

# **A Sexual Politics of Belonging: Same-Sex Marriage in Post-Apartheid South Africa**

by  
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# Declaration

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## Abstract

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Marriage is regarded as one of the most important and universal cultural symbols of belonging, and incorporates a range of privileges that can be acquired in no other way. It is where relationships of desire, politics and economics are fused into personal and public rituals of socially sanctioned connection and inclusion. Yet it draws new boundaries of social inclusion and exclusion or stigmatisation. In this thesis I use narrative inquiry to investigate how seventeen Capetonian queer couples in committed relationships perceive and experience same-sex marriage, and ask whether the Civil Union Act has given them a greater sense of belonging.

Sexuality is deeply politicised through gendered disciplinary regimes that impinge on people's emotional and intimate lives. Sexual politics in South Africa today emerge from a complex history of the sycretisation of widely varying cultural and political discourses, beliefs and practices wrought through colonialism and post-colonial recuperation. The formal protection of lgbti-q identities in the post-apartheid South African Constitution is the outcome of strategic struggles for lgbti-q recognition as human rights.

However, formal rights do not necessarily lead to social inclusion as they may not reflect extant cultural values, hence I use the thicker concept of 'belonging' as developed by Yuval-Davis to analyse everyday inclusion—a concept which enables me to understand 'privatised' and affective dimensions of citizenship shaped by contexts of care and interpersonal intimacy.

Worldwide, marriage has long been a central institution in how societies regulate their social and physical reproduction; but marriage also confers privileges which can be accessed in no other way. As in the West, marriage equality was a key aim for lgbti-q struggles in South Africa. But feminists have critiqued marriage as an institution of gendered hierarchy and a site of profound oppression for women. It is at the centre of the private|public dichotomy, and symbolic of women's differentiated citizenship through, inter alia, the ideology of 'women as property'. Hence same-sex marriage is deeply politicised in how it upholds or challenges heteropatriarchy.

By looking at how a diverse range of same-sex couples in committed relationships perceive and experience same-sex marriage in South Africa, I unravel the ambiguities and contradictions of marriage as a project of belonging for lesbians and gays. Marriage as a sexual politics of belonging is about how lesbian and gay citizens

experience equality and dignity in their everyday lives—recognition of them as citizen-subjects, protection of their intimate relationships as well as their struggles for belonging.

I engage with the complex outcomes of colonial conquest and post-colonial recuperation on African sexual identities, before turning to an understanding of queer citizenship. I show how belonging is a much thicker concept than citizenship because it accesses our affective relationships. I proceed to use Nira Yuval-Davis's framework for analysing belonging. She divides belonging into two streams: facets of belonging relating to identities, social locations and political and ethical values; and a politics of belonging. Struggles for belonging are waged around boundaries of inclusions and exclusions, and only become visible when belonging is contested. Projects for belonging are complex and multi-layered negotiations around the boundaries of belonging.

Using narrative inquiry, I present the stories of seventeen couples and six key informants to fashion a narrative about same-sex marriage as a project of belonging. I asked them about coming out, and how they met their partners. They also told me about their relationships with children and significant others. We talked about their perceptions and experiences of same-sex marriage, and their views of the Constitution and Civil Union Act. I also asked about their sense of safety as queers and what they thought needed to be done to help queers belong (more).

The participants' most significant sense of belonging derived from having their rights protected in the Constitution. Their sense of entitlement to be who they are, was the outcome of powerful struggles for recognition. The various couples had been in committed relationships for between 8 and 52 years. Some had made use of the immigration status of same-sex partners to be together, which meant they were instantly thrown into 'marriage'-like situations. Some didn't want to get married, but 10 couples were married. Except for two couples, all the couples who got married did it primarily for the tangible benefits associated with marriage: through marriage they established formal kinship relationships linked to property and commitment to care. They were generally not interested in the cultural trappings of 'weddings', and had modest and quiet ceremonies. All the married couples affirmed that the Act had given them a greater sense of belonging. While all the participants valued formal recognition through the Constitution, the lack of substantive equality needed to be addressed to ensure future belonging for LGBTI-q.

I concluded that same-sex marriages are powerful social institutions, capable of either upholding heteropatriarchies through homonormative performances, but also capable of subversions. A foundational challenge comes through disrupting the 'women as property' exchange embedded in most marital traditions.

## Opsomming

Die huwelik word beskou as een van die belangrikste en algemeenste kulturele simbole van samesyn, en behels 'n reeks voordele wat op geen ander manier toeganklik is nie. Die huwelik is die kern waar begeerte, politiek en ekonomie verenig in persoonlike en openbare instellings van gemeenskaplike aanvaarding en verbinding. Terselfdertyd teken dit ook nuwe grense van sosiale insluiting, uitsluiting of stigmatisering. In hierdie tesis ondersoek ek wat sewentien Kaapse queer paartjies in vaste verhoudings dink van gay huwelike en hoe hulle dit ondervind, en ek vra of die Civil Union Act hulle meer samesyn (belonging) laat voel.

Seksualiteit is uiters polities omdat dissiplinêre sisteme mense se emosionele en intieme lewes reguleer. Seksuele politiek in die huidige Suid-Afrika spruit uit 'n gekompliseerde geskiedenis van 'n samevloeiing van verkillende kulturele en politiese diskoerse, gelowe en praktyke van kolonialisme en post-kolonialistiese herstel. Die formele beskerming van lgbti-q identiteite in die post-apartheid Grondwet van Suid-Afrika, is die uitkomstige van strategiese stryde vir lgbti-q herkenning as menseregte.

Nogtans het formele regte nie noodwendig gelei tot sosiale insluiting omdat hulle nie die bestaande kulturele waardes weerspieël nie, daarom gebruik ek die konsep van 'samesyn' soos ontwikkel deur Yuval-Davis om alledaagse insluiting te ontleed—'n konsep wat my in staat stel om die 'private' en emosionele dimensies van burgerskap, die kontekste van sorg en interpersoonlike intimiteit, te verstaan.

Wêreldswyd is die huwelik 'n kerninstelling in die regulering van sosiale en fisiese voortplanting in gemeenskappe. Maar die huwelik verleen ook voorregte wat op geen ander manier verkrygbaar is nie. Soos in die Weste, is huweliks-gelykheid 'n sleutelpunt in stryde vir lgbti-q erkenning in Suid-Afrika. Maar feministe het kritiek gelewer teen die huwelik omdat hulle glo dis 'n terrein vir die instelling van geslagshiërargie en diepgaande onderdrukking van vroue. Dit is die spilpunt waarom die verdeling tussen privaat | openbaar draai, en is simbolies van vroue se gedifferensieerde burgerskap deur, onder andere, die ideologie van 'vroue as besittings'. Dus is gay huwelike polities ingewortel in hoe hulle heteropatriargie onderskraag of aanvat.

Deur te kyk hoe etlike Suid-Afrikaanse paartjies van dieselfde geslag hulle toegewyde verhoudings beskou en ondervind, ontrafel ek die raaisels en dubbelsinnighede van gay huwelike as 'n projek van samesyn vir lesbiërs en gays. Die huwelik as seksuele politiek van samesyn is hoe lesbiese en gay burgers in die

alledaagse lewe hulle gelykheid en menswaardigheid beleef—dat hulle as burgers erken word, en dat hulle intieme verhoudings sowel as hulle stryde vir samesyn gekoester word.

Ek ontrafel die kompleksiteit van Afrikane se seksualiteite deur die gevolge van koloniale verowering en post-koloniale herwinning aan te pak, voor ek na queer burgerskap kyk. Ek bewys dat samesyn ’n meer betekenisvolle begrip is as burgerskap omdat dit ook ons emosionele verhoudings kan aanspreek. Ek gebruik Nira Yuval-Davis se raamwerk vir die ontleding van samesyn. Sy deel dit in twee strome: fasette van samesyn verbonde aan identiteite, sosiale stand en politieke en etiese waardes; en die politiek van samesyn. Stryde oor samesyn word rondom grense van insluiting en uitsluiting gevoer, en word slegs sigbaar wanneer samesyn bevraagteken word. Projekte vir samesyn is ingewikkeld met veelvoudige onderhandelings rondom grense van in— of uitsluiting.

Ek gebruik verhaalontleding om die stories van sewentien paartjies en ses sleutelinformante te omskep in ’n vertelling omtrent gay huwelike as ’n projek van samesyn. Ek het hulle gevra oor hoe hulle “uit die kas geklim” het, en hoe hulle hulle minnaars ontmoet het. Hulle het my ook vertel van hulle verhoudings met hulle kinders en belangrike mense in hulle lewens. Ons het gepraat oor hulle sienswyses oor, en ondervindings van, gay huwelike, en hulle sienings oor die Grondwet en Civil Union Act. Ek het ook uitgevra omtrent hoe veilig hulle voel as queers, en wat hulle dink gedoen moet word sodat queers (meer) samesyn kan ondervind.

Die deelnemers se grootse gevoel van samesyn was as gevolg van hulle regte wat gekoester word deur die Grondwet. Hulle gevoel van geregtigheid om te wees wie hulle is, het gespruit uit ’n kragtige stryd vir erkenning. Die verskillende paartjies was tussen 8 en 52 jaar lank in vaste verhoudings. Party het gebruik gemaak van die immigrasie wetgewing vir gay minnaars om saam te bly, wat beteken het dat hulle hulle summier in ‘huwelik’-soortige verhoudings bevind het. Party wou nie trou nie, maar 10 paartjies het getrou. Behalwe twee paartjies, het al die paartjies gesê hulle het hoofsaaklik getrou om die tasbare voordele van huwelike te geniet: deur huwelike kon hulle formele verwantskappe skep met besittings en verpligtings tot sorg. Hulle was oor die algemeen nie geïnteresseerd in die kulturele vertoon van troues nie, en het beskeie en stil seremonies gehou. Al die getroude paartjies het gesê dat die Civil Union Act hulle ’n groter gevoel van samesyn gebring het. Alhoewel al die deelnemers die amptelike erkenning van die Grondwet waardeur het, het hulle gesê dat die gebrekkigheid aan substantiewe gelykheid aangespreek moet word om toekomstige samesyn vir gays te verseker.

Ek het tot die gevolgtrekking gekom dat gay huwelike kragtige gemeenskaplike instellings is wat heteropatriargieë kan onderskraag deur homonormatiewe gedrag,

maar dat hulle ook ondermynend kan wees. 'n Fundamentele uitdaging is die moontlike ontwrigting van 'vroue as besittings' onderhandelings wat in meeste huwelikstradisies vasgelê is.

# The Shén (Soul-Spirit) of This Project

The soul of this project is about love and what we do with love.

Who do we love?

How do we live love day by day?

What do we show when we look, touch, kiss?

What do we mean by a glance, a sigh, a smile?

How do we show we care?

My quest is about love that has a history and hope for a future.

My quest is about love that survives cruelty and exile.

My quest is about love that lives and refuses to die.

# Dedication

This thesis is dedicated to my father who believed that education was the passport to a liveable life. His support and encouragement helped me persevere. He was thrilled when I started on this journey. Regrettably he did not live to see it completed.

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This work would not have seen the light without Pauline, my soul-mate and fellow traveller on this journey called life. Without her unfaltering support and inspiration, her challenges and constant love, I could not have done this. I did not manage to get any financial support for this project, so we had to tighten our belts. Pauline cared for me mentally, physically, financially, emotionally and intellectually with humour and patience. She did all the housework and chores so I would have time to write. Therefore though the ship bears my name, Pauline is its anchor. Without her it would not have happened. Thank you cannot begin to describe the depths of my gratitude for her enduring love.

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# Notes on Terminology

The terminology of most of the theory advanced in this thesis is rooted in northocentric discourses which renders the meanings of many of them slightly awry when used to describe and explain the identities and practices of some South Africans.

## **African Sexualities**

Africa has a greater number of countries on the continent than any other continent, and in terms of size encompasses Western Europe, the USA, China, and India. Yet northern theories persist in homogenising and essentialising 'African sexuality'. This researcher recognises the elusive quality of precolonial discourses about sexuality, and the degree to which colonial discourses shaped contemporary beliefs, attitudes and practices of sexualities in Africa. I am therefore deeply aware that when I speak of 'African sexualities' I am speaking with forked tongue. On the one hand I am speaking about discourses that have developed through engagements with a predominantly northern gaze and also that I am indulging in the practice of generalising across a vast continent with profound cultural differences.

## **Agency**

Feeling that one can influence the outcome of one's life. It is also the ability to appropriate and transform normative categories, not only in name but particularly in the human value ascribed to a particular social positionality.

## **Belonging**

In the case of this thesis, the framework of belonging which is developed draws strongly on the assumptions of the interdependent relationality of human beings, as reflected in the African communal philosophy of Ubuntu. However, the researcher also adheres to an ethics of human equality and dignity that is embedded in the human rights framework. What is interrogated are the gaps between discourses of equality and practices that support a social hierarchy of human value. To understand the full spectrum of social belonging, feminist, queer and postcolonial theories on citizenship are used to categorise elements of belonging. However, they are critically (re)interpreted in order to be positioned within a relational framework.

### **Binary**

I use the logical symbol for 'or' [|] where I want to indicate a binary in operation, and the one term invokes the other. For example masculinity | femininity depend on one another for their full signification and significance as gendered terms.

### **Black people**

I use the term 'black people' to refer to indigenous African people.

### **Butch**

Lesbians and gays with more masculine gender presentations and performances.

### **Coloured**

I use the South African nomenclature of 'Coloured' (still extant, but deriving from apartheid race classifications) to refer to people who are of mixed race or who share a Khoekhoe heritage or a heritage of enslavement.

### **Erotic justice**

Scholars have started using the term 'erotic justice' as a generic term which does not focus on specific categories or identities of people, and puts the emphasis on justice (see Ellison 1996; Epprecht 2013; Kapur 2005).

### **Femme**

Lesbians and gays with more feminine gender presentations and performances.

### **Gay**

A term deriving from the global North as a synonym for primarily homosexual men, but could also refer to women, in many parts of the world; its use is more nuanced in South Africa, where it often refers to feminine-identified men (*ladies*) whose primary erotic orientation is towards *gents*, other men who may see themselves as 'straight', i.e. not gay (Reid 2013).

### **Gender**

The social and cultural binary codes layered over people's biological sex which are used to distinguish between people as 'women' and 'men' based on a society's conceptions of appropriate 'femininity' and 'masculinity'.

### **Gender Hegemonies**

Without locating sexualities within the context of gender, it is impossible to understand the myriad relational variations that form the basis for hegemonic masculinities and femininities. Though gender roles change, the dynamics of power between masculinities and femininities play into heteropatriarchal control and social

regulation. Most people will buy into these hegemonies, perpetuating them deliberately as well as unconsciously, and resisting any challenges.

### **Gender identity**

A person's inner sense of an authentic gendered 'self' which could range along a continuum from femininity to masculinity, and which often varies across social spaces, i.e. cultures and contexts.

### **Gender presentation or performance**

The way in which people express their gender identity through behaviours which society deems 'feminine' or 'masculine'. It could include language use, body language, dress, mannerisms etc.

### **Gender-based violence (gbv)**

Violence directed against a person on the basis of their sex or gender. Gender-based violence includes sexual violence, intimate partner violence, psychological abuse, sexual exploitation, sexual harassment, harmful traditional practices, and discriminatory practices based on gender. The term originally described violence against women but is now widely understood to include violence targeting women, transgender persons, and men because of how they experience and express their genders and sexualities (Human Rights Watch 2011).

### **Hate crime**

Any criminal behaviour or expression (verbal or physical) that stems from prejudice or stigmatisation of someone's perceived identity, e.g. sexual orientation. Homo hate crimes are homophobia enacted. Since they are perpetrated on marginalised and stigmatised groups, services like the police that have entrenched attitudes of homophobia, also will not treat such crimes with due diligence. This leaves the impression that they may be committed with impunity.

### **Heteronormativity**

The presumption that heterosexuality is 'normal' and 'natural' and that any other form of sexuality is 'deviant'. Conforming to heterosexual 'norms' by keeping the gender binaries alive, even among people who have same-sex partners, is the driving engine of heteropatriarchy.

### **Heteropatriarchy**

A refined definition of patriarchy which accounts for the social hierarchy which promotes the superiority of men over women and masculinity over femininity and is

maintained and perpetuated through people practising and performing heterosexual norms which uphold the extant system of gender power.

### **Homonormativity / homonormalisation**

Homonormativity has layered meanings: it indicates the hegemonisation of homosexual norms, but in a queer perspective it also refers to same-sex politics that do not contest dominant heteronormative assumptions and institutions. A queer critique avers that homonormativity upholds and sustains heteronorms, while promising the possibility of a demobilised lgbti-q constituency and a privatised, depoliticised gay culture anchored in domesticity and consumption. Homonormativity can also be applied to hegemonic forms of gendered relationships between people of the same sex, and the way in which they boost hegemonic masculinities and femininities.

### **Homophobia/ homoprejudice**

Homophobia literally means the fear of homosexuals (lesbians and gay men) and transgender people. Homophobic attitudes and beliefs are rooted in heteronormativity, and pervasive prejudice and Othering of, inter alia, queers. Homophobia stems from homoprejudice, and homophobic behaviour ranges from all forms of discrimination, hostility and contempt to harassment, bullying, and extreme violence like rape, assault and murder. These are all crimes based on hatred of queers.

### **Human Rights**

The human rights framework is centred on an individual bearing rights and responsibilities, but struggles to deal with human contexts where multiple rights and responsibilities need to be considered. In particular it struggles with situations where there are conflicts between different people's claims to rights, e.g. victim of crime vs. perpetrator.

### **Identification**

Individual relationships to the social, through inserting /interpellating oneself into existing categories.

### **Intersex**

This is a term used to describe a person whose sexual anatomy, physiology and genetics do not conform to the classifications of typically male or female characteristics.

## **Kinship**

According to Judith Butler (2002: 14-15) kinship is a “set of practices that institutes relationships of various kinds which negotiate the reproduction of life and the demands of death ... kinship practices will be those that emerge to address fundamental forms of human dependency, which may include birth, child-rearing, relations of emotional dependency and support, generations ties, illness, dying and death (to name a few).” She also argues that kinship is not the same as friendship or community, and is inevitably linked to property relations.

## **Lesbian**

A term from the global North for a woman whose primary sexual and romantic attraction is towards other women. However, not all women who have sex with women will identify as lesbian. Some women who present as more feminine may identify as ‘straight’, and some who present as more masculine may also see themselves as ‘men’ (Henderson, Cloete & Van Zyl 2011).

## **Lesbophobia**

Specifically the hatred of lesbians, but directed mostly towards more masculine identified/ presenting lesbians.

## **Lgbti-q**

Lesbian, gay, bisexual, transgender, intersex and queer—an inclusive term for people in groups with sex-gender-sexuality non-normative identities, sometimes also grouped as ‘sexual minorities’. I use small letters to avoid reification of identities (cf. Epprecht, 2008). I try to be specific in my use of the terms, but also use ‘same-sex sexualities’ or ‘queer’ as generic terms. I do not use the terms ‘msm’ (men who have sex with men) and ‘wsw’ (women who have sex with women) as they are not appropriate in this context. They reduce the relationship to sexual intercourse and do not acknowledge any affective bonds that hold long-term committed relationships together. However I recognise that some people who identify as ‘straight’ may have long-term relationships with members of the opposite sex (see for example Reid 2013), and would fall into the categories of msm or wsw. I am also partial to the use of *sogi* (sexual orientation and gender identifications) that is gradually getting popular as a more fluid umbrella term. However, where relevant I use *lgbti-q* as that is the acronym used by many activist organisations.

## **Liveable lives**

I first came across this phrase in reading *Undoing Gender* by Judith Butler (Butler 2004: 8) where she argues it is a life requiring basic norms and conventions which “permit people to breathe, to desire, to love, and to live.” But she says “a life for which no

categories of recognition exist is not a liveable life.” A ‘liveable life’ represents for me the epitome of belonging, including recognition and a degree of social, physical and psychic stability.

### **Marriage as Cultural Glue**

Marriage is a cultural ritual of social bonding, which perpetuates relationality between communities and forges political and economic alliances. Marriage is a cornerstone for the reproduction of society and its norms. As a legislated norm with almost universal power, it confers legal, economic, social and psychological privileges which are obtainable in no other way. However, these privileges are not granted in equal measure to all parties since they are ordered by gender, as well as by sexualities and other intersecting positionalities such as class and race.

### **Othering**

This is a process by which the Self is centred and the Other objectified. It is the underlying process in the construction of identities which are seen as of less human value than the Self, and consequently setting in motion the dynamics of oppression, marginalisation and exploitation. It robs the other person of dignity and denies them respect.

### **Patriarchy**

A social hierarchy which privileges men over women, and masculinity over femininity. Patriarchy is ‘held in place’ by the recurring performances of ‘normative’ genders based on the assumption of heterosexuality.

### **Political values**

Political values are not only institutional ideologies, but also people’s beliefs about human value. In SA there is a tension between definitions of rights and responsibilities as individually held in the human rights framework and a communal philosophy which deems humans to be woven into a web of ‘rights’, obligations, and responsibilities. Our humanity (human ‘rights’ e.g. dignity, equality) cannot be asserted in the absence of our responsibilities towards others, nor theirs towards us. In same-sex marriage the legislation is framed within the constitutional provisions of equality, and defined in term of sex (not gender). For some Africans, a gendered understanding of marriage may wrestle with equalities defined by sex.

### **Power**

Power is relational—where normativity holds existing power relationships in place. Agency is the individual energy used to transform power relationships. Collectively this works through social mobilisation to influence structural forms of power—to

transform, reform, maintain or revert to previous hegemonies. Power relations need constant work to be reproduced and maintained.

## **Queer**

If queer culture has reclaimed 'queer' as an adjective that contrasts with the relative respectability of 'gay' and 'lesbian', then queer theory could be seen as mobilising 'queer' as a verb that unsettles assumptions about sexed and sexual being and doing. In theory, queer is perpetually at odds with the normal, the norm, whether that is dominant heterosexuality or gay/lesbian identity. It is definitively eccentric, ab-normal (Spargo 1999: 40).

I follow academics writing on and from Africa where the word 'queer' has garnered increasing popularity both as a noun to describe gender non-conforming subjects as well as to politicise heteronormativity (see Ekine & Abbas 2013b). However, the African same-sex rights movements and general population do not use this northern term, preferring the rights-based term 'lgbti-q' and its components (Sigamoney & Epprecht 2013). However, I like 'queer' for its fluidity of meaning (McCormick 2013; Van Zyl 2004) as a sliding signifier, and use it also as a postmodern theoretical term, but use 'gay' or 'lesbian' (or other relevant terms) depending on what is appropriate in the context.

## **Same-Sex Marriage**

Marriage as a cultural ritual which socially sanctions a sexual relationship between two individuals (or more, depending on the socio-legal provisions). In this thesis, I speak only of monogamous same-sex sexual relationships, however they may be named. Northern gender terminology is problematic in understanding the dynamics of same-sex marriages in Cape Town, where partners who are both female may refer to themselves as 'husband' and 'wife'.

Same-sex marriages are socially sanctioned or legally approved forms of marriage for partners of the same sex. In this instance the definition of 'sex' derives from biologicistic theories from the global North about bodies. This is not to say that indigenous African cultures do not divide the sexes into male and female, but that many did not ascribe the same immutable gendered social roles on the basis of sex, i.e. there was more fluidity in gender identities. Therefore it was conceivable that a woman could become a 'husband' and a boy a 'wife' within specific cultures' norms.

## **Sex**

The (universal) biological classification of bodies as female or male, based on external sex organs, internal sexual and reproductive organs, hormones, and chromosomes.

### **Sex-gender-sexualities**

Feminists usefully separated the concepts of sex and gender to make visible the extent to which sex is used as a foundation for the social construction of difference. It is also a significant concept for understanding the differences between performative sex/gender/sexualities in different places and at different times. In particular I want to remain alert to how the articulations of sex–gender–sexualities in South African communities vary from academic definitions.

