

OPINION | Matuba Mahlatjie: No Pride but prejudice in Africa

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Matuba Mahlatjie



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A gay pride rally in Entebbe, Uganda, in 2014.

Isaac Kasamani/AFP

The African LGBTQ community needs support because while legislating the elimination of queer people from public existence may not legally constitute genocide, it is genocidal thinking, argues
Matuba Mahlatjie.

There's never been a better cliché to best capture the state of LGBTQ rights on the African continent. Pride month is over, but we cannot afford to be event-driven in the quest for human rights.

The irony is that we are fighting for fundamental human rights that our colonisers denied us while exploiting, raping, and maiming us. Decades later, we are still stuck with their imports in the form of hate for the queer community.

Uganda is currently the poster child of all that is wrong with African leaders; wait, did I say, leaders? No, let me say it this way; African politicians who push for repressive laws like the one we saw passed in Uganda are cancer that will continue the colonialists' oppression project.

Same-sex conduct myth



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of violating for being ourselves belong to those white supremacists who presided over us for decades.

As a matter of fact, Uganda is not the only African country with a long documented history of same-sex conduct. And we know the story of the Kabaka in Uganda in the pre-colonial period, who was known to engage in same-sex relationships. This is information that anyone can access because it's not a secret. But it's a myth that same-sex conduct is a Western import, and that's not something that is up for debate because of facts.

Here is another fact: criminalising same-sex conduct is definitely a colonial import. This is something that came to Uganda with the British colonisers, copying and pasting the Indian Penal Code, which they had put in place in 1877. Remember, India is another colony exploited by the British. That is where the criminalisation of same-sex conduct came from - not come from Uganda. Ugandan politicians have absorbed these colonial ideas that come from the period of Queen Victoria.

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According to this, same-sex conduct is unacceptable, but there were never any pre-colonial notions that people should be imprisoned,



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deflection used by politicians who fail in their public service. No infrastructure, inequality is rampant, and it breeds poverty. But they have time to obsess with homosexuality.

I didn't intend to give a history lesson, not only because I am not qualified to do that, but what I am entitled to do is to push back against hate and the silence of our governments against this blatant violation of human rights.

Support needed

The South African government always uses the so-called respect for other countries sovereignty to avoid public condemnation of something our Constitution rebukes. Some of these leaders left South Africa to amass support from other countries that publicly condemned the evil apartheid laws that stole social and economic opportunities from our parents. Now that they are in power, they failed to tell Yoweri Museveni to reconsider the Homosexuality Act of 2023, which has displaced many of our community members emotionally and physically.

South Africa's freedom was won through the support of other countries. The African LGBTQ community needs that support because I believe while legislating the elimination of queer people from public existence may not legally constitute genocide, it is genocidal thinking.



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queer people should also be aware that they are advocating crimes against humanity.

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Implementing these laws could be tantamount to **gender persecution** — persecution based on gender as part of a widespread or systematic attack directed against any civilian population — which is prohibited under the Rome Statute that established the International Criminal Court.

Quiet diplomacy will take us nowhere, and that's why we are keeping watching closely the spread of homophobia in other countries emboldened by Uganda's hatred of the LGBTQ community.

Kenyan **MP** George Peter Kaluma submitted the Family Protection Bill of 2023 to the National Assembly on 7 April. This bill was a response to a **Supreme Court** victory affirming that the National Gay and Lesbian Human Rights Commission had the constitutional right to register and operate as a non-governmental organisation.

Kenya's proposed law follows Uganda's example in providing the death penalty for some consensual same-sex acts, prohibiting organisations from what they term as normalising homosexuality and



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Like Uganda, Tanzania already has a life sentence for the so-called "unnatural offences." Based on news reports and activists in East Africa, those comments were followed by a spike in anti-LGBTQ violence, raising fears that new laws might be tabled.

While many in South Africa enjoy the fruits of our democracy in the form of our progressive Constitution, we can't have Pride when prejudice plagues members of our community.

- Matuba Mahlatjie is the communications and media relations manager at Outright International.

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