteng, and the rape and murder of Nqobile Khumalo from KwaMashu in KZN, and a 13-year-old girl from Atteridgeville, west of Pretoria, who is open about her sexual orientation, was sexually violated in what seems to be an act of 'corrective rape'. This follows at least 30 known cases across the country since 2000, of which a dozen young lesbians and gay men have lost their lives.

These cases, of course, may be only the tip of the iceberg. How many LGBTI persons, we wonder, have actually been raped and murdered? The nature of the crime unreported and many too intimidated and shamed even to go to the police?

A hate crime is defined as violence motivated by a feeling or display of animosity on the basis of the victim's race, religion, ethnicity, gender, sexual orientation, mental and physical disabilities, or other similar forms of discrimination. Hate crimes against LGBTI people are neither new nor uniquely South African. There have been reports for decades, from Brazil to India, from the US to Europe, and in Uganda, just as recently as January this year, of violence motivated by homophobia. Homophobia, which is the hatred of homosexuals, can range from Qwelane's anti-rights rhetoric to murderous violence, but in all instances it has severe consequences.

The term 'corrective rape' is now commonly used to describe the rape of a woman who is not heterosexual, purportedly to 'correct' her sexual orientation. This might mean, in homophobic parlance, the assertion that this woman 'doesn't know what a penis is like' and would, after the experience, be convinced to no longer be a lesbian. In reality, of course, the 'corrective' component of 'corrective rape' speaks to a simple, brutal, and horrifying form of punishment. It is unacceptable, to these perpetrators, for a woman to be anything other than heterosexual, and her 'error' is then disciplined, not simply through rape, but through additional forms of torturous violence.

In a country like South Africa, however, violence in general is so high and violence against women, particularly rape, even more so. The use of the term 'corrective rape' separates out these crimes from a crisis of violence more generally. How can we address the ways in which homosexuals are targeted without ignoring the context of such violence?

Many activists have objected to the term 'corrective rape'. They argue that rape is rape and, in many ways, all rape is corrective. Women's bodies are not always respected as their own, and sexual violence against women 'corrects' women who think they have a right to say no. This is a problem for all women, and it is also the precise reason why lesbians are so frequently targeted. Nqobile Khumalo, for instance, was brutally attacked by an ex-boyfriend, who raped, killed and buried her secretly in KwaMashu. Sentenced in May 2011 to 15 years of prison, he said he did it because she was dating women and rejecting him.

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South African society, like so many others, prescribes how a woman should or should not behave, making women's bodies the property of patriarchal society. Whether in sexual practice or in childbearing, women's bodies are understood to belong, not only to particular men – husbands, fathers, boyfriends – but also to a larger social order which is enforced, frequently, by both men and women. Lesbians, by directing their romantic and sexual interests towards other women, violate many men's and women's ideas of how a woman should behave and how society should be ordered. When women, frequently but not exclusively lesbian, compound this violation by challenging how women are expected to dress, walk, and speak, they are met with hostility, hatred, and, all too often, rape.

Post-apartheid South Africa and the 1996 Constitution afforded formal equality to many marginalised groups, like LGBTIs. This enabled many to come out as LGBTI South Africans and still feel like citizens. The rights of the Constitution, however, do not translate to equality in everyday life. From religious fundamentalists to so-called traditional leaders, a range of groups in South African society have been vocal in their opposition towards non-heterosexual persons. Qwelane's article, thus, is the manifestation of a larger push to eliminate the rights of LGBTI South Africans – and, perhaps, in the end, their existence.

In our society, with its deep social crisis, individual sentiments often find extremely violent expression. Thus, the struggle against homophobic violence operates at the intersection of multiple concerns. Violence against women and children; violence against LGBTIs; the socioeconomic conditions; the safety of our townships and urban areas; a general climate of hate speech against LGBTI persons; the role of the police and the judiciary. Homophobia, thus, is not the problem of homosexuals but the problem of society. Yet the struggle against it has frequently been a lonely one. This is why we welcome the recent voices of trade unions like SADTU, NUMSA, SAMWU, amongst other formations, which have spoken out against these recent attacks.

The Department of Justice and Constitutional Development has recently announced the formation of a task team with civil society, an initiative which must be welcomed. The government as a whole, however, has not shown the political will to stop homophobic violence. The Department of International Relations and Cooperation spokesperson, for instance, claimed that John Qwelane's conviction in the Equality Court was simply a 'personal matter'.

Statements like these hollow out the progressive positions enshrined in our Constitution and legislation. The result is that rights become nominal and issues like homophobia are seen as a problem for lesbians and gays and not a collective problem.

This is a fight that must become imbued by the slogan 'an injury to one is an injury to all'.

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