These also have historical relevance, as they differed between some precolonial African societies and the gender ideologies imposed during colonial occupations. These variations account for the phenomenon of same-sex marriages in parts of precolonial Africa. I often use these terms either hyphenated or separately to indicate the distinct meanings, but know in reality they are in a continuous flux of co-construction. Hence when using the term gender, there is an (unstated) assumption that it will be layered with sex and sexuality to varying degrees.

### **Sexual minorities**

This is a term used in much human rights discourse related to people who do not conform to normative standards of sexual behaviour, and could include lgbti-q as well as sex workers or people involved in polyamory.

### **Sexual Orientation**

The way in which a person's sexual and erotic desires are directed. The term describes whether a person is attracted primarily to people of the same or other sex, or to both.

### **Sexual Rights**

In my use of sexual rights I include reproductive rights. I also acknowledge negative rights such as protections against gender-based-violence, but also include positive rights such as the right to choose one's own sexual partner.

### **SOGI**

Acronym for sexual orientation and gender identification that is slowly gaining ground as an alternative to lgbti-q. Although I do not use the term in this study, I like it since it does not tend to essentialise identities.

### **Southern Theory**

Southern theory centres itself in the global South. This implies that the researcher will use frameworks in a way that is empathic to values from the South, specifically contextualised within the physical and symbolic location from which the researcher speaks. It implies active dialogue with northern theories, in critical and self-reflective engagement. In particular, it refers to an ontology of relationality over individualism.

### **Transgender/ transsexual**

A word used to describe the gender identity of people whose birth sex does not conform to their experienced gender. A transgender person usually wants to adopt the gender presentation and performance of the other sex, but may not necessarily have bodily changes to conform to their desired gender. They may also choose to transition—i.e. undergo surgery and hormone therapy to make their physical body in conformity with their experienced gender.

### **Transphobia**

Fear and contempt of transgender and transsexual persons, usually based on negative stereotypes about transgenderism and transsexuality (Human Rights Watch 2011).

### **Ubuntu**

Ubuntu is a southern African term, but the concept is familiar throughout Eastern and Western Africa. It is a communal philosophy that puts each individual in the context of communal and kinship relations. More broadly it asserts that each person's humanity is reciprocally tied into the humanity of others. There are ethical frameworks from elsewhere that have at core the same principles of relationality: the philosophy of Levinas, the Feminist Ethics of Care, phenomenology with its concept of intersubjectivity as well as many other socio-cultural ethical frameworks, both in Africa and elsewhere.

### **Whiteness**

Whiteness refers to norms and normativity deriving from racialised assumptions that certain white people's values, ways of knowing and everyday practices are the 'gold standard' by which every Other is measured.

## List of Acronyms

AIDS	Acquired Immune Deficiency Syndrome
ANC	African National Congress
ANCYL	ANC Youth League
CC	Constitutional Court
Contralesa	Congress of Traditional Leaders of South Africa
CUA	Civil Union Act No. 17 of 2006
FG	Free Gender
GAIDE	Gay Aid Identification Development and Enrichment
GASA	Gay Association of South Africa
GHMCC	Good Hope Metropolitan Community Church
GLOW	Gays and Lesbians of the Witwatersrand
HIV	Human Immunodeficiency Virus
IAM	Inclusive and Affirming Ministries
ICPD	International Conference for Population and Development
ILGA	International Lesbian and Gay Association
JWG	Joint Working Group
LAGO	Lesbians and Gays against Oppression
Igbti-q	lesbian, gay, bisexual, transgender, intersex-queer
NCGLE	National Coalition for Gay and Lesbian Equality
NGO	Non-Governmental Organisation
NHTL	National House of Traditional Leaders
OLGA	Organisation for Lesbian and Gay Activists
SCA	Supreme Court of Appeal
SOGI	Sexual Orientation and Gender Identification
TP	Triangle Project
TRC	Truth and Reconciliation Commission
UDF	United Democratic Front
UN	United Nations
USA	United States of America

## chapter one



# Situating Same-Sex Marriage

## From Whence Do I Speak?

Being a white Afrikaner born in 1951 my position as an Afrikaan is invidious, despite my lifelong social justice activism (Van Zyl 2005c: 73). It started with fighting violence against women—a struggle framed by western feminism and gender theory. As a student in the early seventies, I soon became drawn into student anti-apartheid politics which rode in the wake of student uprisings in the metropole. As a scholar I embraced feminism and the leftist theories of oppression and liberation—all rooted uncritically in the Anglocentric epistemologies of the North.

Schooled in an unmistakably ‘non-African’ learning environment, it took a while before my activism forced me to look critically at the Anglophone knowledge production in which I had been immersed. As far as I was concerned, my feminism drew strength from the universal truth of women’s subordination. Challenged by my comrades in *The Struggle*, I began reading black feminists who ‘wrote back’ and started questioning the assumptions underlying my understandings. Grassroots debates about women’s place in ‘the struggle’ and an emergent ‘African feminism’ which was taking shape from the periphery became my intellectual challenges. Perhaps the same critical sensibilities that grounded my resistance to the dominant hegemonic order of heteropatriarchal apartheid, also impelled me to question the foundations of what I thought I knew.

As a feminist activist and independent scholar I have worked mostly in (differently defined) marginalised communities bringing my education and skills to bear on struggles for social justice with the aim of ensuring that gender equality is

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addressed. Those were the days of the Women in Development/Gender and Development debates (Kabeer 1994; Parpart 1993; Razavi & Miller 1995). Most of the research I participated in was as a consultant to local NGOs with imperatives from northern funders to address gender inequalities—walking the tightrope of community needs balanced against agendas framed and conceptualised in the North (see also D Lewis 2009). Research in this sector was frequently aimed at informing advocacy as well as capacity building of their constituencies. With my passion for education—both for self and others (which I learnt from my father)—I motivated that this search for knowledge should take the form of participatory action research. Hence arose the hard-learned reciprocal processes of learning from one another. That my knowledge and skills were more highly valued than my community researchers' and/ or participants' is undeniable. My whiteness ensures that the hierarchies of human value embedded in our society continue to privilege me.

In *Southern Theory*, Raewyn Connell (2007) reiterates what emerged from postcolonial theories (Mbembe 2008), insisting that it is impossible to understand social theory outside a consciousness of colonial relations of power. She argues that using the term 'Southern theory' "calls attention to periphery–centre relations in the realm of knowledge ... [and] to emphasise relations—authority, exclusion and inclusion, hegemony, partnership, sponsorship, appropriation—between intellectuals and institutions in the metropole and those in the world periphery" (2007: viii-ix). The name also reflects an insistence that theory *is being produced* by the majority world, and that it has a physical as well as symbolic location. Though located in the South, my heritage of whiteness, my Afrikaner settler upbringing and my imperialist education taught me to see with 'northern' glasses, paradoxically placing me at the centre while I was located in the periphery.

My participation in the anti-apartheid struggle locked me into the egalitarian discourses of human rights, which I embraced with fervour—especially for women, queers and black South Africans. During democratisation my membership of progressive organisations enabled me to participate in the exhilarating process of drafting a new South African constitution (Barnes & De Klerk 2002). However, its basis in liberal democratic values reflected the individualist and universalising ontologies of the metropole. Through feminism I had been exposed to some challenges to epistemological hegemonies in the centre. Standpoint Theory (Harding 2004; 2009) resonated with my situation as activist-researcher, while theorists on the Ethics of Care (Gilligan 1995; U Narayan 1995; Tronto 1995) affirmed what I had concluded while completing my Master's thesis (Van Zyl 1988) about the ineffable relationality of human existence. In my undergraduate studies of Western philosophies, phenomenology attracted me, especially to the concept of intersubjectivity. Using

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insights from semiology/semiotics I found that the everyday working concepts in my social theorising, such as ‘power’, ‘gender’, ‘race’ and ‘identity’ were better understood as denoting relations between people. Then I wandered into the ontological terrain of the Southern African philosophy of Ubuntu.

In South Africa, Ubuntu discourse is close at hand and has its appeal, not least for my desire to consolidate my identification as an Afrikaan (Krog 2009; Motha 2010; Van Zyl 2005c). It rose to global prominence as a communal philosophy during the Truth and Reconciliation Commission (TRC). Having witnessed first-hand the wanton cruelty inflicted on people during the struggle, I had deeply visceral responses to the hearings. It was a time of reflection and change. It made me inspect my own life—my past, my future and what makes us human. The TRC process inspired me to reconcile with my family after more than twenty years of progressive alienation due to my politics and my sexuality (Van Zyl 2005c). I had been battling against beliefs such as racism, sexism and classism that attributed different values to different people, and saw our new Constitution as a model for overcoming them. My concern as a white South African was to find a compass for the future—both ethically and intellectually. Ubuntu resonated with my relational understanding of human existence, and Nelson Mandela became my beacon of integrity and the embodiment of what it means to live an ethical life.

For that part of me that is a sexual being (politically identified as a lesbian), the euphoria of democratisation was especially sweet because the equality clause included non-discrimination on the grounds of gender and sexual orientation (which we ourselves had participated in drafting). However, as gender activists we knew there was still much work to be done. Then the spectre of AIDS arose during the early nineties. First our gay friends started getting ill, and then the people I worked with in marginalised communities started dying. As a consultant and activist on gender and sexualities it was impossible not to be drawn into the drama and urgency of discourses and practices of HIV prevention and treatment. Didier Fassin (2007: xiv) exposes the multiple voices and controversies, and recognises how solutions crafted in the metropole have “made it difficult to determine and implement effective social responses”. For many activists HIV and AIDS became the new frontline of struggle. It probed more deeply than ever what it means to be human in our place and time.

Lecturing in Diversity Studies during the first decade of the twenty-first century honed my intersectional analyses of Othering and reconnected me with postcolonial theories, while teaching in the Masters Programme on Disability Studies (re)focused my attention on theories of Care. While doing research with communities on palliative care for people living with HIV-related illnesses I was awed by the depth of compassion

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shown by the participants. This brought me full circle back to Ubuntu, community, interdependence and what it means to care.

I am intrigued by how meanings shift as they are shaped by different lenses, and yet there are certain patterns which draw the eye again and again. Having been schooled in universalising and essentialising concepts I stretch for elasticity and fluidity and ask—what are the limits of differentiation and relativity? Moreover, how do I synthesise my knowing with my beliefs?

My origins in place and time mean that my knowledge about the Other is polluted by the political and economic interests of whiteness. Is my research talking to itself, operating as an extractive mechanism for my own benefit? How do I speak without sustaining the colonial discourse? (Spivak 1994). And does that make me complicit in the systems of oppression and exploitation that I am trying to change through my activism? Undoubtedly. We are all inescapably enmeshed in the society we inhabit. Kathy Davis (2013: 120-121) says “[C]omplicity entails involvement—in the sense of being ‘folded together’”. But what to do with one’s complicity?

I need to acknowledge my responsibility for developing sensitivity to Othering, staying alert, not remaining silent and for acting to change the status quo. Moreover, I need to find ways of working to develop an Afro-centred consciousness. As a feminist and a scholar I must remain critical and reflexive (Davis 2013; Oinas & Arnfred 2009), endeavouring to opt out of the mechanisms that are used to oppress and exploit Others. Much as I critique the human rights discourse, our Constitution has made ‘rights’ a household word, so I hang onto the values expressed in our Constitution—dignity, equality and freedom. I subscribe to the belief that it is not who we are but what we do with who we are that matters. So I take pride in my activism, still work together with marginalised communities and continue to lecture students who frequently claim that I ‘mess with their heads’ (in a good way), i.e. change the way they see the world.

So here I am near ‘retirement’ age, alongside my students doing a doctorate that has been deferred for more than twenty-five years—firstly due to a pressing engagement in *The Struggle* and subsequently because social reconstruction seemed more important, and lately due to health issues. From the development fields and my identity as an activist and independent scholar, it is a return to the northern heartland of individual academic achievement to fulfil a desire for attaining the apparently powerful status of attracting more research and funding, and certainly better remuneration for lecturing. But I also care intimately about my topic. As far as labelling serves a purpose I am a feminist lesbian who married a woman after decades of renouncing marriage as the nexus of women’s oppression. Should I not on principle eschew the institution of marriage? But everyday life is not that simple, and more

crucially, it was not just about me. So this research is not only about others' intimate relationships, but also about my own.

Love is the binding force of intimate relationships, and intimate relationships express a deep desire for belonging (Baumeister & Leary 1995; Mellor et al. 2008). Marriage is the world-wide socially recognised mechanism to achieve belonging for one's 'normal' relationship. Marriage is a powerful mechanism for social belonging, for the community's acknowledgement of a binding relationship. Thus globally struggles for same-sex marriage are the ultimate target for many in LGBTI-Q equality. While many LGBTI-Q uncritically accept the gendered hierarchy of privileges embedded in normative marriages, other queers are deeply critical of the heteronormative power of marriage.

My research question asks how the Civil Union Act has impacted their sense of belonging for Capetonian lesbians and gay men in long-term intimate relationships.

## Rationale

Sexuality is deeply politicised through gendered disciplinary regimes that impinge on people's emotional and intimate lives. Sexual politics in South Africa today emerge from a complex history of the sycretisation of widely varying cultural and political discourses, beliefs and practices wrought through colonialism and post-colonial recuperation. The formal protection of LGBTI-Q identities in the post-apartheid South African Constitution is the outcome of strategic struggles for LGBTI-Q recognition as human rights.

However, formal rights do not necessarily lead to social inclusion as they may not reflect extant cultural values, hence I use the thicker concept of 'belonging' as developed by Yuval-Davis to analyse everyday inclusion—a concept which enables me to understand 'privatised' and affective dimensions of citizenship shaped by contexts of care and interpersonal intimacy.

Worldwide, marriage has long been a central institution in how societies regulate their social and physical reproduction; but marriage also confers privileges which can be accessed in no other way. As in the West, marriage equality was a key aim for LGBTI-Q struggles in South Africa. But feminists have critiqued marriage as an institution of gendered hierarchy and a site of profound oppression for women. It is at the centre of the private|public<sup>1</sup> dichotomy, and symbolic of women's differentiated citizenship through, inter alia, the ideology of 'women as property'. Hence same-sex marriage is deeply politicised in how it upholds or challenges heteropatriarchy?

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1. See glossary under 'binary' for an explanation of my use of the logical symbol for 'or'.

By looking at how a range of same-sex couples in committed relationships perceive and experience same-sex marriage in South Africa, I unravel the ambiguities and contradictions of marriage as a project of belonging for lesbians and gays. Marriage as a sexual politics of belonging is about how lesbian and gay citizens experience equality and dignity in their everyday lives—recognition of them as citizen-subjects, protection of their intimate relationships as well as their struggles for belonging.

## **The Struggle for Same-Sex Marriage**

Marriage is one of the most important and universal cultural symbols of belonging. This is where relationships of desire, politics, economics, are fused into a personal and public ritual of socially sanctioned connection and inclusion. It incorporates a range of social privileges that can be acquired in no other way. It is viewed as the nucleus for the survival of who we are, a centre for creating our histories, and becomes a context for promises of security in an uncertain future. But at the same time it draws new boundaries of social inclusion and exclusion or stigmatisation. When considering the phenomenon of same-sex marriages in South Africa one is confronted by complex and contradictory histories of sexualities, culture and fundamental differences between peoples in the perception of what makes someone human. Colonial conquering of Africa brought a myriad practices and ideologies which suppressed and dominated indigenous patterns of culture and social interaction, yet in the shadows many traditions, perceptions and beliefs remain. In the era of post-colonialism, and the reinvention of modern African identities, the mixture and conglomeration of precolonial, colonial and postcolonial streams of consciousness, emergent cultures and beliefs impact subjectivities.

At the core of this thesis lies the notion of whether people who practise same-sex sexualities feel as if they are included in the modern South African polity, and to what extent the social environment discriminates against them as a group, or as differentiated groups. I argue that they are seen as humans who do not have the right to belong. The contrast is between the extant human rights framework which asserts the equality and dignity of all people, against an ethical consensus which believes that some humans have more value than others.

## North, South and Queer

Marriage is seen very differently when viewed from a southern versus northern perspective. The human rights framework centres on individual freedom through rights and responsibilities, while Ubuntu is the southern African socio-communal philosophy expressed through communal interdependencies—sharing, reciprocal obligations and responsibilities—which are recognised to circumscribe freedom. Therefore in Ubuntu ‘freedom’ is associated with belonging to a community, primarily referenced through kinship. The same link between marriage–family–kinship exists in the North, but the emphasis differs because in Africa marriage is for the family or clan, and less about individual choice (see Yarbrough 2013). However, through globalisation the idea of ‘romantic’ love as the basis for marriage has spread and ‘modern’ Africans increasingly follow northern trends.

Another dislocation relates to historical understandings about the ‘nature’ of sexuality and marriage. Colonial discourses regulated sexuality through conflating sex for procreation with sex for pleasure; marriage was the political institution to regulate both fertility and ‘desire’ which was assumed to be heterosexual. In Ubuntu kinship is a central focus for relations of intersubjectivity, and fertility is the spiritual nexus between past and future (Mbiti 1990 [1969]; Thornton 2002). In African societies kinship is regulated through marriage, but many cultures support polygynous marriages, and in some cultures between partners of the same sex (see Arnfred 2004b; Morgan & Wieringa 2005; Murray & Roscoe 1998b). Signe Arnfred (2004a) argues that marriage did not prevent people from pursuing their desires outside the kinship relationships, and both women and men had lovers. It was through colonial legislation on sexuality and the adoption of Christian marriage rituals that heterosexual monogamy gained hegemonic ascendancy in Africa.

Oliver Phillips (1997) notes how homophobic colonial legislation disregarded kinships and human interrelatedness by ‘fixing’ sexuality onto an individual (criminalised) subject. In *Heterosexual Africa?* Marc Epprecht (2008a) shows how African heterosexualities were synthesised through juristic, social, scientific and medical discourses by colonial regimes. Beneath these disciplinary regimes lay the founding tenets of heteropatriarchal Christian morality which equated sexuality with procreation that needed to be controlled and underpinned restraints on particularly women’s sexuality. In contrast, there was widespread regulation of kinship in African systems, but (non-reproductive) sexuality for pleasure often went unmarked or unremarked (Arnfred 2004a). Like many cultures around the world, some African cultures integrated gender non-conformity in a variety of ways (Wieringa & Blackwood 1999). Current struggles for African queer recognition are still being waged in these

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same domains—law, religion and science, with activists arguing that not homosexuality, but homophobia is a colonial import (see Reddy 2001).

But ‘traditional’ African same-sex marriages reinscribed gender power relations by mimicking gendered social roles through partners adopting complementary feminine and masculine relations. For instance, boy-wives would take on feminised roles (Murray 2004) while the kinship line passed through female husbands (Wieringa 2005). Other, more equal sexual encounters happened among peers and outside marriage, so that the gender and kinship orders remained intact (Murray 2004). The ingestion of colonial values into idealised conceptions of African femininities and masculinities informs contemporary discourses of exclusively heterosexual African families, and shapes the fear of same-sex relationships and its allied rhetoric of homophobia.

The LGBTI-q movement globally has focused on queer subjectivities within a human rights framework of equality and freedom, while detractors focus on a construction based on essentialised and naturalised heterosexuality. The potent mix of colonial, post-colonial and global discourses about sexuality have produced conflicting claims centred around an essentialised heterosexual African identity which denies queer African existence (Reddy 2009). These contestations over identities overlap with marital status, where most homophobic discourses demand a ‘return’ to ‘the traditional’ (heteropatriarchal) family—whether conceived in northocentric or in postcolonial frames. Most employ the rhetoric of Othering and hate speech to speak power to their positions. Hence the values underpinning vilification of same-sex marriage is a consciousness of its implications for the privileges and power embedded in the heteropatriarchal gender order of family and kinship relations. All legally married citizens, regardless of social location, are entitled to a range of economic, civil and political rights denied non-married citizens. Yet the symbolic value of marriage—cultural, social, economic and political recognition—transcends one’s rights in law; marriages also need to be recognised as ‘legitimate’ by one’s community (see Eskridge & Spedale 2006), which is where belonging mostly is shaped.

Same-sex marriage legislation has the potential to effect social transformation of kinship relationships, thereby challenging the assumed heteronormativity of everyday life. Therefore it is not surprising that same-sex marriage is the most contested right to equality for LGBTI-q—politically, culturally and socially—as it speaks to beliefs, attitudes and perceptions about gender, sexuality, privacy, family, culture, religion and social organisation; it calls into question deeply-held hegemonic precepts about the distribution of patriarchal power.

In the next section I provide a brief mapping of the struggles for lgbti-q rights in South Africa before focusing on how South Africa came to pass the Civil Union Act (No. 17 of 2006). I conclude by comparing it with same-sex marriage laws elsewhere.

## The Struggle for Lgbti-q Rights in South Africa

Like the society at large, gay (and lesbian) society was racially divided. While black miners were still engaging in same-sex ‘marriages’ (Achmat 1993), white South Africans were having parties and frequenting ‘cruising spots’. Some hotels were classified as ‘international’ which meant that black patrons could accompany white friends, but much depended on the tolerance of the owners and other patrons (Tobia 2014). Mark Gevisser (1995: 18) suggests that 1950s stereotypes of homosexuals swung between ‘child-molesters’ and ‘drag queens’. In Cape Town, well-advertised drag shows formed part of a coloured subculture, which had a long history of ‘moffie’<sup>2</sup> history in ‘Cape Malay’ communities. But between these extremes homosexual subcultures among all the communities flourished in the big cities. Though most of them were segregated, certain spaces—‘melting pots’—like Sophiatown and District Six allowed people of all races to meet (Gevisser 1995: 18). But mostly the races remained segregated with many bars and clubs becoming designated ‘gay’ venues for predominantly white, well-to-do men who dressed ‘appropriately’.

Jacob Tobia (2014) suggests that a 1956 roundup on the Durban Esplanade led to homosexual conduct being criminalised in The Immorality Act of 1957. But it was another raid on a party in upper class Forest Town, Johannesburg in 1966, which initiated a review of the Immorality Act in 1968. It spurred gay professionals on to form an ‘action group’ which became the Homosexual Law Reform Fund known as ‘Law Reform’. Its aim was to raise funds for a coordinated response to be presented by attorneys at the Select Committee hearings; it was strictly controlled by a group of white men, and with no basis in human rights discourses (Gevisser 1995: 32). Its goal was narrow: “prevent the proposed anti-homosexuality bill from becoming law” (34). Aside from some minor amendments, in the end the Law Reform had succeeded in staving off further repressive legislation, but it collapsed after the publication of the Select Committee’s findings in 1968, and things went back to ‘normal’ with clubs and bars and parties. Interestingly the groups vilifying homosexuality at that Select Committee comprised, *inter alia*, churches and Afrikaner traditionalists, foreshadowing the resistance to same-sex marriage almost forty years later.

In 1969 the Stone Wall Rebellion gave rise to the Gay Liberation Movement in the United States of America, which based its aims on the principle of human rights, linking

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2. A derogatory term for queer, but which has been re-appropriated by queers for use among themselves. It has also gained currency in Afrikaans as a term for ‘queer’.

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it to the broader civil rights and feminist movements. In the midst of ‘total onslaught’ rhetoric of the apartheid regime in South Africa, no South African gay and lesbian rights mobilisation emerged until the 1980s during the time of the extreme repression of the anti-apartheid movement. But in the shadow of the gay rights movement in Europe and the USA, white gay and lesbian subcultures flourished in South Africa through a ‘bar’ scene. Liberal neighbourhoods like Hillbrow became increasingly inhabited by diverse groups of people, developing into safe spaces for gays and lesbians to inhabit; gay bars also started accommodating black patrons as the 1970s yielded way to the 1980s.

An attempt to forge a gay liberation movement in South Africa was made by a gay man at the University of Natal in Durban during 1972, but it was soon disbanded after police threats of implementing the mostly dormant anti-homosexuality laws statute. Yet again in Durban, another man founded the Gay Aid Identification Development and Enrichment (GAIDE) organisation which was about parties not politics, and provided safe spaces for people to explore their sexualities. Unlike its forerunners, it also boasted a significant number of active women members (Gevisser 1995: 44). But it was not an activist organisation, rather one offering support. (This tension between activism and support has typified many of the South African organisations, with the ones who survived successfully merging support and advocacy functions.) But the repressive political climate in South Africa prevented any ‘rights’ talk, nor did conservative white gays and lesbians want to identify with the political struggle.

GAIDE provided counselling and had started a well-circulated newsletter which survived beyond the organisation’s collapse in 1978 with the emigration of its leader, but the newsletter had sparked various newsletters and ‘supper clubs’ from other groups across the country. But after leaving the homosexuals more or less in peace for most of the decade, the state started with a new spate of raids, one of which on Mandy’s Bar in 1979 earned it the ‘Stonewall of South Africa’ label. In 1981 an explicitly activist organisation called Lambda was launched in Johannesburg: they planned to tread the difficult ground of remaining ‘apolitical’ while asserting their rights (Gevisser 1995: 47).

The Gay Association of South Africa (GASA) was the first national movement—starting with Lambda and the supper clubs in 1982 and attracting more than a 1000 members and interest groups by 1983—but it failed to align itself with the broad liberation movement and remained ‘apolitical’. GASA fulfilled an important socialising niche, and numerous gay support groups affiliated to GASA started around the country. But its ‘apolitical’ stance of political non-alignment was its ultimate demise. It failed to take stands against abuses and arrests of gays and lesbians, but also failed to

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provide support to its black members. Feeling excluded by the white male culture, Simon Nkoli, who had joined in 1983, started a focused black interest group (lesbians had also broken away for the same reason), which grew quickly around social events and going to 'gay' shebeens. But this group was soon stigmatised by outright racist intolerance from white GASA members in a blatant clash of cultures and material disparities. For black members the GASA offices became their safe space for socialising, while white members had privacy in houses and many bars to choose from to explore their sexuality (Gevisser 1995: 54).

Black members soon grew wise to the fact that they were being used to "blacken up" GASA's image for international consumption, particularly for the International Lesbian and Gay Association (ILGA) which had rejected its application for membership on the grounds of its 'apolitical' stance being incompatible with its professed 'non-racialism'. Nkoli and the other black members (and one or two white ones) broke away to form The Saturday Group, but soon afterwards Nkoli was arrested for participating in a rent boycott, and detained for two years. In the meantime ILGA had granted GASA membership, but GASA dissociated itself from Simon's plight, and were rejected again by 1986, after which it dissolved as a national organisation, but some regional branches survived (Gevisser 1995: 57).

In 1986 the black Rand Gay Organisation was admitted to ILGA, and politically aware leaders from GASA-6010 formed the explicitly political Lesbians and Gays against Oppression (LAGO) in Cape Town. For the first time an lgbti-q organisation aligned itself with the broader anti-apartheid struggle, and openly supported Nkoli as well as Ivan Toms, a founder member of the banned End Conscription Campaign (ECC). By 1987 LAGO had become OLGA (Organisation for Lesbian and Gay Activists) to address homophobia in the struggle movements, and to campaign for lgbti-q rights. GASA-6010 reverted to being 6010, and continued to provide counselling services to the gay community. When the AIDS epidemic threatened, they adapted their services in 1984 to provide clinical care for people affected by HIV. In the nineties, they eventually became incorporated into The Triangle Project which still offers support services and is also a vociferous advocate for lgbti-q rights (Tucker 2009).

Also in 1987, a gaffe<sup>3</sup> by African National Congress (ANC) National Executive Committee member Ruth Mompati in London where she was exiled, led to a furore from the British Anti-Apartheid Movement (see Reid 2005a: 30). Several subsequent statements by the ANC apologised for her remarks. This laid the foundation for the

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3. In August 1987, Peter Tatchell published an interview where he had asked her about the ANC's attitude to gays. She denied that it was a 'problem', and doubted that lesbians and gays needed rights because they weren't suffering. In November Thabo Mbeki had done 'damage control' by affirming the ANC's commitment to 'removing all forms of discrimination and oppression in a liberated South Africa'.

intensive lobbying that happened particularly once the struggle organisations had been unbanned in 1990. OLGA, along with the political organisation Gays and Lesbians of the Witwatersrand (GLOW) which was formed in 1988 after Nkoli's acquittal, were affiliated to the United Democratic Front (UDF), and therefore had their 'struggle stripes'. From 1987 to 1994 they participated in lobbying that involved the ANC as well as international parties, like British gay anti-apartheid activist Peter Tatchell who had put Ruth Mompati on the spot (Nicol 2005).

But OLGA's most significant contribution to LGBTI-q rights consisted of their submissions to the ANC Constitutional Committee which led to the inclusion of 'sexual orientation' in the draft Constitution of 1992. In 1994 the National Coalition for Gay and Lesbian Equality (NCGLE) was established as an umbrella body with 78 affiliates to ensure that 'sexual orientation' remained in the Constitution. With the formal enactment of the Constitution of the Republic of South Africa (Act 108 of 1996), 'sexual orientation' was entrenched in a Bill of Rights for the first time in the world's history. The NCGLE then embarked on a "systematic programme of incremental law reform ... known as 'Edwin's laundry list' " from Edwin Cameron's programme of action outlined at the first meeting of the NCGLE (Reid 2005b: 176).

The NCGLE which changed its name to Lesbian and Gay Equality Project successfully challenged discriminatory legislation in the following areas, many of which relate to equal treatment of same-sex partners: sodomy; medical aid benefits; immigration; pensions; adoption; parental rights; inheritance; workplace discrimination; labour equity and finally marriage. These were all founded on the equality promised in the Constitution (Reddy 2009; Van Zyl 2009).

Thus homosexual subjectivities underwent a radical re-positioning in law post-1994, and same-sex partnership recognition subsequently developed through a slow process of legislative reform culminating in the Civil Union Act in 2006.

## **The Civil Union Act**

Like so much of the other legislation, marriage had to be challenged in the courts before the government changed the laws. In 2002 Marié Adriaana Fourie and Johanna Bonthuys first approached the High Court in Pretoria to challenge the common law definition of marriage, and for the court to recognise their lesbian relationship. It was not granted on the grounds that it had not challenged the constitutionality of the law, but on appeal to the Supreme Court of Appeal (SCA) it found that the exclusion of same-sex couples from marriage was unfair discrimination. Since the Marriage Act (No. 25 of 1961) had not been changed, they could still not get married and approached the Constitutional Court to appeal the SCA decision. The arguments made by Justice Edwin Cameron in the SCA judgement included a recognition of the importance of marriage

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and family life as “vital social institutions” (Judge, Manion & De Waal 2008: 60). He also suggested immediate remedy through amending the wording in the Marriage Act.

At the same time as the *Fourie* case, the Equality Project had launched an application in the Johannesburg High Court in 2004 to declare common law marriage and the Marriage Act unconstitutional. But since the *Fourie* case had progressed to the Constitutional Court (CC), they applied for direct access to the Constitutional Court, which was granted. On 14 May both cases were heard and on 1 December 2005 handed down its judgement (Judge et al. 2008: 58-59). The Constitutional Court judgement by Justice Albie Sachs includes a response to religious objections to same-sex marriage, arguing that religion should not be the basis for excluding others’ rights in the Constitution, but that religious institutions should be able to refuse to marry same-sex couples. He replaced the SCA order for immediate remedying of the situation by giving parliament a year to provide a legal remedy for this discrimination, failing which the proposed alterations to the Marriage Act would stand. Justice Kate O’Regan dissented, arguing that the remedy should be implemented immediately (Judge et al. 2008: 68).

The deferment of the implementation of the amendments to the Marriage Act provided time for a number of constituencies to mobilise against same-sex marriages. For instance the National House of Traditional Leaders (NHTL) held hearings in six provinces. At one such hearing a traditional leader and charismatic Christian pastor railed against ‘this thing’ (homosexuality) and ‘that idea’ (same-sex marriage) by invoking “Christianity, morality, parental authority, the nature of democracy, culture, human rights, the role of women, teenage pregnancy, abortion, divorce, AIDS, prostitution and witchcraft” (Reid 2008: 78). Their heteropatriarchal agenda became apparent as they lamented that women’s equality had eroded “women’s respect for men” and that the coupling of homosexuals was non-procreative. Their preoccupation with children was also used to confirm marriage as between families, and therefore same-sex marriage threatened family and kinship thereby fragmenting social cohesion. Underneath it all lay concerns about the gender order and masculine authority.

Lgbti-q activists also decided not to rest on their laurels and formed a Joint Working Group (JWG)—a national network of lgbti-q organisations in South Africa—who joined with OUT to strategise a same-sex marriage campaign. They knew that the year of reprieve parliament had received would open up the issue to debate with the public, like religious groupings, traditional institutions, political parties and the community at large. Activists were afraid that, because of the high degree of antagonism towards same-sex marriages, the process would somehow be scuppered. As a minority they therefore needed to build a strong political voice. They decided to lobby key members of parliament, mobilise lgbti-q to support the campaign, and build

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alliances with other human rights organisation to support the campaign. They also worked with the media to represent the positions of Igbti-q (Vilakazi 2008).

The JWG ensured that Igbti-q were visible during parliamentary debates, but due to lack of resources could not subsidise queer people to travel to the provincial hearings held by the Portfolio Committee of Home Affairs. These turned into hate speech and homophobic rallies because facilitators either did not have the skills nor the will to structure constructive discussions. Marriage equality for same-sex partners was unavoidable, but somehow the public thought they could stave it off through populism.

The JWG had a legal team to prepare a submission on the law to parliament and especially at meetings with the Minister of Home Affairs, who heard submissions from various constituencies on the Civil Union Bill (Judge et al. 2008: 116-133). They included the following groupings opposing same-sex marriages: Marriage Alliance of South Africa, Doctors for Life and John Jackson Smyth, Southern African Catholic Bishops' Conference, Muslim Judicial Council, Christian Lawyers' Association and Contralesa. The following groups supported same-sex marriages: Women's Legal Centre, South African Human Rights Commission, Lesbian and Gay Equality Project, The Inner Circle, Centre for Applied Legal Studies, The Joint Working Group, Triangle Project, South African Pagan Rights Support, Nederduits Gereformeerde Kerk (Dutch Reformed Church), South African Council of Churches. Therefore the Joint Working Group's strategy to mobilise allies was successful, even though the Public Hearings were discriminatory and damaging.

The Joint Working Group were not opposed to same-sex marriage, but objected to the Bill on the grounds that "a civil partnership is effectively a *separate* institution from marriage" (Judge et al. 2008: 126, emphasis in original). Once parliament had remedied the Civil Union Act to include same-sex *marriage* and allowed registration in the same register as marriages, they endorsed the Bill, but with caveats regarding the registration of religious marriage officers as only being included under their church grouping, and the conscientious objection clause which allowed state employed marriage officers the option of refusing to marry same-sex couples. When the Civil Union Bill was debated in the National Assembly, it was passed by 230 votes in favour, 41 against and 3 abstentions, but it was also common knowledge that the ANC had instructed all its members to be present and vote in favour of the Bill. Not passing the Bill would have led to common law marriage and the Marriage Act being amended according to the Constitutional Court's orders. Therefore the Marriage Act remained 'uncontaminated' and two separate laws ensued.

A wide range of responses to same-sex marriages were expressed during the parliamentary hearings, with conservative religious groups and traditionalists

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opposing same-sex marriage altogether. Others, realising the constitutional deadlock, wanted a 'separate but equal' provision, while LGBTI-Q organisations favoured complete equality as in amendments to the Marriage Act. David Bilchitz and Melanie Judge (2008) focus on the terminology used to distinguish between same-sex marriage as 'marriage' and 'civil unions' or 'civil partnerships' arguing that no matter that the legal conditions are the same, they do not have the same cultural and historical weight that 'marriage' suggests, nor do they convey the spiritual and social connotations of marriage. But they also argue that marriage is imbued with heteronormative values, and is deeply connected to patriarchal notions of women as possessions, and subordinate relationships, as well as being tied to particular family forms. Therefore they argue that because the Civil Union Act includes choices to marry or have a civil partnership, it opens possibilities for more inclusive and diverse family forms in South Africa (Bilchitz & Judge 2008: 160).

Since the Civil Union Act, no more LGBTI-Q discriminatory laws have been challenged, yet mobilisation around legislation has shifted to focus on hate crimes particularly against black lesbians. Is this the outcome of increased recognition of South African queers? Or is it part of a larger pattern of human rights abuses? But the question I ask is not philosophical. It places LGBTI-Q at the centre: how do Capetonian lesbians and gays feel about same-sex marriage? How does it influence their sense of belonging?

## Chapter Outline

There are seven chapters in this thesis. Having situated myself in the field of study, I progressed to describe the manner in which same-sex marriage was formalised in the South African legal system in this chapter. In Chapter 2, *Gendering African Sexualities*, I examine the complex positioning of same-sexualities in Africa through a queer feminist and postcolonial tinted lens. In Chapter 3, *Citizenship and Belonging*, I look at citizenship and how the concept of belonging enables us to understand the disjunctions between formal and substantive rights. I discuss the methodology of narrative inquiry I used in Chapter 4, *A Queer Feminist 'Jacket'*, before turning to the findings and analysis in *Being Queer* (Chapter 5), *Contexts of Care* (Chapter 6), *Ethical and Political Values* (Chapter 7) and *A Politics of Belonging* (Chapter 8). In Chapter 9 I discuss my findings in *Same-Sex Marriage as a Project of Belonging*: I show how norms, emotions and politics intersect, and what power dynamics are at play in LGBTI-Q struggles for belonging, particularly relating to same-sex marriage. I also review my

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experiences of working on this project in the final chapter, and present some recommendations from the participants to improve belonging for South African queers in the future.

In the next chapter I begin my literature review on African Sexualities.

## chapter two

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# Gendering African Sexualities

To ground my focus on sexual politics and belonging and answer the question of whether same-sex marriage has delivered substantive equality in citizenship for lesbians and gays, I direct this literature review to subjectivities and marital institutions. I first address the constitution of gendered subjectivities through disciplinary regimes, before turning to the expression of queer identities and same-sex relationships in contemporary South Africa. In the next chapter on citizenship and belonging I show how marriage is a profoundly gendered institution which delivers material, social and cultural privileges to some through legitimising particular types of relationships.

## Theorising Sex-Gender-Sexuality

Besides needing a grasp of gendered subjectivities, the exploration of a sexual politics of belonging also requires a theoretical frame which is grounded in the materiality of embodiment and gendered performativity, and which can account for resistance and transformation of dominant hegemony.

Feminists analytically untangled the knot that constitutes the interwoven concepts of sex, gender and sexuality. Though separating them is useful for gender analyses, at the same time there is a danger of naturalising and essentialising gendered identities, and disarticulating sexualisation from gendering. For a theoretical

understanding of this nexus, I follow Simone de Beauvoir's (1972: 16) constitution of women as 'second sex' and Judith Butler's consequent conceptualisation of gender as performance (1985; 1999; 2006 [1990]). I rely on Monique Wittig's argument which posits that sex does not exist outside the social-political system which naturalises (and rationalises) certain anatomical differences into a process of legitimising the domination of women by men (Wittig 1996: 27). To understand the power dynamics at work around discourses of sexualities I turn to Michel Foucault's work on *The History of Sexuality* (1990 [1984]; 1992 [1984]; 1998 [1976]). I conclude with the construction and articulation of gender hegemonies as developed by Raewyn Connell (2002; 2005); and Connell and Messerschmidt (2005), and how norms for 'real' women and 'real' men perpetuate gender binaries which uphold heteropatriarchal systems. These processes of gendering underpin hierarchies of human value which position women and queers as secondary subjects in discourse. Gendered subjectivities also elucidate the sexual politics of marriage as disciplinary regime—the power dynamics between identifications and performances of 'husband' and 'wife'.

## Gendered Subjectivities

In *The Second Sex*, first published in 1949 in French, Simone de Beauvoir (1972: 16) argues that "humanity is male and man defines woman not in herself but relative to him ... She is defined and differentiated with reference to man and not he with reference to her; she is incidental, the inessential as opposed to the essential. He is the Subject—he is the Absolute—she is the Other." Not only did she critique the centrality of masculinity, but also advanced the idea that "one is not born, but rather becomes, a woman" (1972: 295). This idea of gender being constructed—which was seen as controversial by many, including some feminists—introduced the differentiation between biological sex and the social and cultural concept of gendering, and challenged the naturalisation of the inequalities in the sex-gender system. It demonstrated how Othering of women upheld a system of unequal power between women and men.

Gender is a cornerstone for feminist theorising about women's positioning in the world, but Joan Scott (1986: 1053) warns against an ahistorical essentialisation and universalisation of the categories and oppositions of 'woman | man'. "We need a refusal of the fixed and permanent quality of the binary opposition, a genuine historicisation and deconstruction of the terms of sexual difference" (JW Scott 1986: 1065). As an analytical category it must be located historically and contextually in order to explain how these relations maintain, subvert or transform existing social orders (JW Scott 1986: 1056-1057). As constitutive of social relationships of (unequal) power needing to be challenged, gender is produced / reproduced through four elements:

cultural representations or discourses; normativisation which limits the range of potential interpretations of the discourses; institutionalisation and politicisation of gender; and subjective identity (JW Scott 1986: 1068). She says we need to address “both the individual subject as well as social organisation and to articulate the nature of their interrelationships, for both are crucial to understanding how gender works, how change occurs” (JW Scott 1986: 1067). Talking us through examples of historic (western) practices, she shows how threats to political power were perceived through oppositions of masculine and feminine, and concludes that gender and sexuality are both deeply imbricated in the conception and construction of power itself, particularly in politics (JW Scott 1986: 1071).

### **Gender as Performance**

Though Judith Butler developed explanations for gender as performance (1985; 1999; 2006 [1990]), they were founded on Simone de Beauvoir’s (1972) idea of gender as becoming (Butler 1998). Judith Butler (1985) challenges sex–gender determinism by disassembling the relationship between a pre-conceived body and its manifestation in discourse by relying on performance as the constructive agent for gender. Butler’s conceptualisation builds on De Beauvoir’s formulation, showing how the body becomes a vehicle for expressing gender norms, where the subject is in an ongoing dialectic with culture in a process of ‘becoming’. She argues that since sex and gender are ontologically different, “it is no longer possible to attribute the values or functions of women to biological necessity ... [and that] all gender is, by definition, unnatural” (Butler 1998: 35).

Butler (1985) argues that while facing contexts infused with a “network of deeply entrenched cultural norms” (505), we invent ourselves in a process of gender-becoming. In spite of the social constraints that “subdue the exercise of gender freedom” (508), the body becomes the interface between culture and self, and one becomes gendered through interpreting cultural norms (510). “The movement from sex to gender is internal to embodied life, a sculpting of the original body into a cultural form” (507). In a later review of De Beauvoir’s formulation, Butler (1998: 36) expresses it as follows: “If gender is the variable cultural interpretation of sex, then it lacks the fixity and closure characteristic of simple identity.” Therefore, it is in the mechanism of self-creation that lies both the oppressive as well as the emancipatory potential of gender.

Butler (1998) shows that De Beauvoir’s disarticulation of sex and gender is a heuristic device to show that gender is not natural, but culturally contingent. It also does not imply a Cartesian body-mind split since sex is always already gendered in lived experience. “[W]e do not become our genders from a place prior to culture or to

embodied life, but essentially within their terms” (Butler 1998: 39). Therefore our gender ‘choices’ are a dialectical engagement with society, where we are to a certain extent ‘complicit’ in perpetuating and maintaining the oppressive gender order. However, the critical insight in this formulation is that gender oppression is not inevitable, and is perpetuated only insofar as “human beings take them up and give them life again and again” (1998: 41). The depth of not taking up the mantle of gendered social existence can be deeply alienating, yet both ‘choices’ of becoming ‘not-woman’ or ‘woman’ end up in becoming the Other.

### Constituting Binarisms

Monique Wittig’s (1993: [1981]) development of De Beauvoir’s insights argues that sex does not exist outside the social-political system which naturalises (and rationalises) certain anatomical differences into a process of legitimising the domination of women by men (Wittig 1996: 27). She explains that the categories “masculine | feminine, male | female ... serve to conceal the fact that social differences always belong to an economic, political and ideological order” (Wittig 1996: 25). She continues by arguing that “sex is the political category that founds society as heterosexual” (28). It is through the “heterosexual economy” that women are exploited as reproductive labourers in a gendered system of domination, as sealed by a marriage contract (28). She builds her argument on two tenets from De Beauvoir: woman as constructed; and woman as Other.

Wittig (1993: 104) compares the ideological construction of sex with the construction of race: “They are seen as *black*, therefore they *are* black; they are seen as *women*, therefore, they *are* women. But before being seen that way, they first had to be *made* that way” (emphasis in original). She argues that lesbians who do not participate in the heterosexual economy, are not seen as ‘real’ women. (She also unpacks the term ‘feminist’ as reinforcing the gender binary). Her injunction is to “reach subjectivity” by eschewing “the myth ‘woman’” (108). She argues that gendered subjectivity is not an individual or private expression, but for women a “social institution of violence” (108). Since lesbians are considered to be ‘not women’, “escapees from our class”, Wittig (1993) sees lesbians as at the forefront of the “destruction of the heterosexual system” based on the ideology of difference between the sexes. As women who symbolically disengage from the reproductive economy based on marriage (to men), lesbians thwart the ideology of ‘women as property’.

Addressing Wittig’s formulation of sexual categories as “political categories and not natural facts,” Butler (1985: 511) assures us that it is not a denial of the materiality of differences, but the “isolation and valorisation of certain kinds of distinctions over

others.” She argues that gender predicated on a binary system of sex, defined through an anatomical binary based on reproduction, leads to “heterosexuality as a precondition of human identity, and posit[s] this constraining norm in the guise of a natural fact” (512). Therefore following on from Wittig, maintaining the category of sex upon which the gender binaries are built is integral to upholding heteropatriarchy.

However, Butler differs from Wittig in her call for a ‘sexless’ society to disarticulate the binary, arguing instead that a “proliferation of genders” (512, emphasis in original) would also destroy the binary configuration of power which positions women and men as complementary opposites. Thus, instead of anticipating an eradication of the binary structuring of power—which is already culturally inflected—she concurs with Foucault, that “if binary restrictions are to be overcome in experience, they must meet their dissolution in the creation of new cultural forms” (513). Taken together, both Wittig and Butler show how heteronormativity is the pivot for constructing gender binarism.

Therefore, the concepts of ‘gender’ and ‘gendering’ allowed conceptualisation beyond biological determinism, and opened the way for articulating the cultural and historical specificity of forms of identity and behaviour shaped by gender. Yet despite this fluid understanding of gender, some feminist interpretations have not escaped assumptions of a fixed relation between a particular body and its social expression.

### **Power and Subjectivity**

Michel Foucault’s work has been the foundation for understanding the workings of power through creating “a history of the different modes by which, in our culture, human beings are made subjects” (Foucault 1982: 777). In *The History of Sexuality* (1990 [1984]; 1992 [1984]; 1998 [1976]) he proposes that subjectivisation is deeply imbricated with complex power relations, and that a productive way to study “an economy of power relations” (780) is to look at forms of resistance to power—for example the feminist struggle. He shows how “men [sic] have learned to recognise themselves as subjects of ‘sexuality’” (Foucault 1982: 778). He argues that these struggles concern individuals and the constraint on their identities (781), and are “an opposition to the effects of power which are linked with ... and against the privileges of knowledge” (781).

Foucault (1982) argues that struggles against power are anti-authority struggles against the effects of power—most are not organised or revolutionary, but aimed at their immediate adversaries (780). He claims that they are struggles around the status of individuals asserting their right to be different, whilst simultaneously attacking that which separates individuals from their community, and that which ties them to a constrained identity or subjectivity—he calls them “struggles against the ‘government

of individualisation” (781). They are also struggles against the effects of power linked to knowledge: opposition to how “knowledge circulates and functions, its relations to power ... the *régime du savoir*” (781). He argues that most contemporary struggles are attacks against a form of power which is part of everyday life, and attaches individuals to an identity. It is a form of power which makes individuals subjects and submits them to others (782).

He unpacks the mechanisms of power by positing power as relationships of domination which only exist when put into action (Foucault 1982: 788). He considers power to be deeply rooted in the social nexus, where the exercise of power “structure[s] the field of other possible actions” (791). He says it is important to analyse institutionalised power according to both implicit and explicit regulatory apparatuses, and that “the fundamental point of anchorage of the relationships, even if they are embodied and crystallised in an institution, is to be found outside the institution” (1982: 791). Therefore Foucault points to the interrelated systems of power that underpin the machinations of a host of regulatory organisations and institutions, singling out the state as the most important. He concludes that domination is a universal phenomenon, the outcome of agonistic relationships resulting from ongoing strategic plays of power in which struggles for freedom are its vectors of escape (Foucault 1982: 795).

In *The Will to Knowledge, History of Sexuality Volume 1*, Foucault proposed how sex became part of a proliferation of discourses of social control and regulation “from the agencies of social domination to the structures that constitute the subject himself [sic]” (Foucault 1998 [1976]: 85). The form that this power takes is one that demands the subject’s obedience. He typifies sexuality as “an especially dense transfer point for relations of power: between men and women, young people and old people, parents and offspring, teachers and students, priests and laity, and administration and population” (103). He argues that manifold attempts to regulate sexualities between the sexes, or age groups, or social classes gives a lie to the reduction of sex to heterosexual procreation in marriage.

He sketches four “mechanisms of knowledge and power centred on sex” (103) that had been deployed in Europe since the eighteenth century. First was the hysterisation of women’s bodies—where women were deemed “saturated with sexuality” (104); their bodies pathologised; and women relegated to the ‘private’ space of reproduction. Second was a focus on the regulation of children’s sexualities; thirdly “socialisation of procreative behaviour” (104) focused on the fertility of couples and population dynamics. Finally he names the “psychiatrisation of perverse pleasures” (105)—the designation of norms and deviance around sexuality. He

concludes that through these strategies sexuality was historically constructed as a domain of knowledge and power (106).

Foucault argues that 'sex' became a universal signifier for a unity of signifieds referring to biology, behaviour, physiology and pleasures, thereby attaining the status of quasi-scientific knowledge (Foucault 1998 [1976]: 155). He argues that the power of sexuality lies in constituting sex as desirable—to have it, to know it—in its “grip on bodies and their materiality, their forces, energies, sensations, and pleasures” (155). However, Foucault insists that sexuality operates within a field of power which is not foreclosed, and is open to subversion. Though Foucault does not venture to show how gender is formed, his analysis of sexuality and power helps us to infer how social templates for gendering are achieved. Judith Butler (2006 [1990]) takes up this theme when she speaks about the performance of gender and sexuality. By analysing the regulatory discourses which generate 'naturalised' sex–gender–sexuality identities, she shows how the illusion of fixed gender identities can be subverted (see Butler 1999).

The generative dimension of Foucault's analysis of power lies in his insights about the materiality and relationality of power, and how subjectivisation occurs through the notion of 'discipline'. But one of his most germinal insights has been his formulation about the relationship between power and knowledge, and how social control becomes institutionalised through discursive systems of regulation. Heterosexual marriages, though by no means the only terminus, are key regulatory institutions for disciplining bodies through the power of sexuality, where procreation is a key gateway into sexual institutionalisation. In the 'economy of power' around marriages the boundaries of normativity are drawn primarily through culture and 'tradition', but in contemporary societies also through state regulation. In western patriarchies it is the *sine qua non* for the disciplining of women's sexualities through ideologies such as virginity, motherhood, wifeness and domesticity, and has been accompanied by 'real' women as subjects being relegated to the private sphere (Van Zyl 1988). More importantly, most of the disciplining falls to the subjects themselves, who are expected to conform to the norms established by their social groups and societies. Around these normative boundaries the potential for resistance arises, hence struggles ensue in a sexual politics of belonging.

In summary, Foucauldian analyses emphasise the historicity of concepts, through the 'creation' of subjectivities. It also shows how power and discourses are anchored in society, and regulated by institutions. However, there must be recognition that the processes of subject constructions also yield multiple sites of struggle where resistance to discourses may become visible. They also point to the need for strategic identity struggles.

## Gender Beyond Binaries

In her seminal book *Gender: Short Introductions*, Raewyn Connell (2002: 8-9) systematically refutes the dichotomies presented by binary gender ideologies, arguing (like Butler and Wittig) that they are built on constructed differences. She also argues that the focus of gender study should shift from differences to relations, and situates gender in relations of power, production, emotions and symbolism. Though gender includes differences between women and men, there are other gendered patterns of relations as it “involves massive hierarchies of power among men ... which can in no sense be reduced to ‘male / female differences’.” She concludes by saying that when talking about gender we are concerned with “relationships, boundaries, practices, identities and images that are actively created in social processes, come into existence in specific historical circumstances, shape the lives of people in profound and often contradictory ways, and are subject to historical struggle and change” (27).

Connell (2002: 54) demonstrates that not all gender relations are between women and men, and may be mediated by technologies. She underlines that gender relations are enacted and constituted in everyday life, and by their endurance become part of the patterns of social relations—known as social structures, which in turn constrain practices (55). Hence she has the same approach as Butler when she avers that gender relations do not exist outside the practices which constitute them. She further integrates the insights from Foucault that power is both institutionalised as well as dispersed discursively (59). Therefore she says to “give a full account of power relations requires an account of the way power is contested and countervailing power mobilised” (59). Hence, like Foucault and Butler, she emphasises practices of resistance and contestation.

Connell (2002: 65) also argues that gender is deeply imbricated in our emotional relationships, especially through sexuality. But whereas western cultures have created different subjects on the basis of their sexuality (heterosexuals vs. homosexuals), other cultures did / do not have these distinctions (63). Through northern imperialism there has been a worldwide shift from arranged marriages to individual matches through ‘romantic love’. But other dimensions of our lives are also infused with gender through affective dimensions, like nationalistic feelings being evoked through, for example, ‘mother of the nation’ discourses (McClintock 1993; see also Yuval-Davis 1997a). Nationalist discourses on African identities and homosexuality are particularly relevant examples of these relations (see for example Epprecht 2013; Hoad 1998).

Another dimension highlighted by Connell (2002: 65) concerns how gender is deployed symbolically in cultural systems—meaning-making through discourses. Affirming that all social practices involve interpretation of the world, she says that when we use the terms ‘woman’ or ‘man’ we “call into play a tremendous system of

understandings, implications, overtones and allusions that have accumulated through our cultural history.” The dichotomous gender system is deeply entrenched in our European languages, making it difficult to subvert. Yet the gender binary is also changing and unstable (71), as she shows through some practices by transsexuals and transgender people (73).

Speaking about socialisation, Connell (2002: 81) uses the term “gender competence” to describe how people adopt gender identities and produce gender performances through patterns of activity. Yet the dynamic variations of gender production show that people also resist through performances of gender subversions within the different constraints produced through various structures. Gender identities are formed through ongoing processes of engagement with the gender order, so that individuals are in a perpetual state of gender becoming. Connell (2002: 94) links gender identities with sexual identities by arguing that through sexual practices “bodies are drawn into social processes ... structured by gender relations” where “[t]he gender order marks out places for bodies, allocates different resources, provides interpretations.” She shows how patterns of sexual desire and conduct arise depending on location and context. She concludes by saying that through globalisation a complex interplay of gender regimes and sexual customs have emerged to challenge the contrapuntal binary of gender identities.

In heteronormative marriages identities and relationships are about husbands’ power and control over wives (whether male or female), centred on and revolving around the myriad discourses and performances of ‘women as property’. Identity is widely understood to mean ‘who I am’. But if one agrees that identities, such as ‘husband’ and ‘wife’, are fluid, and in a state of becoming, then identity can be seen as part of an ongoing narrative of self-creation—a process of dialectic engagement with discourses around us, and with social practices by others. Through subverting the identities of ‘husband’ and ‘wife’ and their hierarchical relation, same-sex marriages have the potential to disrupt the gender binaries which uphold gender oppression.

### **Intersectionality**

Avtar Brah and Ann Phoenix (2004: 76) state “[o]ne critical thematic of feminism that is perennially relevant is the important question of what it means to be a woman under different historical circumstances” (my emphasis). Another key dimension of inequalities pertains to race and class subjectivities. Brah and Phoenix (2004) remind us that black feminists since the nineteenth century problematised ahistoric and essentialised meanings of the word ‘woman’. During the 1970s and 1980s many feminists in various locations were addressing the complexity of oppressions as they pertained to people’s everyday lives—making sense of the intersections of power

located in social positionalities. In 1989 Kimberlé Crenshaw (1989, 1991) coined the term ‘intersectionality’ as an analytical tool to unlock interlocking systems of oppression at the structural, political and representational levels. This term provided the language to understand the simultaneous operation of different social categories or identities, such as race, gender or class. These categories do not operate in isolation from one another, because people as embodied social subjects are multiply positioned in everyday life. However, its succinctness should not be construed simplistically. It is important to recognise that different social divisions are based on different foundations, and therefore require different epistemologies. But since social divisions rarely operate independently of one another, the relationality between them should be acknowledged (Phoenix & Pattynama 2006). The uptake of intersectionality also led to different strategies for feminist mobilisation, particularly among black activists.

Besides bringing an understanding of a subject’s multiple positionings in a particular context, intersectionality also emphasises the subject being in relation to others—intersubjectivity—and how power is diffused across multiple analytical arenas. Therefore the subject must always be understood as part of a social and historical context (see Benhabib 1997: 50ff). Researchers on femininities as well as masculinities have fallen into the trap where they explore those in the absence of others as well as the Other. An intersectional analysis requires a recognition of both the commonalities and differences within social groups (Phoenix 2006). However, it must also be recognised that people in different historical positions will foreground certain aspects of their identities more than others (Yuval-Davis 2006a). Finally, it must be understood that someone’s ‘identity’ consists of fluid, temporary and multiple social positionings which are both subjective as well as structural. Moreover, though people may suffer multiple forms of exclusion and marginalisation, subjectively they might not experience their lives as wholly oppressive (Phoenix 2006; Phoenix & Pattynama 2006).

Acknowledging that intersectionality has been used successfully as a model for political transformation amongst many feminists and some queers, Jasbir Puar (2007, 2012, 2013) critiques the potential for an essentialisation of identities in the application of intersectionality as a tool. She argues that it should be supplemented or complicated by the notion of ‘assemblage’ (Puar 2012: 50) which moves away from the notion of a ‘grid’ of (static and fixed) identities operating in a particular context. Instead we need to focus on subjectivities in social interactions as events, with an emphasis on fluidity—identities as becoming, and influenced by multi-dimensional modes of being where bodies in space are measured through intensity and affectivity. Hence in an assemblage, the focus of events is on the patterns and relations of patterns that emerge (Puar 2013: 380). She connects intersectionality and assemblage

through a suggestion that in the operations of power, “discipline works at the level of identity, while control works at the level of intensity; identity is a process involving an intensification of habituation, thus discipline and control are mutually entwined, though not necessarily compatible with each other” (Puar 2102: 62).

Because events also bring the affective dimensions of power to the fore, they are suitable for understanding same-sex marriage as a politics of belonging. The tensions arising out of the fluidity | fixity of gendered identities like ‘husband’ and ‘wife’, and the interplay between disciplinary regimes of inclusions | exclusions impact how the modulation and recuperation of normative control is effected. Signifying as events, same-sex marriages draw in overlapping modes of power and control through culture, law and neoliberalism, but through engagement with those dimensions of power the gendered subjects also convert that event into materiality through all the iterative performances enacted through that event. Thus, in addressing the sexual politics of same-sex marriages we need to account for how historical disciplinary discourses come into play, and the shifts between identities and performances, stasis and movement, and significance versus signification.

### **Mechanisms of Oppression**

Though oppressive relations are enacted through myriad events, some locations foreground certain aspects more clearly; for example, how gender interrelates with other hegemonies becomes particularly visible through what may be considered feminised sites, like domestic labour, care labour, child care, sexuality, gendered wage labour, and gender-based violence. Events in these arenas provide a particularly useful lens for analysing different hegemonic operations through *mechanisms of oppression* and how they impact on different social groups at different times and places. Even though the bases for different forms of oppression have different roots, the *mechanisms of oppression* operate in similar ways (see Essed 1990; Van Zyl 1988; Young 2009). This can be done by analysing the overlapping *processes of Othering*—for example exclusion, marginalisation, exploitation, colonisation and violence—and how together these disciplinary regimes impact on a subject’s positionality. Philomena Essed’s (1990; 1991) work on everyday racism shows how these operations infiltrate people’s everyday lives and through people’s experiences become compounded over time. Mikki van Zyl (1988) shows what strategies are deployed to maintain and perpetuate control through these disciplinary regimes in the face of resistance—the tweaking and modulation of control (see Puar 2012).

Keeping in mind Puar’s warning about the essentialisation of subjectivities, people nevertheless live through language, wearing the ‘clothes’ that are provided, i.e. they adopt | reject available identity labels. Hence it makes sense to understand how

people come together through different identifications. In her discussion of different mechanisms of oppression Iris Young (2009: 57) says social groups “are not simply collections of people, for they are more fundamentally intertwined with the identities of the people described as belonging to them.” Therefore people may have affinities when they share similar experiences or ways of life, but groups can also be identified through the operations of discourses. If social groups suffer oppression and they organise together on the basis of their common identifications to search for justice, it has become known as a politics of recognition (Fraser 1996) or a politics of identity (Benhabib 1997: 29). Benhabib (1997) says in contrast to earlier movements of *distribution*, people who organised against racism or sexism were part of the social movements in a ‘politics of identity’ which emerged from the late 1970s onwards. However, Fraser (1996: 5) argues that struggles for justice need to address both redistribution as well as recognition. Therefore we need to understand how neoliberalism underpins disciplinary regimes, as well as their insurgent forces.

### **Gender Hegemonies**

In order to get a sense of how multiple forms of oppression coalesce to position a subject in relation to the dominant hegemonic order, we need to recap the workings of hegemonic formations. A dominant hegemonic group institutionalises discourses and regulatory mechanisms through which they structure consent from society for their dominance. This puts them in a position of relative power such that they can appropriate and accumulate most of the available resources. When people start resisting the status quo, the ‘consent’ starts fracturing, and the powerful groups deploy mechanisms by which they can recuperate power, including becoming increasingly repressive to the point of violent suppression (Van Zyl 1991). But insights from intersectionality show that different relations of domination—say based on gender, race and class—though arising from different ontological bases, work together to create constellations of power (Essed 1990; Yuval-Davis 2006b); hegemonic dominance in one arena leaches over into other arenas of power. Also, different types of groups have hegemonic ascendancy at various times and places—for example a bourgeois white man in post-apartheid South Africa still derives power from his gender and his race to secure his class position. His power to define the terms of engagement on all the fronts increases with each hegemonic ascendancy—the whole being more than the sum of the parts. Therefore, while it is important analytically to separate the different modes of exclusion and subordination, we cannot lose sight of how hegemonies are co-constructed.

Gender hegemonies are sustained by the presumption of a binary system of sex–gender–sexualities, which in turn feeds on and is upheld by heteronormativity. A

further binary that needs disarticulation is the distinction, working both at material and symbolic levels, between ‘private’ and ‘public’. A queer reading would work to displace these binaries, eschew their essentialisation and look to the articulations (and disarticulations) of power which produce hegemonic constellations of privileged subjectivities. My concern lies with gender as unbalanced power dynamics that resist threats to the status of masculine paramountcy—howsoever they are expressed in different sites and locations. Nancy Fraser (2009) asserts that “a major feature of gender injustice is androcentrism: a pattern of culture value that privileges traits associated with masculinity, while pervasively devaluing things coded as ‘feminine’—paradigmatically, but not only, women.” These androcentric norms are pervasive, institutionalised throughout every level of society, both formally and informally, as well as culturally, and act upon and constrain *all* subjects. Androcentricity ensures the “entitlements” of certain subjects and “delimit understandings of personhood” (66). Therefore it is necessary to unravel how these norms impact on different subjects and how they are positioned in relation to them. Heteronormativity is a crucial dimension of patriarchy working to preserve the polarisation between masculinity and femininity.

‘Hegemonic masculinities’, one of the most well-used concepts in gender theorising, was first developed by Raewyn Connell (Connell & Messerschmidt 2005: 831) during the early 1980s to describe social inequalities arising from “the making of masculinities and the experiences of men’s bodies.” It became integrated in gender theorising as a model which addressed “multiple masculinities and power relations” (831). Like the black feminists who challenged the universalisation of the term ‘woman’, it contributed to the critique about essentialised gender identities, specifically for not universalising the category ‘men’. Using the dynamics of power and difference it distinguished between norms and actual behaviour among men. It also opened up the notion of hierarchies among men, and the contradictions within dominant masculinities, while simultaneously enabling the power structures “that allowed men’s dominance over women to continue” to be examined (832).

‘Emphasised femininities’ was the corollary term Connell applied to women’s gender performances, which acknowledged the “asymmetrical position of masculinities and femininities in the patriarchal gender order” (Connell & Messerschmidt 2005: 848). This term related predominantly to women’s and girls’ performances which serve patriarchy, enabling the ongoing domination of men as a group over women as a group. But I concur with Mimi Schippers (2007: 94) who argues for using the term “hegemonic femininities” on the basis of their hegemonising operations, while simultaneously acknowledging their complementary and subordinate relations to hegemonic masculinities. Further, the term allows us to

express the hegemonic workings of intersectional positionalities and how different femininities are linked, for example, to class, race, sexuality, age etc.

## Normalising Gender

In keeping with a relational concept of gender and the historicity of gender, we need to understand the articulations between performances of hegemonic masculinities (regardless of the so-called sex of the subject) and hegemonic femininities, and how they perpetuate and uphold one another in normalising discourses of gender and sexualities. For example, how do femininities, such as mothering, perpetuate and maintain hegemonic masculinities and heteronormativity? Performances of ‘emphasised’ femininity may be complicit and uphold masculine hegemonies in the gender system as a whole (Connell & Messerschmidt 2005: 838), while subordinate—such as gay—masculinities may challenge them. In order to avoid the reification of masculine power, we need to problematise gender hierarchies, since gender non-conformity may express itself through numerous performances of nonhegemonic patterns of masculinities and femininities (Connell & Messerschmidt 2005: 848). Nonetheless we need to keep symbolic meaning-making at the forefront of our consciousness—the role of ideologies in constructing ‘real men’ and ‘real women’ and how they play out in people’s everyday lives. These are repositories for social values which express “the idealised *quality content* of the categories ‘woman’ and ‘man’ ” (Schippers 2007: 90, my emphasis). Dynamics which reinforce both hegemonic masculinities and femininities are articulated through normative heterosexual desire: a ‘real woman’ will be attracted to a ‘real man’ and be subordinate to him, i.e. controlled by him, thus writing gender power into the dominant hegemon of heteronormativity.

## Homosociality

A theoretical concept developed by Eve Kosofsky Sedgwick (1985 in Van Leer 1989: 587) relates to how hegemonic masculinities are maintained through male homosocial heterosexual interactions. These male–male relationships are not considered erotic, but strengthen the power of the norms which uphold heteropatriarchy—popularly known as ‘bromance’ between individuals, but I call these multiple alliances ‘brotherhoods.’ For example, masculine homosociality is also discernible in a wide variety of work situations where men and masculinity dominate, for instance medicine, law and academia. They are based on masculine performances which endorse the subordination of femininity and non-hegemonic masculinities, therefore situating homophobia and misogyny as part of ongoing expressions of masculine homosociality. Homosociality works for the maintenance and recuperation of hegemonic masculinities—keeping control—and the marginalisation and exclusion of

nonhegemonic masculinities which can potentially subvert gendered norms—the disciplining regimes. Michael Flood (2008) shows how a key operation for homosocial masculinities is to position women as sexual objects (and hence under control of the subject, man), and for other males to be the audience to their sexual exploits. Homosocial socialisation continues throughout many males’ lives across a variety of sites: school, sports, other cultural activities, and work. And is it possible that they can form clusters for the subversion of hegemonic masculinities, for example philogynist men?

In her book *The Cultural Politics of Female Sexuality in South Africa* Henriette Gunkel (2010a: 23) focuses on male homosociality—“male bonding networks as a space where the gender regime is constituted and continuously contested” and suggests that female homosocial structures potentially can subvert them. However, understanding the fluidity and temporality of power constellations, the question also needs to be asked how female homosociality, like hegemonic femininities, also upholds heteropatriarchal gender systems.

Although Ann-Dorte Christensen and Sune Jensen (2014) refer to Danish society when addressing ambiguities in the concept of hegemonic masculinities, they argue that using an intersectional approach may show that hegemonic masculinities do not always legitimise patriarchal power relations. They argue that inquiries into masculinities should be open to philogynist masculinities (66), or masculinities which challenge patriarchal gender relations. They emphasise the instability of gender as a category and a sensitivity to how it may be altered through other categories both at micro level of identities or at macro structural levels (69). Using an intersectional analysis will enable researchers to understand the dynamic, ambivalent and contradictory constitution of masculinities imbricated in multiple other positionalities such as race, ethnicity or class—or political values. Extending the analysis by viewing these sites as events, will further uncover the affective measures of control which may have the power to subvert the disciplining discourses.

### **‘Real’ Men and ‘Real’ Women**

Mimi Schippers (2007: 90) reminds us that hegemony “serves the interests and ascendancy of ruling classes, legitimate their ascendancy and dominance, and encourage all to consent to and go along with social relations of ruling.” Agreeing with Judith Butler, she places hetero-desire as the ontological essence of gender difference “which establishes the meaning of the *relationship* between masculinity and femininity ... and the basis of the *difference between and complementarity* of femininity and masculinity” (emphasis in original). In northern ideologies these are valued according to the act of penetration: those who penetrate and those who are penetrated. Since

these are symbolic values, they are open to challenge. For example, there is no reason why heterosexual intercourse cannot be represented through consumption—the consumer and the consumed with the allusion of predator and prey, thereby shifting the symbolism of power (as indeed the psychological fear represented by the symbolism of *vagina dentata* testifies). Hence the naturalised construction of embodied genders provides the “scaffolding” for discourses perpetuating the hierarchical relationship of domination and subordination between masculinity and femininity. Ongoing social practices of femininities and masculinities serve culturally to institutionalise the values of gender differences which perpetuate gender hierarchies and relations of domination (Schippers 2007: 91). But, we need to understand that femininity or masculinity cannot be reduced only to *being* a man or woman, but is significantly also about *social location*—where embodiment and performance positions people within prevailing *interrelated* gender structures which generate hegemonic gender power (92) that privileges men.

The idealised qualities of gender are articulated through regulatory technologies which underpin the enactment of everyday practices where ‘real’ gender characteristics “*establish and legitimate a hierarchical and complementary relationship*” between femininity and masculinity, thereby “*guarantee[ing] the dominant position of men and the subordination of women*” (Schippers 2007: 94, emphasis in original). Gender characteristics that are enacted by the ‘wrong’ sex, for example by women performing masculinities, she calls “pariah femininities”; they will be stigmatised, since they contaminate the “relationships between masculinity and femininity” (95). This resonates with Wittig’s notion of lesbians as non-women and underwrites homo— and transphobia.

In as much as there are multiple masculinities which uphold or challenge the dominant gender order, pariah femininities likewise can disrupt it, but in turn become sites for control. In contrast, Schippers (2007: 96) argues that men who challenge dominant masculinities cannot be called ‘pariah’ masculinities, but rather will be feminised into an already subordinated position, for example the label ‘hen-pecked husband’ for a heterosexual man who believes in equal partnerships with women. Schippers (2007: 93) exhorts us to expand the insights from hegemonic masculinities and hegemonic femininities to understand the relationships of complementarity and hierarchical power dynamics beyond gender, to include other social locations such as race, class, sexuality, age, region, and nation (93). Thereby for example, Natalie Oswin (2007b) concludes that the dominance of neoliberalism and the individualisation of human rights facilitates the absorption of constellations of erotic same-sex relations into heteronormativity. These insights can also be extended to interrogating gender performances, for example, of partners in same-sex marriages and the ideological

locations of masculine and feminine complementarity. They also explain the targeting of butch lesbians in hate crimes.

### **Queer Feminist Glasses**

To show how ideologies about sex–gender–sexualities are embedded in the disciplinary regimes of marriage, I started by showing that gender is a central construct in social analyses from feminist and queer perspectives. Since gender becoming is a process, the derivative verbal noun ‘gendering’ is useful to describe how subjects engage discourses of sex–gender–sexualities in specific contexts. However, a reification of sexual difference leads into a dangerous binarism between females and males, femininity and masculinity, and heterosexuality and homosexuality. Not acknowledging that gender operates beyond these binaries, leads to essentialisation, naturalisation and universalisation of these categories, which in turn sustain the discourses which uphold normative constructions of identities and consolidate the boundaries of Othering. Marriage is a key social institution through which these ideologies find material and embodied expression, while same-sex marriage has the potential to subvert the binaries. But gendering together with heteronormativising are the overarching disciplinary regimes constraining sexualities, consequently reinforcing ‘traditional’ notions of ‘real’ marriage as a gendered binary of heterosexual coupling between ‘real’ men and ‘real’ women with women gaining her subjectivity through the man. Dialectically, heterosexual marriage in turn provides the scaffolding for perpetuating sex–gender–sexuality binaries and inequalities, with homonormativity as a process through which recuperation of queer is effected.

Gendering and heteronormativising are also deeply imbricated with other disciplinary processes such as race-ing and classing—also perpetuated in everyday life through marriage regulation. Therefore, gendered hegemonic, subordinate or stigmatised identities need to be analysed as part of more wide-ranging and dynamic social processes such as globalisation. This is particularly important in African settings where we need an adapted eye to perceive historical global North-South dynamics—for example grasping variations in social locations as a result of colonisation and post-colonial identities. For instance, precolonial gender relations in many parts of Africa were less biologically determinist than in Europe, and echoes of this fluidity remain despite colonialism and globalisation.

Therefore, using an intersectional analysis, remaining grounded in contexts, and integrating relationalities between social locations enables an unravelling of the articulations of multiple hegemonies impacting same-sex marriage. I discuss this in the next section on sexualities in Africa where I look critically at sex–gender–sexualities systems in Africa, and how they uphold or challenge locally-constructed

heteronormativities. Do same-sex marriages in South Africa uphold precepts of the fundamental binaries in gendered disciplinary regimes of sexualities, i.e. do they play a homonormativising role? Given the discursive power of heteropatriarchies, how can same-sex marriages subvert those binaries?

## African Queer

It is notoriously difficult within the limitations of this dissertation to provide a comprehensive review of sexual politics in Africa for a deep enough platform for the research. In order to obtain an overview of various practices of sexualities, I draw on authors who do not necessarily agree with one other, but I leave these nuanced debates for another endeavour. Therefore I merely provide ribbons to connect across the spaces and times. In this section, I look at the contexts which give rise to southern African gendered subjectivities; using an intersectional approach I unravel how they are imbricated with other subjectivities created through, say, race or class. I do this by tracing how shifting values around sex–gender–sexualities shape normalising processes to establish dominant hegemonies, and how they adapt with dynamic social change. Finally I describe examples of some gendered performances of sexualities in South Africa today. Through these descriptions I elucidate contemporary sexual politics in South Africa, by tracing shifting disciplinary regimes and the concomitant constitution of South African queer subjectivities.

### **Knowing about African Sexualities**

Until the late twentieth century, most academic knowledge production about sexualities in Africa was situated within northern perspectives interpreting texts by explorers, anthropologists, missionaries, colonial administrators, scientists etc. In Anglophone Africa, most postcolonial sexuality studies are focused on reconfiguring colonial knowledge about ‘African’ sexualities which represented them stereotypically as ‘primitive’, ‘hypersexual’ and ‘rampant’ (see for example Ampofo et al. 2004; Arnfred 2004a; Osha 2004; Reid & Walker 2005). The way in which African sexualities generally were constructed as Other in the ‘civilising’ project of colonialism to varying degrees persists to this day (Ekiné & Abbas 2013a; Tamale 2011). Besides the problems related to stereotypical representations of sexualities in Africa, research has tended to “view tradition as static and ahistorical rather than dynamic and subject to change” (Reid & Walker 2005: 186). Also occluded was ‘evidence’ about erotic same-sexualities, constructing African sexualities as ‘heterosexual’ (Ekiné 2013; Epprecht 2008a), a myth

taken up in post-colonial nationalist discourses (Epprecht 2013; Hoad 2007). Yet, numerous authors have shown that erotic same-sexualities in Africa have been, and still are, pervasive and have a long history (see Ekine & Abbas 2013b; Epprecht 2004; 2008a; Gunkel 2010a; Matebeni 2011; Morgan & Wieringa 2005; Murray & Roscoe 1998b; Reid 2013; Van Zyl & Steyn 2005).

Stephen O. Murray and Will Roscoe (1998a: 16) argue that using colonial reports in unearthing the histories of homosexualities in Africa “requires a strategy of double reading—first to identify the tropes of the discourse in which the ethnographic data are represented and, second, to identify the ethnographic data.” They recognise how “discourse constructs it data”, but suggest that a critical reading can expose the underlying values. Evelyn Blackwood and Saskia Wieringa (1999b: 40) say the absence of studies focusing on same-sexualities could partly be attributed to the stigma attached to doing research on same-sexualities in the context of a pervasive belief in Africans’ heteronormativity. Therefore, texts on sexualities must be read with a critical eye firstly to the Othering of sexualities in Africa through northern eyes, as well as an awareness of heteronormative assumptions. Further complications arise from the universalisation of sexualities across the myriad cultures of Africa—by authors from both the global North and South.

This begs the question of how modern heteropatriarchies in Africa were historically consolidated. Gender binaries, as well as the private–public divide need critical attention if we are to understand the current constellation of gendering in African societies. We also need to understand how gendering impacted historic forms of same-sex relationships and marriages in Africa, and how it is expressed through contemporary same-sex relationship in South Africa. Therefore, I first address the disciplinary regimes through which African sex–gender–sexualities have been shaped through key discourses in traditions and belief systems, and their subsequent distortions through imperialist intrusions. Then I look at the performances of queer sexualities in South Africa, before concluding with the influence of the post-apartheid environment on queer identities.

## **Shaping African Sexual Subjectivities**

Contemporary African sexual subjectivities have been wrought historically through distortions of indigenous regimes by colonialism and the subsequent forging of post-colonial nationalist discourses. Therefore we need a contextualisation of how sex–gender–sexuality binaries have been established and / or endorsed, or subverted—and the emergence of post-colonial and globalised queer identities. Intrinsic to the constitution of queer subjectivities in South Africa is the ongoing violence of colonialism and apartheid. Moreover, much of what is known about African sexualities

is shaped through engagement with northern androcentric perspectives. I will follow a queer feminist reading which centres on the intersectional identities of queer subjects.

### Gendered Binaries

A number of feminists from Africa have argued that the sex–gender–sexualities binaries in western feminism distort African conceptions of gender (Kisiang’ani 2004) and cannot be used uncritically in African contexts. In the *Invention of Women*, Oyèrónké Oyèwùmí (1997) argues against the biologism which creates essentialised links between sex and gender. Looking at Yoruba society in West Africa, she demonstrates that social positions were not dependent on sexed bodies, but by lineage and other criteria of status. In *Male Daughters and Female Husbands* Ifi Amadiume (1987: 185) likewise argues that though Igbo society had a “dual-sex organisational principle” it also had a “flexible gender system.” This meant women could occupy leadership positions usually held by men without any stigma—a system supported by language and culture, where females could have masculine status without having to emulate masculine performances. The rigid binary gender system imposed by colonialism and Christianity resulted in powerful females performing as men—wearing masculine dress and binding their breasts—in order to retain respect for their status.

Amadiume continues to list numerous societies in all corners of sub-Saharan Africa who had women rulers—queens—or where women shared power with men in a balanced reign. Often these women rulers took wives in recognition of their status; many such roles were also connected spiritually to the ancestors (Amadiume 1987: 188). However, she makes a disclaimer that any of these relationships could resemble current lesbian relations (7),<sup>4</sup> implying that these relationships had no erotic content—a contention that is refuted by other evidence. As Saskia Wieringa and Evelyn Blackwood (1999: 6) note: “Assuming that native scholars represent the authentic native voice is another form of essentialising. Native speakers also speak from particular positions of class, rank and education.”

The pervasiveness of same-sex relationships and marriages since precolonial times are the most tangible proof of fluidity in gender performances, in spite of gender differentiation or gender hierarchies. For example, evidence of same-sex practices throughout Africa go back as far as the San (Epprecht 2008b: 42) and homoeroticism was noted by Kurt Falk (1998: 195) in the 1920s among Bantu language groups as well as among the Khoi and San living in Namibia. Early Portuguese explorers encountered same-sex marriages in current-day Angola and on the other side of the continent in

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4. Amadiume attacked Audre Lorde for uncritically referring to Caribbean forms of same-sex relations as deriving from African origins.

contemporary Zimbabwe and Mozambique in the sixteenth century. In the eighteenth century ‘special friendships’ were observed among the Khoe-Khoisan and the Naman—these relationships could be with people of the opposite or the same sex (Murray & Roscoe 1998c: 173-174). Murray and Roscoe (1998b: 279ff) comprehensively list same-sex patterns amongst African cultures of which 30 are from the Bantu language groups. Other authors have also identified same-sex patterns in southern Africa ranging from the Khoisan, Damara and Ovambo in the West, to the Shona, Ndebele, Venda, Lovedu, Basotho in the centre, to the Tsonga, Swazi, Zulu and Xhosa in the East (for more detail, see Epprecht 2008b). Many of these groups practised same-sex marriages of varying kinds.

These indigenous gender conventions were eroded by colonialism, and knowledge about these practices was further eclipsed by western knowledge production which wrote women out of their accounts of power and economics, relegating them to the ‘private’ sphere, while simultaneously occluding knowledge about practices of erotic intimacy between people of the same sex.

### **‘Traditional’ Sexual Norms**

In contrast to the almost pathological attitudes of Europeans towards sexuality, and their obsessive disciplining of sexualities, Africans accepted it as a natural and normal part of human existence which was subject to norms, but with an acceptance of its diverse expressions (Kisiang’ani 2004). Using an impressive list of references detailing sexualities from across Africa, John Caldwell, Pat Caldwell and Pat Quiggin (1989) argue that, particularly African women’s sexualities were not subject to the same moralising constraints as those in the West where European class-based systems for property accumulation relied on exclusive access to female reproduction through marriage. Unlike colonial systems of sexual regulation, in most regions women’s sexual pleasure was acknowledged, and Africans’ sexual activity was not constrained to marriage and reproduction; for example there was relative freedom for girls and women to enter into sexual relations outside marriage (Caldwell et al. 1989: 195), but there were constraints on extra-marital pregnancies which impacted more severely on girls and women. Boys’ and men’s sexualities were freer with many cultures encouraging male ‘promiscuity’ as part of ‘virile’ hegemonic masculinities (Delius & Glaser 2005: 30). Youth were allowed to indulge in sexually explicit talk and games provided it did not lead to pregnancies (Delius & Glaser 2005: 30). Key institutions for disciplining sexualities was through initiation rites and circumcision in the passage from childhood to adulthood. But in general Africans did not obsess about female chastity until the arrival of foreign religions and colonial social regulatory systems

(Caldwell et al. 1989: 194), as sexuality was taken for granted, an unremarked part of everyday life, and a legitimate source of pleasure (Delius & Glaser 2002: 30).

Marriage was not aimed at controlling people's sexuality, but predominantly a material arrangement for reproducing the usually agnatic kinship line—organising household labour, the transaction of cattle and the rights to offspring (Epprecht 2008a; Morgan & Wieringa 2005; Murray & Roscoe 1998b). While social appearances were maintained, a blind eye would be turned on 'infidelities', as it was deemed a greater taboo to be indiscreet thereby offending people's sensibilities than actually to have extra-marital liaisons (Epprecht 2008b: 31; Helle-Valle 2004: 198). For example, because of the high value placed on progeny, a man's impotence could be remedied by a blood relative discreetly impregnating his wife—the child would then be reared as his (Delius & Glaser 2004: 88; Epprecht 1998: 634). Many patrilineal societies endorsed polygyny, where the number of wives reflected a man's material wealth and social status, but Delius and Glaser (2004) suggest that though pervasive in theory, polygyny was only practised by a minority of men.

An enduring practice which inscribes a gendered hierarchy in marriages is through 'brideprice' in traditional marriages which is not merely a commercial transaction, but symbolic of family connections and subsequent obligations and responsibilities (Ansell 2001). The payment of *lobola* was also part of traditional woman–woman marriages (Carrier & Murray 1998), and instituted in same-sex marriages for men on the mines (Murray & Roscoe 1998c) and amongst lesbians where the masculine-identified partner will pay *lobola* to the feminine-identified partner's family (Baraka & Morgan 2005; Khumalo & Wieringa 2005).

Traditional belief systems were organised around the needs of communities structured around kinship and lineage which underlay economic and political alliances; children bound people into webs of social obligations, stretching from ancestors into the future. People's sexuality as reproductive was therefore bound into wider social responsibilities to the community. Health for both individuals and the community focused on fluids, thus being implicated in fluid exchanges, semen and blood are powerful symbols in African spiritual beliefs (Epprecht 2013: 70). Communitarian ethics imply a pressure on people to conform to social norms, but simultaneously, recognition of human fallibility provides face-saving practices for transgressors to restore social stability. Depending on the transgression and the status of the people involved, actions could be punishable by death. The power vested in sex and sexuality by withholding or interfering with reproductive norms evoked stigma and sanctions through which the supernatural interfaced with the present (Izugbara 2011).

Same-sex sexual behaviour among adolescents was generally not condemned, and across Africa was often seen as part of growing up and grooming for heterosexual

marriage later (Epprecht 2013: 73). But if such behaviour persisted they were explained by a variety of causes: where a person manifested the gender characteristics of the opposite sex, it could be explained by the presence of an ancestral spirit. Many gender non-conforming people were initiated into spirituality and healing, and same-sex couples “could live together as husband and wife without attracting much more condemnation than gently mocking humour” (Epprecht 2013: 74-75). Others could fill special economic niches (see Reid 2013 for contemporary gay South Africans who work as hairdressers). In many societies they were regarded as important members of the community to the extent that Chimaraoke Izugbara (2011: 544) claims that in Dagara society they were deemed important for maintaining the psychic balance in a community. Like other cultures worldwide who accept multi-genderism (Lang 1999; Muthien 2013), many cultures in Africa socially integrated same-sex practices through understanding them as fulfilling spiritual functions in the society, or being determined by spiritual causes (Blackwood & Wieringa 1999a; Epprecht 2008b; Gaudio 2009; Murray & Roscoe 1998b).

Numerous authors (Ahlberg 1994; Arnfred & Ampofo 2009; Caldwell et al. 1989; Delius & Glaser 2002; 2004; 2005; Heald 1995; Hunter 2002) contend that though there were significant differences in sexual norms and discourses among different precolonial sub-Saharan African societies, they were mostly open-minded about sexual matters in a matter of fact way, and recognised a separation between sexual relations in and beyond marriage. More fluid understandings of sex–gender boundaries—evidenced by the institutionalisation of same-sex marriages—on one level disarticulates the binary between sex and gender, but at another level emphasises gender norms through constraining gender performances to masculinity or femininity.

Cultural practices are complex, they are simultaneously enduring as well as fluid. The arrival of the colonists with their guns, their bibles, their cultural imperialism and appropriation of land and exploitation of labour, soon changed the traditional patterns in sexual relations irrevocably. But through all the changes modernity has wrought, practices like initiations, polygyny and brideprice remain woven into African traditions of sexuality and marriage, whether heterosexual or homosexual.

### **Imperialist Intrusions**

Marc Epprecht (2013: 66ff) reminds us that ‘traditions’, old and new, are in constant flux and become adapted to material and economic changes, and customs are reinterpreted to integrate with new practices. Colonisation was not only one of material extraction, but also about the constitution of colonial subjects through the state. Focusing on political violence in Africa, Mahmood Mamdani (2005: 2-3) argues that colonial state institutions created “political identities that are distinct not only

from market-based identities but also from cultural identities,” thereby shaping “the agency of the colonised.” Key to shaping the identities of colonial subjects were widescale economic changes underpinned by northern cultural imperatives. Christianity worked hand in glove with the imperialist state in moulding subjectivities, particularly in relation to a ‘moral’ domain such as sexualities (Epprecht 2005). Belief systems anchor people in their understanding of the universe and their place in it. They also express our understandings of our relation to the material world, our environment and our own bodies. They explain relationships between people, and how power is distributed in the past, present and future. Our attempts to control our lives are expressed through our belief systems, and how we need to act to ensure our survival. Traditional belief systems in Africa saw a syncretisation with the major religious invasions, namely Christianity and Islam. These legacies transformed into regulatory apparatuses for sexuality, and are key to understanding the homophobia (and misogyny) in South Africa today.

Christianity had a major influence in shaping the sexualities and discourses of contemporary Africans (Caldwell et al. 1989; Delius & Glaser 2002; Epprecht 2013). Christian missionaries’ zeal to eradicate African customs and rituals impacted sexual ‘education’ and instigated shame and secrecy in existing discourses. Natasha Erlank (2004) shows how in the early half of the 20<sup>th</sup> century Christian Africans tried to effect a rapprochement between their Christian beliefs and traditional rituals of sexual maturation by churches running their own initiation schools (Erlank 2004: 79). Circumcision is a key ritual for engendering hegemonic masculinities, and in contemporary South Africa has been absorbed into contesting health discourses: northern medical versus cultural discourses. Sex talk had become shameful, while sex ‘education’ has become medicalised versions of reproduction devoid of the spiritual, psychological and social dimensions of traditional education systems. Thus complex, nuanced and pleasurable sexualities were silenced in public by effecting multiple erasures in African discourses on sexualities (Delius & Glaser 2002), with none so catastrophic for LGBTI-q as the construction of a ‘heterosexual’ Africa (Epprecht 2005).

For centuries Arab traders were in contact with African societies, where “ ‘Arab’ traders ... had a reputation for enjoying if not promoting male-male sexual relationships” (Epprecht 2013: 95). Epprecht notes that historically ‘Arabs’ accepted same-sex desire, “especially when expressed by a man towards a ‘beardless youth’ ” (Epprecht 2013: 98). He shows how words in African languages relating to homosexuality derive from Arabic or Persian. But he also remarks on the diversity of practices among Muslims: among the devoutly Muslim *yan daudu* from West Africa emerges a sex positive attitude where same-sex expression is part of “the full achievement of human spirituality.” Thus Islam was differently incorporated into

various African cultures and syncretised with existing spiritual systems. He says Sufism, the dominant form of Islam in Africa, is particularly adaptable to cultural diversity since it stresses an individual's mystical relationship with Allah (Epprecht 2013). In early colonial South Africa Islam was practised by slaves—being seen as a liberatory religion in contrast to the oppression by their slave-owner Christians. The next wave of Muslims arrived in Natal with the importation of indentured Indian workers. Therefore South Africa, and particularly the Cape, has a long history and strong presence of Muslim communities (Mahida 1993). It is in the tension between Islam as liberatory force and the rise of fundamentalisms that same-sex Muslim organisations are asserting the spirituality of love as a divine expression of their relationship with Allah (The Inner Circle 2014).

In the seventeenth century the Dutch arrived at the Cape with their prurient Calvinism, integrating these values into upholding anti-sodomy legislation introduced from Europe (Epprecht 2008b); Dutch and British court cases bear witness to death sentences for sodomy as late as 1871 (Epprecht 2001: 122). Besides, there were not many women around during the early years in the 'tavern of the seas', and sailors found many willing male partners (Epprecht 2004: 53). Many slaves trafficked to South Africa had been uprooted from Malaysia where same-sex practices were commonly accepted and there was acknowledgement of third or fourth genders (see Blackwood & Wieringa 1999a). When the Boers trekked from the Cape Colony to occupy the hinterland, they took with them their guns, bibles and Roman-Dutch law.

Oliver Phillips (2000) shows how Christianity overlapped with the law in constructing discourses of 'morality' within the colonial administration in Zimbabwe. Traditional sexual practices, previously unremarked, were labelled 'immoral' and made into 'unmentionable vices', labelled and defined as 'offences' in colonial law. Thus Christianity and colonisation imposed a Judeo-Christian construction of sexual desire through notions of 'perversion', 'sin' and 'crime' which needed to be subject to social and individual disciplining and punishment. Phillips (2000: 22) quotes Diana Jeater (1993: 266) typifying the colonisers as "the serpent in the Garden of Eden: they brought the concept of 'sin', of individual sexual shame, into societies which had not used the idea before."

Marc Epprecht (2000) shows the close relationship between religion and culture through documenting the complex transformation of Basotho society where missionaries insisted on cultural 'sacrifices' in return for 'salvation' and 'civilisation' by insisting on Christian gender relations which undermined traditional marriage customs like bridewealth and polygyny. The missionaries drew emerging social classes into private property and a cash economy which deeply impacted Basotho relations around marriages and land ownership. Sylvia Tamale (2006: 10-11) makes the link between the

spread of capitalism and the suppression of women's sexualities, and that "[c]olonialists worked together with African patriarchs to develop inflexible customary laws that evolved into new structures of domination."

In contrast to traditional views of women's bodies, Christianity and Islam stressed the "impurity and inherent sin of women's bodies" (Tamale 2006: 11), and through proselytising new 'civilised' forms of marriage, western-style sexist and 'anti-sex' sexual relations emerged. Heteronormativity was the basis for the extension of capitalism based on private property through the monogamous, nuclear, heterosexual family where paternity was guaranteed. A further impact of colonialism led to the relegation of women to the domestic sphere where they were excluded from control of economic resources, and consequently made dependent on men. Though this separation of spheres existed before colonialism, it was consolidated through male private ownership of land. Similar processes were enacted across Africa as Christian values became embedded as part of colonisation processes and particularly through Christian education systems which promised new alignments of power for those classes who succeeded. Many post-colonial rulers who today decry homosexuality as unAfrican, such as Mugabe, were educated in these Christian traditions and have brought the moralistic attitudes they learnt there into present ideologies of imagined African identities (Epprecht 2005).

Key among these fantasies of essentialised African identities is the notion that homosexuality was imported into Africa; yet a great variety of same-sex relations were found throughout precolonial Africa with varying degrees of acceptance, stigmatisation, silencing or opprobrium (see for example Epprecht 2008a; Morgan & Wieringa 2005; Murray & Roscoe 1998b). However, same-sex relations did not exist in the same forms as the homosexual 'subject' of the global North, but existed as practices of pleasure and social exigencies alongside procreative imperatives. Christianity and colonialism brought with them widescale condemnation in the form of 'sin', 'crime' and 'disease' and resulted in the creation of individual sexual subjects. These were overlaid with any existing stigmatisation to consolidate widescale homophobia in Africa. Marc Epprecht (2008a: 36) traces the 'making' of heterosexual Africa through the silences in African ethnography which "helped define an essentially heterosexual Africanness" believed even by "Africans who are otherwise sharply critical of colonialism, racism and sexism."

### **Gendering Spaces**

In northern patriarchies, the ideological separation between the so-called public and private realms is built on a symbolic interpretation of gendered spaces, where femininity is excluded from the public realm, usually defined by 'productive' work and

leisure activities. Masculinities are made invisible in reproduction and parenting, but made hypervisible in ‘men as heads of households’. During colonialism these ideologies penetrated and distorted African social systems where gendered spaces differed: there was not the same biologicistic connection between sex and gender, though feminine spaces and masculine domains were well-defined and kept separate. However, some females and males who performed gender appropriately in those spaces could move across the boundaries. Moreover, gendered spaces in Africa did not follow the same delineation of family or household as private and feminised, with economic activities relegated to the masculine (Amadiume 1987; Oyèwùmí 1997).

Using Foucault’s concept of a ‘procreational economy’, Glen Elder (2003: 12) shows how South African sexual subjectivities were shaped during apartheid by the migrant labour system: women (and children) were excluded and made invisible by long-distance spatial separations; men occupied the ‘public’ spaces—where ‘productive’ labour happens—while women were relegated to the ‘private’ space in ‘the homelands’. Thus he traces how heteronormativity underpinned the geopolitical landscape through generating gendered identities linked to those spaces, and argues that the ‘heterospatial’ procreational economy persists in post-apartheid South Africa despite the constitutional provisions addressing gender and sexual inequalities (Elder 2003: 150).

Natalie Oswin (2008: 89) shows how space is continually *produced* as heterosexual, recommending that we develop a queer approach to the use of space which involves a critical interrogation of how essentialised identities are written into spaces and how they perform hegemonically inside those ascribed spaces. She argues that a queer reading of space is “inseparable from feminist, materialist, postcolonial and critical race theories.” Hence queer visibilities may challenge, rupture or *(re)produce dominant hegemonies* in the production of heteronormativity, for example through neoliberalism or tropes of exclusion and marginalisation, or a reproduction of multiply intersectioned modes of oppression. She suggests that a queer analysis requires a radical *(re)thinking* of the mechanisms by which geopolitical hegemonies are produced to situate bodies in space. Concomitantly a queer politics demands going beyond the *(re)productions* of sex–gender–sexuality dichotomies and normativities and requires fluidity in conceptualising how queer subjectivities may be expressed in people’s everyday lives.

Oswin suggests that queer liberation is more than extending the bounds of ‘normal’ to include lgbti in the everyday status quo. Rather, using Foucault’s (1998 [1976]: 95) warning about resistance never being outside the articulations of power, she shows how transgressions in one domain may simultaneously reproduce other hegemonic formations such as gender, race and class. Therefore she argues that

‘queer’ is not merely a synonym for ‘lgbt’ but it must be understood that people’s subjectivities are complex and that so-called ‘sexualised’ spaces simultaneously perform other exclusions and marginalisations. By attending to the reproduction of whiteness in queer spaces she argues that apparently ‘transgressive’ subjectivities may operate to (re)produce hegemony through spatialisation. For example, in South Africa the majority of black lesbians, gay men and transgendered people are likely to be poor, unemployed and living in a township. In addition, through visible activism many sex/gender, class and race-privileged lgbt-q South Africans have kept whiteness alive as the face of ‘the’ South African gay community (Craven 2011; Oswin 2007a). These differences are manifesting in current conflicts over the Pride parades in Johannesburg and Cape Town, exposing false strategies of solidarity across difference.

Sanya Osha (2004) argues that colonialism silenced black sexualities by a variety of erasures and misrepresentations which stigmatised them either as without agency, or as hypersexual, with “tropes of excess, unrestrained carnality, irrationality and violence” (Osha 2004: 92). He reminds us of the “violence and humiliations of colonialism” by citing Anne McClintock’s colonising ‘myth of patriarchal virginity’ where she says “[t]he myth of the virgin land is also the myth of the empty land, involving both a gender and racial dispossession ... to be virgin is to be empty of desire and void of sexual agency, passively awaiting the thrusting male insemination of history, language and reason” (McClintock, 1995 in Osha 2004: 95). Thus Osha attributes the colonial silencing of African sexualities through contradictory operations by robbing them of agency whilst simultaneously demonising them as excessively threatening. He compares the post-colonial ideologies of sexualities arguing that “homophobia and oppression caused by the entrenchment of heteropatriarchy continue to be a serious impediment towards sexual decolonisation” (Osha 2004: 96). Both Osha (2004) and Edward Kisiang’ani (2004)—and consistent with Mamdani’s (2005) analysis of how colonial political and cultural subject construction in Africa is implicated in post-colonial violence—argue that to overcome the legacies of violence, such as homophobia, decolonisation has to involve analyses of gender and sexualities to rid post-colonial nation-building of their sexist and heteronormative foundations. In short, the melting pot of value systems and political domination syncretised the hegemonic construction of twentieth century heteropatriarchies. In particular it is significant to look at the construction of post-colonial hegemonic masculinities and homophobia.

Above, I addressed sexual subjectivities very generally through tracing the continuities or ruptures of precolonial sexualities through showing how they were constituted through traditions, belief systems, colonialism and apartheid geopolitics. In the next

section I show how the changes impact contemporary same-sex identities and marriages.

## Queer South Africa

In the previous section I addressed the constitution of ‘heterosexual’ disciplinary regimes in Africa by examining the syncretisation of colonial values into traditional belief systems and the constitution of individual subjects in law. In this section I look at gendered performances of queer sexualities in South Africa. I start by surveying some documented ‘case studies’ of same-sex relationships and identities over the last century: woman-woman marriages, ancestral wives, mummy-baby relationships, urban lesbians, mine marriages, prison relationships, rural gay and queering Cape Town. Then I turn briefly to the contradictions between post-apartheid discourses of homophobia and the human rights framework as a contemporary discourse of value which promises equality to LGBTI-q. I ask what ‘erotic justice’ might mean for LGBTI-q.

### Roots of Same-Sex Marriages in Africa

Heterosexuality, like homosexuality, has a history. Marc Epprecht’s (2004; 2008a; 2013) oeuvre on same-sexualities in Africa addresses this history of the construction of heteronormativity/ homophobia on the continent. Stephen Murray and Will Roscoe (1998b: xi) open their book *Boy-Wives and Female Husbands* with “Among the many myths Europeans have created about Africa, the myth that homosexuality is absent or incidental in African societies is one of the oldest and most enduring.” They relate how the early European anthropologists denied same-sex sexualities even when they encountered it. Where it was noted, they attributed it either to a lack of women, or a ‘phase’ in adolescence—what they could not entertain was the possibility of erotic desire for the same sex (xiii). In their book they show that “homosexuality is neither random nor incidental—it is a consistent and logical feature of African societies and belief systems” (xv) and pervasive across Africa, past and present. However, they caution us not to create another mythical unity of homosexuality across Africa, but to recognise the diversity of same-sex patterns (xviii). But they also encourage us not to see same-sex practices as “personal idiosyncrasies,” but to understand them as based on beliefs which recognise “gender as situational and symbolic as much as a personal, innate characteristic of the individual” (Murray & Roscoe 1998a: 2).

From a gendered perspective ‘queer’ signifies differently than its northern meaning: in Africa a male performing as a woman did not, and in many contexts still does not bear the same stigma as in the West since there was not the same essentialist connection between biology and gender. In many places in Africa gender performances were, and still are, seen as more indicative of a person’s being or gender

identity than a biological ascription (Morgan & Wieringa 2005; Murray & Roscoe 1998b; Reid 2013). This resembles sex–gender identities also in other regions of the world (see for example Blackwood & Wieringa 1999a). Therefore understanding gendered identities in Africa requires seeing with different glasses.

The evidence that same-sex relationships existed throughout Africa does not take away the difficulty of naming these practices without becoming biologically reductionist (Wieringa & Blackwood 1999) or being trapped by universalising northocentric gender–sexuality terminology such as ‘woman’, ‘lesbian’, ‘gay’ or ‘transgender’. Realising that hegemonic discourses will shape behaviours, we need to acknowledge how practices and behaviours which deviate from the social norms are integrated or recuperated into realignments of normativity—heteronormativity in this case. Wieringa and Blackwood (1999: 15) suggest we view gender as ongoing cultural processes through which identities are carved. As such we can investigate the ruptures of continuities of earlier practices and behaviours with contemporary ones. *Tommy Boys, Lesbian Men and Ancestral Wives* (Morgan & Wieringa 2005) provides contemporary accounts of women’s same-sex experiences in Africa which shimmer with many flickers of the past.

It is difficult to use terminology defined through northern discourses on sexualities when even the term ‘sexual’ is open to different interpretations: When Mpho Mtunya declared to Kathryn Kendall (1998: 228-229) that it was ‘impossible’ for women to ‘share blankets’ in Lesotho since there was no *koai* (penis) present, it called into question our common understanding of sexuality itself. Homosexuality, or by corollary heterosexuality, did not exist as concepts of identity: people became involved in intimate relationships for more reasons than can be named. Even normativity is contextual and fluid; when is it perceived that someone has ‘transgressed’ a boundary, and what boundary? For Africans diverse erotic expressions were sometimes, and for some people and not others, ‘normal’, and at other times ‘not normal’. Hence we find that though procreation was a key imperative for marriages in Africa, sexual pleasure was not necessarily to be found in the same place. Africans were more accepting of biological bodies crossing gender boundaries, and same-sex marriages among persons of rank were institutionalised for ensuring the continuation of kinship lines.

Despite the diversity of same-sex relations and practices in Africa, Murray and Roscoe (1998a: 6) discern patterns of relations which correspond to those found elsewhere in the world.

1. Between members of the same social gender, such as are found in many contemporary global same-sex relations, characteristic of many lesbians and gays in ‘modern’ South Africa.

## 2. Gendering African Sexualities

2. Status-differentiated relations, such as many African age-based same-sex relations between men and boys, or social status, ‘kings’ (female) or queens and consorts. These also include for example ‘mummy–baby’ relationships among girls and young women.
3. Gender-transgressive relations, where sex-gender crossing occurs, for example in some places these gender-fluid positions for males and females are sometimes assigned a third or fourth gender such as the *yan daudu* among the Hausa, and among sangomas and transgender persons in South Africa.

Homosexual behaviour also emerged among peers in societies where the sexes were segregated, usually before heterosexual marriage and often in support of it (Gunkel 2010b; Murray & Roscoe 1998a: 9). But same-sex relations sometimes continued into adulthood, in spite of people marrying and / or having children. Epprecht (1998) shows how discreet behaviour was politely ignored, and general rules of discretion about sex-talk shielded people who overstepped the traditional rules, such as men having relations with other men. Such ‘eccentricities’ were often attributed to spirit possession. Through multiply-layered processes of colonisation—religious conversions, entrance into new labour economies, subjection to colonial policies and administration—facilitated the slippages from polite tolerance or integration of gender non-conformity to condemnation. However, the imposition of these processes was never even, consistent or totally ‘successful’, therefore we still find communities where the acceptance of gender non-conformity creates contradictions and tensions in communities.

### Contemporary Same-Sex Relationships in Southern Africa

Much of the little we do know about same-sex relations in precolonial Africa stems from Europeans’ fascination with same-sex marriages. However these marriages were imprinted upon a gendered hierarchy where different behaviours were performed by women and men (rendering them already queer in western eyes). Though it would be wrong to equate these relationships with modern-day homosexual identities such as ‘gay’ or ‘lesbian’ (see for example Epprecht 2008b; Wieringa & Blackwood 1999), as institutionalised relationships, they provide insight into same-sex gendered subjectivities. Moreover, in many cultures gender fluidity and same-sex attractions were explained through spiritual interpretations which located such individuals within the psychic equilibrium of a community (Izugbara 2011; Nkabinde 2009). Though hidden and often stigmatised, same-sex female marriages, and spiritual integration of gender fluidity persist to the present day.

In the processes of decolonisation discourses about homosexuality being ‘unAfrican’ emerged as part of the construction of hegemonic masculinities.

Penetration of colonial values, urbanisation and the rise of nationalist politics caused a radical shift in the performances of masculinities; postcolonial discourses characterised them through ‘emasculatation’ and ‘impotence’ resulting from colonial rule. Degeneration of gerontocratic values meant young men no longer respected their elders, and an increasing misogyny accompanied the rise of new nationalist masculinities (Epprecht 1998: 42-644). Independence briefly restored national masculinities, but persistence of colonial economic distribution structures and global neoliberalism deprived men of the opportunities to express their manhood through the traditional means of acquiring land and labour through wives and children. Moreover, women had made advances into the public sphere, and the HIV and AIDS epidemic was spreading in Africa. Epprecht (1998: 644) says president Mugabe’s re-election campaign “characterised homosexuality as a threat to an idealised patriarchal culture and national values, frequently and explicitly linked to Western imperialism and ‘reactionary forces’.” Ironically the homophobia was perpetrated mostly by Christian, educated professionals who had spent time in the West (Epprecht 1998: 647). Mugabe’s rhetoric is symbolic of the ‘arguments’ for contemporary homo-hate discourses across Africa today.

During apartheid in South Africa, sexuality was a cornerstone of racial supremacist legislation embodied in the Immorality Act (Ratele 2009; Sherman & Steyn 2009). Kopano Ratele (2009) shows how sexuality was deployed in the construction of whiteness, particularly a dominant white masculinity. Similarly the notion of homosexuality being ‘unAfrican’ is being used to construct ‘an authentic’ post-apartheid and post-colonial African identity (Epprecht 2005; 2013; Msibi 2011). During the anti-colonial struggle, the dominant culture of white militaristic masculinities by settler communities in Zimbabwe and South Africa were similarly homophobic (Epprecht 2005; Van Zyl et al. 1999). In the context of compulsory universal conscription for white men, the anti-apartheid conscientious objection campaign was smeared by homophobia since one of its key members was conveniently gay (Toms 1995). Though post-apartheid South Africa followed a very different constitutional path, apartheid military masculinities and post-colonial nationalist masculinities endure and merge in their misogyny and homophobia.

Taking the opportunity for the participatory process of drawing up the new South African Constitution, nascent lesbian and gay movements lobbied to have ‘sexual orientation’ included in the equality clause (Van Zyl 2009). The inclusion of this provision in the final Constitution of 1996 made South Africa an anomaly not only in Africa, but also in the rest of the world as it was the first country to list sexual orientation as an equality provision in its Bill of Rights. This laid the foundation for extensive legislative protections, as well as the passing of the Civil Union Act (No. 17 of

2006) on 28 November 2006 (Van Zyl 2009). Louise Vincent and Simon Howell (2014) show how the legitimacy of the South African constitution required an alteration of homophobic discourses through examining public debates around same-sex marriage. In order to reinscribe homophobia in a context of human rights, tropes characterising homosexuality as ‘unAfrican’, ‘ungodly’ and ‘unnatural’ were developed.

Other key influences in the emergence of contemporary same-sex identities in South Africa were differential identifications with same-sex human rights struggles in the metropole and the impact of globalisation and the commercialisation of sex, especially the popularisation of the concept ‘pink’ dollar / pound / rand (Van Zyl 2004). These trends for example inspired events like the Pride marches—which have emerged as hotbeds for contestations centred around race, class and gender (Soldaat & Van Zyl 2014). Despite sexuality being a key site for political contestation in post-apartheid South Africa (Deborah Posel 2005), these sites nonetheless are important occasions for the public expression of modern African lesbian, gay and transgendered identities (Matebeni 2011; Reid 2013). Thus, while it is true that homophobia is pervasive and that hate crimes, particularly against lesbians in townships frequently make headlines, also internationally (Lynch & Van Zyl 2013), many self-identified lesbians and gays negotiate their identities in communities where attitudes and values can differ widely, and they find times, spaces and places of being and becoming ‘themselves’ (Van Zyl 2015). Therefore, consistent with Butler’s notion of performativity, they are in a continuous process of inventing themselves through gender.

Though many modern South African queers have adopted the labels of ‘lesbian’ and ‘gay’, people still problematise them (J Lewis & Loots 1995). Therefore, one should be cautious about equating globalised queer identities with local ‘lesbian’, ‘gay’ or ‘trans’ identities since their gendered performances are dependent on context: for example in some areas butch lesbians refer to themselves as ‘men’ (Henderson et al. 2011) or men might see themselves as ‘ladies’ (Reid 2013). Women in same-sex marriage, as well as some modern African butch lesbians who see themselves as ‘the man’ in the relationship, also justify their desire and ‘right’ to ‘have’ many women (Khumalo & Wieringa 2005). Hence polygyny is a dimension of homonormativity in contemporary lesbian relationships. Likewise, among men, *ladies* (femme male homosexuals) accept that their *gents* (‘straight’ lovers) will also have other ‘wives’ (Reid 2013). Below I discuss a variety of occurrences of same-sex relationships and sexual identities in South Africa over the last century.

### **Woman–woman relationships**

The predication of women’s subordination to men and a focus of their ‘functions’ as mothers and wives in patriarchal scholarship has led to interpretations which subsume

observations about women's 'interests' only in relation to men and masculine defined interests. This has resulted in the invisibilisation of women's 'independent' lives and relationships in scholarship. Moreover, Evelyn Blackwood and Saskia Wieringa (1999b: 48) argue that one should not collapse "female and male homosexual or transgender practices into one category ... because they have meaning only within particular cultural contexts ... [and] the factors shaping sexualities and identities are appropriated and created differently by females and males because of the way sexed bodies are culturally interpreted and defined."

Researchers on woman–woman marriages in various cultures state emphatically that there is no sexual interaction between the female husband and wife (Wieringa & Blackwood 1999: 5), but Carrier and Murray (1998: 262) say "[f]ew of these denials are based on actual inquiries with or observations of the individuals involved—and certainly not observations of sexual behaviour. (Most ethnographic accounts do not even report where or with whom the partners usually slept)." The persistence of women's erotic same-sex relationships into the present suggests that sexual intimacy in women marriages cannot be excluded. In contexts where women had more power such as high status or were independently wealthy, there is no reason why they would not marry to satisfy themselves (Herskovitz 1937 cited in Wieringa & Blackwood 1999: 5).

The extent of woman–woman marriages throughout Africa (Carrier & Murray 1998) speaks to an acceptance of gender plasticity in those cultures. Joseph Carrier and Stephen Murray list nine southern African groups including Basotho, Pedi, Venda, Lovedu and Zulu. Max Gluckman (1950 in Carrier & Murray 1998: 256) described the Zulu custom as follows: The higher status woman ('husband') represents a kinship line and pays bridewealth for her 'wife' who will then bear children—hopefully sons—to continue the 'husband's lineage'. In the event of having only daughters, the duty to marry a woman will then fall on the eldest daughter. Throughout Africa there are cases where females can transcend the gender divide and take on the social roles of men, and be accepted as 'men' in their communities. They would usually adopt the clothing and activities of men, and be conferred the privileges of men, such as participating in public meetings, and mostly the children would refer to her as 'father'.

In contemporary southern Africa, many same-sex practising people—both women and men—find a calling as traditional healers. Their same-sex attraction is explained as being guided by an ancestor spirit of the opposite sex (Nkabinde 2009; Reid 2013). In contrast to the opprobrium directed at sex–gender diversity in most white religions, African traditional spirituality often celebrated sex-gender fluidity as something special, and a dimension which contributes to making society whole (Izugbara 2011: 547). Traditional healing becomes another social site for same-sex

marriages. Being guided by an ancestor of the opposite sex might mean that the healer takes a 'wife' or 'husband' of the same sex for the ancestor. Chimaraoke Izugbara (2011) explains how spiritual domains allow for gender-transcendence, but Nkunzi Nkabinde (2009), speaking as a "lesbian sangoma" gives a detailed exposition of the disconnect between sex and gender and knowing that traditional healing still holds social power in the community, makes it a potential site for challenging homophobia.

A number of authors (Gay 1986; Gunkel 2010a; Khumalo & Wieringa 2005) have described 'mummy-baby' relationships among young black women in South Africa; it is a phenomenon which has been documented since the 1950s and still continues today. Many were found in institutional settings such as boarding schools or sports clubs where it was "part of the students' culture" (Khumalo & Wieringa 2005: 273), but could also happen in other all-female social settings (Gunkel 2009: 209). Henriette Gunkel (2009; 2010a; 2010b) argues that they should not be equated to lesbian relationships, but classified as homoerotic, with varying degrees of sexual intimacy depending on the partners involved. They can start as early as primary school, and are usually between older (mummy) and younger girls (baby), and are also known to each other as *amachicken*. As the younger girl gets older she herself will probably become a 'mummy' with her own 'baby'. A number of young lesbians claim to have 'discovered' their deeper feelings for other women through these relationships, though young women engage in them for mutual caring and intimacy. They echo earlier norms where young people 'experimented' with friends of the same sex, presumably in preparation for heterosexual marriage. While mummy-baby relationships are perceived as homosocial relationships which are not tagged as 'sexual', they have social acceptance and therefore do not fall under sexual disciplining regimes. However, as sexualised 'lesbian' identities become more publicised, mummy-baby relationships are becoming re-categorised as 'sexual', the practice becomes stigmatised, and the *amachicken* subject to homophobia (Gunkel 2009).

In her thesis on black lesbian identities and sexualities in Johannesburg, Zethu Matebeni (2011: 282) concludes that there can be no fixed conception of a category 'lesbian', since these identities are "mutable and evolving." She found that meanings attached to black lesbian identities found expression through discourses of language, style, aesthetics and pleasure, but at the same time involved claims to power couched in the language of a politics of inclusion. She found these to be gendered through "popular lesbian categories butch and femme" (Matebeni 2011: 284), but at the same time many of the participants in her study deployed the language of '50/50' signifying equal power in intimate relationships; it "emphasises emotional intimacy, mutual sexual pleasure and trust in relationships." These confirm findings by Ellen Riggle et al.

(2008) in the USA and Mikki van Zyl (2011b) in Cape Town who say that many lesbians value the power equilibrium in their relations with another woman.

By participating in events such as ‘beauty’ contests which were designed to challenge conventional norms of being a woman and a lesbian, the Johannesburg lesbians also entered the domains of global consumerism. Yet Matebeni (2011: 286) argues that it is also politicised through the claiming of space, and “challenging the ways spaces are assumed to be heteronormative as well as reconfiguring spaces for the inclusion of sexual diversity.” Most importantly, and contrary to many popular images focused on turning black lesbians into victims because of lesbian hate crimes, the Johannesburg lesbians “inhabit the world actively, not only as victims” (287), but shaping the environment they live in.

Though their opportunities vary widely depending on their physical and social locations, LGBTI-Q in South Africa have the enabling tool of the Constitution which has given them self-confidence to express their identities: the legislative environment has made people in urban workplaces feel safer to come out (Van Zyl 2015), while others grasp the opportunities to claim public spaces like pride marches, and finally the Civil Union Act allows same-sex people to marry.

### **Man on man action**

With the assumption that ‘work’ is part of the public sphere and therefore masculine, it is not surprising that the documentation for male same-sex relationships are centred around work and the public sphere.

In his review of the 1907 Commission of Enquiry into ‘unnatural vice’, Marc Epprecht (2001) unpacks the tensions at work between colonial politics and the need for cheap labour, i.e. capital accumulation. Persistent rumours pointed fingers at various Others to safeguard the illusion of African heteronormativity. Firstly thousands of unmarried Chinese indentured workers came under fire for corrupting white women on the one hand, and ‘teaching the natives unnatural vice’ on the other (Harris 2004). Despite both these suppositions being refuted, the underlying orientalisising and anti-Sinitic discourses attacked the indentured scheme because white miners feared that the Chinese would take away ‘their’ jobs. By 1910 all Chinese labourers had been repatriated to China, but during the Enquiry, the Portuguese, Shangaan and Tsonga were also cited as culprits who initiated these ‘vices’ (Epprecht 2001: 127-128). But similar relationships were observed by Charles van Onselen (1982) among the Ninevite gangs who roamed the Witwatersrand hills on the cusp of the century, and were also prevalent in prisons (Achmat 1993).

There are numerous accounts of how men who had migrated to the South African gold mines to work, and who stayed in single-sex compounds and hostels, formed ‘mine marriages’ with other men (Achmat 1993; Epprecht 2001; Moodie,

Ndatshe & Sibuyi 1988). These relationships between more ‘experienced’ older men and young recruits called *inkotshane* reflected the gerontocratic and gendered organisation of heterosexual marriages. The ‘wives’ fulfilled feminine household duties such as cooking, washing, cleaning and being available for sex. In return they would get protection and material benefits such as gifts and money from the ‘husband’. As ‘wives’ grew older and more experienced, they in turn could become a ‘husband’ and take a ‘wife’. Sex mostly involved *hlobonga* or thigh sex, but some accounts record anal sex too, though husbands were never penetrated—thus resembling northern discourses of masculinity as penetrative (see for example Schippers 2007). The majority of men who returned to their rural families after completing their stints on the mines would resume their heterosexual relationships with their wives. However, some remained in relationships with their male lovers (Epprecht 2001).

Lindsay Weiss (2012) argues that the private and domestic is always with us, and that these intimate relations are part of creating a ‘home’ in the alienating spaces of the compounds. In *Hungochani* Epprecht (2004) argues that mine marriages not only enhanced the lives of the individuals involved, but also enhanced the whole community—dances, feasts and wedding processions added to the bleak environment created by the colonial–capitalist complex. Since *lobola* was often paid for the young men, fathers, relatives and kin stood to benefit from the arrangement too. However, it was not the same as for wives, as the young miners were earning an independent income and could buy themselves off in time. Therefore it was in the interests of everyone that these marriages remained under cover (Epprecht 2001: 137). But political and religious talk about ‘unnatural vice’ became too clamorous, and in 1907 a Commission of Enquiry was instituted.

On revisiting the Enquiry for details on mine marriages, researchers framed these relationships predominantly as outcomes of the exploitative and inhumane labour system (Epprecht 2001; Moodie et al. 1988) arguing that they confirmed and conformed to heteronormative gender arrangements. Though the economic, political and spatial environment clearly influenced the relationships, Zackie Achmat (1993) first drew attention to the affective and erotic dimensions of their relationships and perceived them to open up spaces for gender subversions. As a result of stigmatisation, the influence of Christianity and conscious eradication of these practices, researchers believed that they were less frequent after the 1970s (Epprecht 2001). But research by Isak Niehaus (2002) discovered similar relationships in Lowveld prisons, while Sasha Gear (2005) and Teresa Dirsuweit (1999) confirm that these gender-dichotomous relationships persist in contemporary prisons among both women and men.

Mixed marriages and same-sex relations in carceral spaces demonstrate the fluidity of gender subjectivity and though these relationships have definite dimensions of mimicking heteronormativity—but, because the ‘wife’ can later become a ‘husband’—speak to the intersectionality of these identities with other aspects such as age and status. Therefore same-sex marriages may confirm gendered heteronormativity in some respects, but simultaneously subvert heterosexual marriage exclusivity.

In *How to be a Real Gay* Graeme Reid (2013: 273) “explores gay spaces and identities in rural and small-town South Africa in a time of transition.” Locating his study around hair salons, he finds that his respondents’ performances draw on international, national as well local and traditional queer identities. He found the operation of a strict gender dichotomy between the men, where there were clear differences between *ladies* and *gents*, both needing to perform according to normative feminine and masculine sexual and social practices. “Making a clear distinction between who is a *lady* and who is a *gent*—and the related idea that *ladies* can only be sisters to each other and only fall in love with a *gent*—had an almost obsessive quality for nearly all” his informants (Reid 2013: 274). The men reproduce heteronormative gendered hierarchical relationships, with *gents* often not identifying as ‘gay’, and enjoying the benefits of patriarchal privilege. The *ladies* consequently suffer similar vulnerabilities to gender-based violence as women, which could include sexual assaults and battering.

Though hairstyling is a sought-after economic niche where *ladies* often earn more than, and sometimes financially support, their *gents*, normative gendering continues to be a defining feature of their identities. Some *ladies* were accepted as women in women’s religious groups; performing according to dominant gender norms therefore facilitated their integration into their communities. But, unlike some of their lesbian counterparts, they also see “difference and inequality as an essential component of erotic charge and sexual passion” (Reid 2013: 276). The men also participated in ‘political’ activities such as pride parades and ‘workshopping,’ for example to define norms around being African and gay—called ‘how to be a real gay.’ In the tensions between tradition and modernity, there were some men who were called to be traditional healers, re-figuring the links between queerness and spirituality. Despite needing to negotiate the values prevalent in rural communities, their LGBTI-q rights through the sexual orientation clause remained a significant feature in directing their sense of self, such as celebrating the passing of the Civil Union Act with a party.

### **Queering Cape Town**

Thus far I have not discussed white queers: firstly if one plays the numbers game, one could argue that they are in the minority in South Africa, but if one is talking about

power, then whiteness still spells privilege, and a deeper connection with the metropole and international northern discourses of LGBTI-Q identities and struggles. In South Africa the racial boundaries between white and black queers still largely follow the lines of the apartheid geographical organisation of space. From an intersectional perspective, queer public spaces are still dominated by white gay men's agendas (Leap 2005; Van Zyl 2011b; Visser 2003). Natalie Oswin (2008: 93) argues that carving out non-heteronormative spaces is positive for making LGBT visible, but queering spaces requires more than creating new sites of exclusion and privilege.

I focus on Cape Town, celebrated by some as the 'gay capital' of South Africa, if not Africa (Van Zyl 2011b). William Leap (2005: 258) found that unlike their gay counterparts, "lesbians regularly situate ... their remarks about spatial practices within larger discourses of visibility, privacy and safety." Black gay men would travel to the city centre commercial places "for sexual safety" whereas lesbians would rely more on privatised spaces—"township homes and friendship networks" (Leap 2005: 259). He also noted that gay men made lesbians totally invisible in their focus on queer places. Though these places are seen as relatively safe for black gay men, commercial 'queer' spaces in Cape Town are shaped by whiteness, gay masculinities and financial privilege, at once reasserting and forging new boundaries of inclusions | exclusions. Focusing on gay men in Cape Town, Andrew Tucker (2009) uses the more nuanced concept of queer visibility to chart how it intersects with regulation of same-sex desire. However, he asserts that these regulations are contextual based on numerous other intersecting discourses related to nationhood, spaces, histories, identities and rights claims. He also traces how different queer groups have "appropriated heteronormative spaces" (Tucker 2009: 204), showing that it is impossible to map space and race simplistically. By eschewing easy slippages into "monolithic categories of 'the West' and 'the rest'" he concludes that people engage unpredictably and differently with queer visibility—that there are no "universally applicable 'Western gay identities' and neither are there wholly 'indigenous' queer communities in Cape Town" (Tucker 2009: 205). Therefore analysing relationships to private and public places, visibilities and safety provide insights to how different Cape Town LGBTI-Q negotiate their everyday lives through spaces in the city.

### **Human Rights Discourse**

Contemporary struggles for African queers and LGBTI happen at several levels. One is the issue of contemporary identities which are shaped by neoliberal values and global queer discourses. Another is engagement with post-national discourses of homophobia both as personal and political struggle. This clearly has consequences for queer acceptance within communities and families, and their own sense of carving out

safe spaces within their own environments. Though the liberal democratic values of dignity and equality in the Constitution are not reflected in the everyday lives of lgbti-q, swathes of legislation have enabled a range of opportunities and ensured some cultural space, however uneven. Workplace protection against discrimination has generated a positive shift among lgbti-q, particularly in visibility: where previously most remained closeted (Hattingh 2005), most people now assert their rights, saying people who are homophobic need to change (Van Zyl 2015). However, there is still a dire need for advocacy in order to change public attitudes where the discourse about homosexuality being ‘unAfrican’ informs homophobia and hate crimes, especially against black South Africans living in the townships (Lynch & Van Zyl 2013). These contexts all speak to levels of belonging which I will unpack in the next chapter, and which forms the lens for analysing my interviews with same-sex couples.

### **Queering South Africa**

Deciding whether it is possible to be married and queer depends on one’s vantage point: I accept queering as a verb which “unsettles assumptions about sexed and sexual being and doing. In theory, queer is perpetually at odds with the normal, the norm, whether that is dominant heterosexuality or gay/lesbian identity. It is definitively eccentric, ab-normal” (Spargo 1999: 40). But at what point on the spectrum of ‘ab-normal’ does one measure queering? The dominant heteronorms operating in South Africa today have been written in the North. If I accept take those as my baseline, then traditional woman–woman marriages in Africa are queer. But if, as an African feminist, I take traditional gendered performances of husband and wife, regardless of their sexes as norm, then they are not queer. But historically, traditional African gender norms have been shifted and distorted through colonisation and globalisation, and replaced by norms from the global north. My defence that marriage can be queer can only be measured according to Spargo’s definition above: the marriage’s ability to “unsettle” prevalent sex–gender–sexuality assumptions about the ‘ideal’ marriage.

Understanding the dynamics underlying same-sex marriages in South Africa needs an Afro-centred perspective which can unravel the complex differences and nuances in meaning between sex–gender–sexualities terminology from the North and from Africa. Contemporary southern African performances of sex–gender–sexualities are rooted in traditional African sex–gender diversities where a number of southern African cultures had institutionalised same-sex marriage. Though a dual gender system existed, there was not the same biologically essentialist binary between sex and gender—even in today’s homophobic environment, in many communities a male performing as a woman (for example by calling herself a *lady*) or a female identifying

as a ‘man’ is still seen as more indicative of a person’s being or gender identity than biological ascription. Though these performances still uphold a gender binary system through homonormalising identities, they are still constituting the queer body as Other—hence queer, but not too queer. And in the context of normalising discourses like ‘homosexuality is unAfrican’, black bodies performing same-sex identities are already queered.

It then begs the question of how queer is the equality clause in the Constitution which recognised sexual orientation as a basis for non-discrimination? For queers it was a powerful enabling tool which initiated a shift in how they perceived themselves—hence the beginning of a process where lgbt-q identities could be ‘normalised’. Also, South Africa’s return to ‘the world’ and neoliberal expansion gave rise to the commercialisation of queer spaces and a new visibility for lgbt-q. The rights environment also opened the way for new associations through a cultural opening, for instance of queer visibilities in public spaces during Pride marches. It also inspired a concomitant freeing for lgbt-q to shape their identities through alliances, activisms and personal expressions through music or style. Yet these performances are regarded as off-beat, and different, and are challenging the boundaries of heteronormativity.

## Conclusion: Gendering African Sexualities

To conclude this chapter I emphasise that it is impossible to study sexualities without reference to gendered systems of power, and that discourses of sexuality are also situated in multi-faceted constellations of power. Hence sexualities studies in Africa have to be seen against the backdrop of historically hegemonic northern discourses and how they shaped the construct of a monolithic ‘heterosexual’ Africa. Yet indigenous discourses may also be universalising, and therefore we need to start disarticulating gender binaries, including the unwinding of the hetero | homosexual dichotomy—for instance by challenging notions of hetero as dominant and homo as subversive. We need to understand how masculine and feminine hegemonies contribute to the emergence of heteronormative or homonormative performances and practices.

Finally I focused on queer South Africa by firstly discussing the roots of same-sex marriages, same-sex practices and discourses and their visibilisation by contemporary queer scholars. I then addressed same-sex relationships in South Africa over the last century, and show that traditional forms of same-sex performances have endured and find expression in contemporary, yet ‘aberrant’ sexual identities. Key questions

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revolve around the contemporary shaping of homonormativity, neoliberalism and the globalisation of queer identities through commercialisation—fashion, style, music, lgbti-q activism and the articulations between sexualities and space. For example, how might gender–sexuality binaries be subverted, and to what degree are homosexual practices and performances complicit in structuring heteronormative spaces? Moreover how do other identifications, such as race or class amplify or subdue heteronormativity or the marginalisation of queers (Oswin 2008: 98)? I concluded with the notion that the equality clause in the Bill of Rights—which promises, but cannot guarantee equality for lgbti-q—has functioned as an enabling tool for the visibilisation of queer identities.

In the next chapter on citizenship and belonging I look at how identities, social positionality, political and cultural values and struggles are relevant to same-sex marriage in South Africa, and suggest that it is a project in the sexual politics of queer belonging.

## chapter three

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# Citizenship and Belonging

In the last chapter I looked at how lgbti-q subjectivities and identities are constituted through disciplinary regimes. In this chapter I focus on citizenship as a state discourse of power, and the shaping of inclusions and exclusions of subjects in the polity. I argue that we need a ‘thicker’ concept of citizenship to account for embodied and affective relationships, and propose that Yuval-Davis’s (2011) framework for belonging can be applied to same-sex marriage in South Africa as a project of belonging.

### **Defining Citizenship**

The spread of liberal democratic values in the form of human rights discourse during the last few decades of globalisation has deeply impacted the way in which citizenship has been conceptualised and critiqued. Citizenship is commonly understood as a set of formal rights, but feminists have critiqued this on several grounds: firstly they argue that citizenship is more than just the relationship between a citizen-subject and the state. Helen Crowley, Gail Lewis, Pnina Werbner and Nira Yuval-Davis (1997: 1) say citizenship is constituted in a complex set of relationships between ‘the nation-state’ and individuals, as well as how groups and collectivities engage across and between nations and states, ultimately drawing boundaries of belonging. Yuval-Davis (2011: 48) goes further to decentre the focus on a relationship between the state and an individual, also arguing for moving away from citizenship as an abstract concept and recognising the embodiment of subjects thereby asserting the historical and material specificity of citizenship. Critical theorists also say that citizenship should be active, including dimensions of participation from citizens (Lister 2003). Another dimension is

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the way different citizen-subjects are marginalised through social positionality (Yuval-Davis 1997b). Therefore formal citizenship does not guarantee inclusion in the polity. Contentions around the boundaries of inclusions and exclusions give rise to struggles for recognition, and activist citizenship (Fraser 2009).

It was argued that Thomas Marshall's (2009 [1950]) definition of citizenship comprising civil, political and social rights should be expanded to include economic and cultural rights, without which there can be no equality in citizenship. The primary focus of citizenship has been on locating subjects in the 'public' arena through their recognition and participation in a nation state (Cossman 2007: 3). But civil subjects are also in relationships with other people, groups and social systems in the polity across a range of locations—economic, juridical, socio-cultural and civic in addition to 'political' (Crowley et al. 1997). Furthermore, abstracting individuals from their social context has led to a focus on formal equality rather than substantive equality, leading to liberal democratic politics being imbued with inequalities (Gouws 2005a). Addressing these inequalities in citizenship, many theorists have focused on how gendering, racialisation, ethnicisation and sexualisation of citizenship has created boundaries of inclusions | exclusions for certain sectors of citizens within a polity (Cossman 2007). Accepting that citizenship is more than a status, but also involves agency (Gouws 2005a), many political theorists have included participatory or active citizenship as a dimension of civil responsibilities which extend beyond merely casting a vote (Lister 2003).

Hence, far from being the universal rights-bearing subject of belonging imagined in liberal democratic discourse, citizens are located in place and time, and also subject to other discourses which position them according to a range of social hierarchies of value (Yuval-Davis 1997a: 10). Therefore to understand 'citizenship' for a particular group of people requires firstly determining how various identities are imbued with values through regimes of power—i.e. the Foucauldian constitution of subjects in discourse—and secondly unravelling the multiple and intersecting hegemonies impacting on those positionalities. It also requires a look at how agency and struggle may displace dominant discourses about citizenship.

## **Gendering Citizenship**

Gendering in citizenship requires a reading of how systems of regulatory power constitute citizens such as queers and women as subjects in discourse, and particularly as subjects to be read through the false binary of private versus public. Another task is

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to examine how processes and locations of marginalisation and stigmatisation create exclusion and conditions of inclusion in the polity. Gendering also shapes responses to exclusions through struggles for recognition. These processes—constitution of subjects, marginalisations and struggle—are mutually constitutive.

#### Differentiated Citizenship

Formal inclusion of subjects into citizenship does not necessarily deliver substantive citizenship, i.e. it does not deliver justice (Gouws 2005b). We know that depending on their intersectional social locations factors such as race, sex–gender–sexualities, class and nationality people are marginalised and do not reap the benefits of citizenship equally. Despite all kinds of formal inclusions, lesbians and gays in SA are still generally regarded as Other and are still struggling to claim their rights (Isaack & Judge 2004; Nel & Judge 2008).

Feminist theorists have consistently pointed out how a false binary has been constructed between the ‘public’ and the ‘private’ spheres (Lister 2003; Pateman 1988; Yuval-Davis 1997b). This has been particularly significant in gendered citizenship discourses, where women and lgbti-q are located outside the ‘political’. Feminists in the North exposed the invisibilisation of women as citizens through this positioning in the ‘private’ realm: women were relegated to dependency on men in assumed heteropatriarchal households with the male head of household standing *in loco parentis* for the state in ‘representing’ women in the political. Thus ‘the family’ or household becomes a crucial site for gendering in citizenship, and marriage the mechanism through which that site is constructed ideologically (see also Wittig 1996). The dichotomy also upholds the sex–gender division of labour. Consequently women’s citizenship was located in ‘the family’, mediated through men, and focused on their relationship to biological, social and psychological reproduction (McClintock 1993). Hence middle-class liberal notions of ‘the heterosexual family’ were infused into provisions arising from a universal subject-citizen of white, heterosexual, privileged men.

In precolonial South Africa, productive and reproductive regimes were not founded on a private | public divide, but were imposed through colonisation. Numerous discourses overlapped to inculcate the gendered values of western hegemonic masculinities and femininities and the privatisation of the family. Christianity and the institution of private ownership of land separated communities and extended family systems into individual households, the entry into a cash economy (Epprecht 2000) and the migrant labour system (Elder 2003) further gendered household labour, and finally colonial governance (Mamdani 1996) imposed its own marriage regimes on its subjects.

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On the issue of sexuality, Ken Plummer (2003: 14) develops the concept of ‘intimate’ citizenship to include a range of sites and concerns regarding “personal and intimate life”. He typifies it as “the decisions people have to make over *the control (or not) over one’s body, feelings, relationships; access (or not) to representations, relationships, public spaces etc.; and socially grounded choices (or not) about identities, gender experiences, erotic experiences*” (emphasis in original). These strands of everyday life drawn into the term ‘intimate citizenship’ create an oxymoron which simultaneously bridges and reinscribes the dichotomy between the public and private (Van Zyl 2005b). Diane Richardson (2000b: 75) extends feminist debates about the constitution of women as citizens to argue that the ‘universal’ citizen is not only male, but also heterosexual. She uses the example of marriage as a key ‘right’ which demonstrates the formal inequalities in citizenship for queers if there is no same-sex marriage.

Brenda Cossman (2007: 5) affirms membership of a nation-state as central to citizenship but also broadens the notion of citizenship to “ways that different subjects are constituted as members of a polity, the ways they are, or are not, granted rights, responsibilities and representation within that polity, as well as acknowledgement and inclusion through a multiplicity of legal, political, cultural and social discourses”. Thus, they use similar arguments to those used by feminist theorists to look at the constitution of citizen-subjects, their exclusions | inclusions in rights talk, seeing citizens as embodied and living in contexts as well as how active citizenship influences gendered relationships to the state and nation.

#### **Heteronormativity**

Feminists have concerned themselves with how women have been excluded from citizenship (Gouws 2005a) while queer theorists have focused on the exclusion of LGBTI-q from citizenship. Though the subject-identifications differ, both are based on normativisation around the sex–gender–sexuality nexus, and are linked to the production, maintenance, reproduction and recuperation of heteropatriarchal ideologies in state discourses. Sex–gender ranges are historically and culturally specific, yet discourses of state and governance persist in naturalising sexual difference binaries where biologism about the ‘natural’ binary between the sexes reinforces gender-differentiated access to rights for women and queers.

Groups that do not conform to the universal norm established by the white, able-bodied, heterosexual male still represent ‘the other’ whose claim to citizenship is insecure (Lister 2003: 74).

Citizenship in liberal democratic discourse hinges on several signifying mechanisms: the universalisation of ‘the citizen’ tends to erase differences between

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subjects—hence furthering processes of normalisation; because citizenship is rationalised as an abstraction, it fails to take account of the embodiedness of people; the elision between equality and sameness reinscribes hierarchy and consequently inequality in citizenship; the individualisation of citizens which is focused on the single person and their rights erases the relations between groups and consequently also to potential struggle (Gouws 2005a: 4). The invisibilisation of group identities also erases the differences in access to rights between gendered groups—such as between women and men, straight men and gay men, gay men and lesbians and women and lesbians. Group identities form the basis for the ongoing political struggles of those who live with the realities of everyday exclusion from citizenship.

Many feminist theorists on citizenship have argued that citizenship is not merely a relationship between individuals and the state as subjects, but also includes dimensions of agency. Ruth Lister (1997; 2003) proposes that agency provides the link between rights in citizenship and political participation. She also suggests a ‘differentiated universalism’ to address “citizenship’s exclusionary tensions which have served to exclude women and minority groups from full citizenship” (Lister 1997: 28). She conceptualises political participation as both a right and an obligation, where the importance of rights politics to gain equality cannot be underestimated (Lister 2003: 35). However, she argues that political participation is necessary both to overcome exclusions, whether based on national identities or due to the elision of differences between groups. She uses the concept of agency to bridge the historical traditions of civic and republican notions of citizenship, arguing that it is both a status as well as a praxis (Lister 1997). Political agency therefore becomes an important tool for women and other oppressed groups to engage the state for the delivery of justice. A dimension of agency would include claiming citizenship through instruments of rights and justice. It is also through active citizenship that the boundaries of belonging may be redrawn. Inclusive citizenship means people can claim their rights on an equal basis and that the law deals with them in a way which ensures equality.

Linzi Manicom (2005: 23) shows that citizens may always be regarded as subject to disciplinary regimes and therefore it is necessary to position citizen-subjects within modalities and temporalities of power which enable one to get a nuanced understanding of the different forms of agency and political participation that are available to them. Despite being demonstrably excluded from citizenship in a variety of ways, still (subaltern) subjects view citizenship as a key discourse for inclusion in the polity—especially for those who continue to experience forms of marginalisation or exclusion. For instance, key questions revolve around the formal guarantees of human rights in the South African Constitution in a context where citizens lack dignity and bodily integrity (Manicom 2005: 23). But since political subjects are ‘made’ they serve

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various political agendas which reproduce “modalities of power and forms of hierarchy”—for instance amongst women in South Africa, where the intersection of women’s citizenship and identity politics has excluded lesbians from political subjectivity as ‘real women’, i.e. dependent on men (Soldaat & Van Zyl 2014).

Since gendered subjects are referenced through heterosexual reproduction, kinship and family, homosexual identities profoundly threaten the heteropatriarchal gender order through disrupting the gender hierarchy of male dominance in ‘the family’. This is evident from homophobic rhetoric directed at homosexuals, particularly through religious ideologies and African ‘traditional’ discourses (see Reddy 2009). This positions struggles for same-sex marriage as a key domain for homosexual rights, and its attendant privileges such as adoption rights. Through their dissident sexuality, homosexuals challenge the gender norms of the private realm. For example, in lesbian rapes the perpetrators regularly focus on impressing upon them that they will prove to them that they are ‘women’, i.e. rape-able, and that their bodies belong to men. The male homosexual, especially effeminate ones, are also subject to rape (Mkhize et al. 2010). However, the focus on homosexual rights has been to overthrow the criminalisation of sodomy laws (Richardson 2000b). Thus the male homosexual is constructed as profoundly sexed and (non-reproductively) sexual, especially through (abject) discourses of ‘sodomy’. Therefore male and female homosexual subjects, though they share a number of struggle domains, are nevertheless positioned differently in the arena of rights struggles. The ambiguous positions of transgender subjects makes them even more difficult to pin down, but on the other hand, to many they simultaneously confirm the ‘natural’ binary gender order since they construct and reaffirm the boundary between the genders through traversing it.

#### **Politicised Identities**

Issues of gender, race and ethnicity are deeply imbricated in post-colonial states and the nationalist discourses that accompanied them into power. Mahmood Mamdani (2005) argues that distinctions between ethnicity and race led to different forms of governance in colonial states, with ethnicity apparently based on cultural boundaries, while race was used to structure a hierarchy of ‘civilisation’ between the master race and subject races. While precolonial governance consisted of a variety of participants, including youth and women’s groups, only chiefs were legitimated in the colonial encoding of customary governance, leading to a single ‘despotic’ native authority. Mamdani (2005: 9) identifies dilemmas concerning indigeneity and African ‘authenticity’ for accessing rights under the post-colonial state. He suggests that colonially constructed regimes of customary law have become equated with “Africa’s

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authentic tradition” and increasingly indigeneity is constructed as a ‘litmus test’ for access to rights.

The idea of custom as some kind of geological fossil from the past, one that cannot be questioned or changed, is one point of view. This point of view has been key to identifying, buttressing, and salvaging a domestic authoritarianism as an authentic tradition (Mamdani 2005:14).

In South Africa these dynamics have played out in the perpetuation of a paradoxical dual legal system: a post-apartheid constitutional democracy and the Congress of Traditional Leaders of South Africa—based on colonial and apartheid constructions of ethnic chieftaincies—and their respective jurisdictions. The post-colonial state has incorporated liberal democratic principles of the separation of spheres, whereas traditional law maintains a fusion of powers. This has had a profound impact on the rights of women and lgbtq who are formally protected from discrimination in the Constitution, but have no standing in areas of traditional rule, despite the injunction that jurisdictions throughout the country be subject to the constitutional provisions. Thus legal regimes forge political identities.

Political identities may be derived from cultural or social identities, but “political identities are legally inscribed and legally enforced” (Mamdani 2005: 16). The law also creates group identities which mediate our relationship to the state and to others via the state, and which form the foundation for civil agency and political struggle too. Political identities are particularly significant in discourses of nationalism. Here again the invisibilisation of women in the ‘public’ sphere led to lacunae in theorising about women and nation (Yuval-Davis 1997a: 2). Where women were included, it was usually as reproducers—biological as well as cultural transmitters of values. Carole Pateman (1988), Deniz Kandiyoti (2004) and Nira Yuval-Davis and Floya Anthias (1989) are some key feminist theorists who have addressed the intersections between gender, nation and state, showing the dialectic construction of women as national subjects and the gendering of the state. Queer theorists (Epprecht 2005; 2013; Hoard 1998; Puar 2007) have likewise shown how homosexuality has been deployed in precolonial as well as post-colonial nationalist discourses to structure boundaries of inclusion | exclusion in citizenship.

Two apparently unrelated conclusions are salient in understanding gender in nationalism. Firstly Anne McClintock (1993) argues that the hierarchy embedded in family relations is symbolically reproduced in discourses relating to nationhood, hence the articulations between nationalism and gender are embroiled in processes of co-constructing one another. Secondly, Nira Yuval-Davis and Floya Anthias (1989) identify the gendering of nationalist discourses through women as reproducers of the nation. Anthias and Yuval-Davis (1989) show how women are positioned as biological

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reproducers as well ideological reproducers through having children and socialising them into culture. Hence women become complicit in (re)defining and (re)producing the boundaries of other identities too. Besides participating individually and collectively in national contestations such as during armed conflict, they also serve as important signifiers of value and difference. For example discussions about ‘mother of the nation’ symbolism existed in nationalist discourses in South Africa (Gaitskell & Unterhalter 1989)—by Afrikaners as well as the liberation movements. Hence, women occupy a multiplicity of subjectivities, and cannot be seen as a unified category in relation to nationalist discourses and the constitution of the state.

In a discussion of the structuring of homosociality Jasbir Puar (2007) shows how homosociality is at the root of certain constructions of nationalism, which only serve to underscore that the “(western) homosexual–heterosexual binary is a primary rather than a secondary facet of the project of nationalism” (Puar 2007: 50). This reverts to a focus on the construction of hegemonic masculinities and femininities in nationalist discourses and how they contribute to exclusions and marginalisations in citizenship, constructing subjects with certain identities into subaltern positionalities outside belonging in the polity. But identities are multiply layered and fluid, intersecting with numerous other identities, and gendered identities are mobilised to bolster other identifiers such as race and ethnicity in the construction of nationalist discourses.

#### **Citizenship as Agency**

In their dialogue in *Who Sings the Nation-State?* Judith Butler and Gayatri Chakravorty Spivak (2007) delineate some key insights on the relationship between states and belonging. They see the state as an abstract structure of redistribution, welfare, and constitutionality which is bound into a matrix of obligations and prerogatives of citizenship (3). However, it also has the power to exclude and marginalise, thereby serving as “a source of non-belonging” (4). But there is a difference between state power and the law: people may have no legal standing but still be subject to the operations of state power. They show how aligning discourses with other formations of power, i.e. military or religious nationalism (see Brubaker 2012; Yuval-Davis 2011) can put into play mechanisms of power and exclusion where the nation and state can be read as coterminous (Butler & Spivak 2007: 33). We can see these machinations in operation when considering the apartheid nationalist state, contemporary Muslim countries who equate religious rule with political rule, and countries like Uganda who criminalise homosexuals on the grounds of their identities.

Butler and Spivak (2007) also speak about struggle saying we need “more complex ways of understanding the multivalence and tactics of power to understand forms of resistance, agency, and counter-mobilisation that elude or stall state power”

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(42). They argue that in order for change to occur requires a ‘politics of performance’ where the change has to be enacted: in the fight for freedom, freedom must be seized and in the act of protest to demand legitimation through bringing the action into public discourse (69). Same-sex marriages are potential sites of resistance, but the state may deploy its power to (re)consolidate the nation through an accommodation of complexity. Finally they address how to tackle the constitution of a diverse society and on what terms it is possible to integrate the “juridically deprived” who do not comply with normative criteria for citizenship. They argue that in spite of globalisation the genealogical force of the state is strong, but that regionalism and transnational jurisdictions are the solution to national states. In as much as globalisation has eroded the foundations of state structures, nationalism has not been erased. In Africa the economic basis of ‘sustainable exploitation’ created by globalisation has also opened doors for cultural imperialism in the form of, for example, international lgbti-q identities and activism.

Amanda Gouws (2005b) argues that state mechanisms of inclusion, such as hegemonic discourses of ‘gender mainstreaming’ may lead to groups becoming reliant on the state to deliver equality, and induce a passivity which emphasises lack of agency. For example the discourse around gender-based violence positions women as ‘vulnerable’ and ‘in need of protection’, thereby denying them agency. She argues that agency is about having choices (83), and that agency is shaped unequally in different arenas like for example, politics, education or labour. Therefore not only are rights unequally distributed, so is agency.

The policy of ‘gender mainstreaming’ was based on an essentialisation of the sexual binary which conflates ‘gender’ with ‘women’. Therefore issues related to lgbti-q were excluded from any specific state-sanctioned policy implementations. Besides the protection clause in the Constitution, the most significant protections are included in labour legislation (Van Zyl 2015). In contrast to the women’s movement which is mobilising in different sectors such as health, the lgbti-q movements have since democratisation recognised the need for ongoing activism to overcome exclusionary citizenship, where key challenges have involved taking government departments to court to overthrow discriminatory legislation (Van Zyl 2009; 2015). Without this participatory politics of recognition, same-sex marriages would not have been legalised.

#### **Politics of recognition**

Numerous authors focus on the shift in the last century from a ‘politics of distribution’ to a ‘politics of recognition’ (Benhabib 1999a; Fraser 2009; Taylor 1997). Charles Taylor (1997: 25) sees a ‘politics of recognition’ emerging variously from nationalist

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movements and from subaltern politics for the recognition of minorities or through a politics of multiculturalism. He also engages the importance of authenticity, respect and dignity as significant elements in a politics of recognition and argues that on the one hand recognition is intimate and personal, but on the other it is deeply dialogic. In terms of citizenship discourses, it means that a person has a right not to be misrecognised or demeaned (37) thereby speaking to dignity. Therefore he argues that a politics of recognition transcends the private–public divide (Taylor 1997: 37). He also shows how the notion of identities is deeply imbricated in a politics of difference and the struggle for equal dignity.

Fraser (2009) suggests that a politics of distribution and a politics of recognition have become polarised in claims to social justice; it leaves us a ‘choice’ between one or the other. She argues that this is a false dichotomy as we need both to achieve equality and justice. Using gender as an example, she shows how both are necessary to redress injustice at social and political level. She argues that gender is an organising principle of both economics and culture. The sex–gender division of labour is predicated on the distinction between ‘productive’ and ‘reproductive’ labour, as well as perpetuating the difference in remuneration between ‘feminised’ and ‘masculinised’ (higher paid) labour. “The result is an economic structure that generates gender-specific modes of exploitation, economic marginalisation, and deprivation ... gender injustice appears as a species of maldistribution that cries out for redistributive redress” (Fraser 2009: 76). However, gender also includes dimensions of recognition where gender codes pervade “patterns of cultural interpretation and evaluation, which are central to the status order as a whole. As a result, not just women, but all low-status groups, risk being feminised and thereby demeaned” (Fraser 2009: 76). This value pattern of androcentrism is institutionalised in law, policies and social practices which result in gender-specific forms of *status subordination*—“harms which are injustices of recognition” (76).

The ontological basis of queer oppression is not based on class because homosexuals occupy class positions throughout society, but their subordination is based on the institutionalisation of heteronormativities which position them in an inferior social status (Fraser 2009: 74). This requires a politics of recognition which can dismantle the cultural value patterns and their expression in law and practice. But it is not purely a case of politics of identity, as heteronormativity is founded on the naturalisation of the sex–gender binary as well as the feminisation of low status groups. As a result women and lgbti-q suffer a range of misrecognitions—objectifications, stereotypical depictions in the media, not being treated with dignity, harassment and gender identity-based violence. Any denial of rights or protections are the basis of injustices which cause harm and require remedies provided through a

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politics of recognition. But Fraser (2009: 76) argues that gender, like most other categories such as race, are ‘bivalent’, because as we know from intersectional analyses hegemonic formations co-construct one another. But unlike Charles Taylor who sees recognition as a way of authentic self-actualisation, Fraser (2009) regards it as an issue of justice requiring engagement under equal conditions of opportunity for self-realisation; women, black people and queers should not be thwarted by obstacles not faced by others. She concludes by proposing that a politics of distribution and a politics of recognition need to be integrated to meet the requirements of economic and cultural justice for all.

The dichotomy between the private and the public lies at the heart of any critical approaches to gender in citizenship. This division forms the basis for the differential constitution of gendered subjects: firstly through the privileging of androcentric values which are located in the public spheres, and the concomitant feminisation of other inferior statuses—not only women. Furthermore, the naturalisation of a binary sex–gender system writes queers out of ‘gender politics’ which are deemed to equate simplistically to ‘women’s politics’.

#### **Sexual Citizenship**

Liberal concepts of citizenship are not only profoundly raced and gendered, but also deeply sexualised. Through the heteronormative constitution of citizens, queers who do not conform will be exiled outside the containing walls of citizenship (Richardson 2000b). ‘Excluded citizens’ will consequently face inequities through a range of injustices and inequalities arising through marginalisations and exclusions. These inequities do not only function in relation to rights to sexual expression, but encompass varied sites such as sexual *identities*, sexual *relationships* and sexual *practices*. The manner in which these inequities in sexual citizenship have been addressed is through advocacy and activism for rights framed in the discourse of universal human rights.

Sexual rights first entered international human rights discourse at the World Conference on Human Rights in Vienna in 1993, followed by the UN Declaration on the Elimination of Violence Against Women late that year. They were first framed as positive rights at the 1994 International Conference for Population and Development (ICPD) and subsequently became generative for reproductive rights at the Fourth World Conference on Women at Beijing in 1995. However, nowhere were positive rights to freedom of sexual expression and orientation affirmed (Petchesky 2000: 83). Though sexual rights had entered the human rights discourse, positive rights remain a struggle both for women and queers. Advocating for ‘protection’ i.e. negative rights, when subjects are normatively positioned as dependents in patriarchy—‘victims’ who

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are weak and vulnerable and not in control—is easier than supporting positive rights to freedom. Same-sex marriage therefore is the consolidation of important positive rights—the freedom to be who you are, and the freedom to marry whom you like. However, having formal rights is no guarantee for substantive rights.

Using the human rights framework, northern feminist and queer movements have framed claims to citizenship in terms of ‘sexual rights’, amongst others arguing that individuals are entitled to decide on their own sexual relationships, desires and pleasures, and that their ‘sexual’ rights should be respected as part of ‘sexual citizenship’. Jeffrey Weeks (1998) uses the term ‘sexual citizen’ to describe a new ‘erotic’ subject emerging from a society where contemporary social discourses foreground sexuality: queers are demanding recognition and justice through rights to privacy and intimacy, self-determination and pleasure. Focusing on sexual citizenship he brings to the fore new identities, shifting intimate relationships, and a focus on the body.

Using the broader term of ‘intimate citizenship’ Ken Plummer (2003; 2005) includes a range of rights around family, sexuality, gender, reproduction, health and pathologisation as well as gender-based and intimate violence. These issues address the private–public binary where feminists showed that the apparently private was deeply politicised on account of sex–gender–sexuality systems. Plummer also outlines some problems with the human rights framework whilst arguing that it might be the best language for talking about erotic justice. He acknowledges the justifiable suspicion from the global South when northern countries like the USA who promote a rights framework for others do not sign up to the protocols they establish and remain “shamelessly racist, sexist and capitalist” (Plummer 2003: 135). He also recognises the inadequacy of a rights framework to transcend the individualism inherent in its ontology and to deal with collectivities and their relationships to one another and the state. He concludes that there is a need to forge a universal ethic of human worth which is found in cultures across the world. Therefore he supports context-sensitive ‘differentiated universalism’ suggested by Ruth Lister (2003).

Rosalind Petchesky (2000: 90-91) argues that negative sexual rights are more easily taken up in the mainstream since they do not challenge patriarchal images of women’s vulnerability and dependence on men. Focusing on the realisation of positive sexual rights she suggests that both a set of ethical principles as well as a range of enabling conditions are necessary. She suggests a number of ethical principles which are organised around concepts of bodily integrity, diversity and equality: sexual diversity, habitational diversity, sexual health, autonomy, gender equality (Petchesky 2000: 92ff). Petchesky recognises that though a range of sexual rights are recorded formally in numerous policy documents, conventions and declarations, substantive

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rights remain elusive for the majority of the world's people. While queers in some places in the global North are apparently attaining greater dividends in citizenship, for example in relationship recognition and parenting, lgbti-q in many other places are facing increasing state-sanctioned homophobia and hate crimes.

#### **Sexual Citizenship Intersections**

In *Rethinking Sexuality* Diane Richardson (2000b) considers how the social and cultural dimensions of citizenship broaden the concept of 'nationhood'; she argues that common membership of a community is differentiated and "shapes the flow of resources to persons and social groups" (Turner 1993 cited in Richardson 2000b: 72). Using feminist arguments about the gendering of nationhood she says "[t]he idea that nations are (gendered) 'fictions', reproduced across space and time through shared representations and practices, is therefore important to understanding how citizenship status is dependent on practices through which social difference is invented / produced" (Richardson 2000b: 73). She argues that feminist theorists on citizenship developed a focus predominantly on women as gendered subjects of citizenship, but did not address how heterosexuality is a critical component of gendering, and a prerequisite for citizenship status (91). She also shows how sexualities intersect with other diverse social relationships such as race and class to construct citizenship statuses.

Richardson (2000b: 95) argues that the value of looking at feminist and queer critiques of citizenship lie in addressing the private–public dichotomy as well as the polarisation of hetero–homosexuality. Heterosexuality is particularly linked to a reproductive economy with patriarchal marriages and family forms where women are subordinate to men. Ironically, where there is tolerance of homosexual relationships and identities—partial citizenship—there is also an injunction for them to remain 'in private' while the site of deepest contestation is in 'familial' citizen status such as same-sex marriage, adoption and parenting. But Richardson (2000b: 85) also shows that hegemonic heterosexuality needs to be deconstructed to arrive at a less "monolithic" understanding which includes different heterosexualities.

Shane Phelan (1999: 57) argues that "masculinist perceptions of bodies and passions work to exclude 'others' from equal citizenship." She suggests that the construction of femininity as 'other' inscribes difference itself as feminine, thereby women and men who are positioned as 'other' are feminised against dominant hegemonic masculinities. She argues that conceptions of physical bodies become a metaphoric domain overlaid on the body politic, both prescribing and describing who belongs or may belong to the polity. While masculine bodies and traits are universalised as complete, stable, rational, self-maintaining and invulnerable, feminised

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bodies are particularised and constructed as ‘lacking’—weak in body and mind (60). Yet the position of privilege is imbued with anxiety about the threat of being overcome by that which it has excluded; feminised bodies, whether male or female, are those which are passive, receptive and vulnerable and who ‘leak’ across boundaries and must be subordinated to the phallic Subject (60). The liberal democratic citizen is characterised by autonomy and self-control, is normatively male, masculine, white and heterosexual, and delineates analogous masculine qualities for the body politic (62).

Moreover, a citizen’s loyalty to the body politic—nationalism and heteropatriarchy—is achieved by homosocial arrangements which ensure the control of women, and hence reproduction (Phelan 1999: 65). The phallic body is the citizen as agent, the controlling body, the penetrating body, while the ‘other’ is to be controlled and to be penetrated (73). Male homosexuality threatens the phallic citizen by making homosociality no longer ‘innocent’ (74). But lesbians threaten the phallic citizen from another angle; as potential mothers they disrupt notions of the heterosexual family and its foundations in marriage (75), and sexually they put themselves beyond the reach of male control. Phelan concludes that including queers in society will not be sufficient to change citizenship, but that citizenship itself needs to be queered to transform ideologies underlying phallic masculinities (77).

Richardson (2000b) addresses how ‘lesbian and gay’ movements have focused on gay male issues and interests, e.g. the decriminalisation of sodomy legislation, and that neither the queer nor the feminist movements have theorised the position of lesbianism in citizenship. The questions are whether they should be included as a differentiated group when lesbian identities are fluid and varied and it is impossible to find a ‘universal’ representation, or whether their interests should be included on the basis of their commonalities with other groups, such as women or homosexuals. To unravel the interconnections between sexual citizenship and gender she asks pertinent questions about the fight for gay and lesbian equality: “to whom do gay men want to be equal, heterosexual women or heterosexual men? And is the same answer likely to be forthcoming from lesbians?” (Richardson 2000b: 97).

Richardson (2000b) consolidates a notion of sexual citizenship through a range of rights. She divides them into three main groups relating to sexual practices, identities and relationships. Under practices she lists the right to participate in sexual activity (99); the right to pleasure (102); the right to sexual and reproductive self-determination (104). As part of identity rights she includes the right to self-definition (106), self-expression (107) and the right to self-realisation (109). Finally, she argues that many citizenship privileges revolve around heterosexual coupledness. She considers the right of consent to sexual practices (111), the right to freely choose our

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sexual partners (112) and the right to public recognition of our relationships (114). She concludes by asserting that rights are not ‘natural’; “they are products of social relations and of changing historical circumstances” (114), and that as conceptions of sexual rights change, so might our understanding of traditional social and cultural practices such as marriage and kinship. But this does not mean that altered practices will necessarily displace heteronormativity as a dominant hegemon which is privileged and profoundly institutionalised.

#### **Sexual Rights vs Erotic Justice**

Many theorists working on sexual citizenship end up discussing rights and / or rights struggles as central to achieving, in most cases, a yet unattained citizenship (Lister 2002; Petchesky 2000; Plummer 2003; Richardson 2000a; 2000b; Weeks 1998). But in the countries from whence these theorists are writing, LGBTI-Q are facing less persecution than in Africa where sexual rights talk is condemned as a ‘western import’ and ‘unAfrican’. Throughout the world nationalisms are linked to sexual identities through dominant hegemonic masculinities. Many countries in Africa refuse outrightly to recognise the humanity of LGBTI-Q people but are in an uncomfortable relation of economic dependence on the metropole for development funding. Because many of them have signed the international human rights treaties and protocols, it has created a stand-off between ‘cultures’ about human rights, political autonomy and spiritual values. The publication of the Yogyakarta principles in 2006 has opened the way for incorporating sexual rights into legal principles.

The growing rift between states who support LGBTI-Q rights and those who are consolidating homophobia through legislation inspired a group of international human rights experts to meet in Yogyakarta, Indonesia in 2006 to outline a set of international principles related to sexual orientation and gender identities (Yogyakarta Principles 2007). They are focused on how states can ensure that LGBTI-Q have the same sexual rights as others in society. They are based on a comprehensive set of principles not only for rights covered by law but also relating to LGBTI-Q lived experiences. Because the principles are based on existing human rights law as reflected in international and regional treaties they may be interpreted by experts in existing practices of human rights jurisprudence. This was the first document to bring together information on sexual rights violations as experienced by LGBTI-Q.

But postcolonial theorists have criticised the use of ‘rights’ for delivering justice to the world’s subalterns. Ratna Kapur (2005) opts for the term ‘erotic justice’ to transcend the liberal notion of ‘universal human rights’. Writing from a postcolonial feminist position, Kapur (2005) challenges the apparent objectivity and universality of subjects in law, arguing that the liberal inscription of rights in post-colonial contexts

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reinscribes colonial histories of Othering. Seeing the law as a terrain of hegemonic struggle, she says subalterns such as women, sexual minorities and migrants have already been constituted through differences which perpetuate metropole–periphery discourses. She shows how postcolonial nationalist discourses exploit notions of an essentialised cultural ‘authenticity’ to perpetuate Othering of sexual subalterns who challenge normative sexualities and threaten “the purity of the ... nation” (Kapur 2005: 56).

Normative sexualities are imagined through traditional roles of women as subordinate to men and regulated through ‘marriage’ and ‘the family’. Thus patriarchal ideologies on the role of women, regulation of sex-talk (censoring) and diverse sexualities are being constituted in law. Through northern eyes this also positions women and queers as ‘victims’ in need of rescuing and justifies imperialist intrusions in post-colonial states. Though Kapur locates her arguments on the Indian sub-continent her arguments on post-colonial states resonate with those of Mamdani (2005) for Africa (though he does not directly address gender and sexualities). Kapur (2005) warns that “law is profoundly implicated in cultural, colonial legal histories, and other social powers that have the effect of producing subjectivity and identity” (50). Therefore she cautions that postcolonial hegemonic discourses on gender, sexualities and culture thereby reinforce what they seek to overcome, and northern assumptions about the construction of identities, representation and difference need to be challenged.

Marc Epprecht (2013: 11) likes the term ‘erotic justice’ which he adopts from Marvin Ellison (1996) and Ratna Kapur (2005) for trying to generate open conversations about sexualities and gender which transcend patronising colonialist discourses, as well as to engage postcolonial discourses of essentialised culture. Arguing that most African countries have accepted some measure of sexual rights on paper, but that they are daily violated he suggests that moving from a language of rights to a language of ‘justice’ would overcome the contradictions and complications of post-colonial identities (33-34). He suggests that while ‘rights’ have political connotations of conflict and struggle, justice is more universally understood as something desirable. “Historical privileges by class, race and gender have not only been built into the capitalist political economy over hundreds of years of unequal globalisation, they are now very densely built into cultural notions about what is and is not sexy” (Epprecht 2013: 34).

Furthermore, a key shift needs to displace the connotation of ‘sexual’ as linked to genitalia and more specifically penile penetration of the vagina. These interpretations consolidate a biological essentialism and heteropatriarchal ideology with the phallus as central to sexuality. The term ‘erotic’ on the other hand relates more easily to the

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whole body where ejaculation and genitalia are only some facets in a much wider script of health and well-being (Epprecht 2013: 34). Therefore a liberating ethic of sexuality will need to be imbued with values which challenge a range of forms of oppression—from heterosexism to racism and economic exploitation. ‘Erotic justice’ therefore needs to remain politicised as it speaks to more positive and intersectional dimensions of sexuality and intimacy, and is a useful term to signify queer claims to citizenship.

#### **Marriage and Citizenship**

Marital status is one of the privileged statuses through which citizenship is constituted (Brandzel 2005; Josephson 2005). Hence in addressing marriage in citizenship, sex–gender–sexuality ideologies create three sets of marginalised citizens: (a) people sharing a household who do not qualify for marriage but want a domestic partnership; (b) both straight and queer people who can, but do not want to get married; (c) certain Othered married persons such as women, lesbians and gays, and other identities such as people with disabilities and polygynous wives. Lesbians and gays may be formally included in citizenship through legislation, but may be marginalised as a result of their identities in a homophobic environment.

The cultural and legal institution of marriage is a key site for feminist and queer critiques of citizenship. If dignity and equality are supposedly the cornerstones of democratic citizenship then hegemonic marriage is one key social institution which oppugns those values. Much political rhetoric presents marriage as constant and unchanging, yet there are few legal institutions which are covered or linked by so much other legislation; if it were ‘natural’ why do we need so many laws to define and regulate it? It is an institution which is pervasively regulated both as a cultural as well as a politico-legal convention (Hull 2006), created by humans, with cultural differences everywhere. In societies with northocentric political and juridical systems “[s]tate-sanctioned marriage is a public institution, and the state, not the parties who enter into it, determines the terms of the marriage contract” (Josephson 2005: 271).

Wendy Brown (2006) has argued for a perspective that views the rise of neoliberalism alongside neoconservatism as anti-democratising tendencies, which together undermines values of equality liberty and substantive citizenship in liberal democracies. She describes neoliberalism as a ‘market-political rationality’ and neoconservatism as a ‘moral-political rationality’ and provides a view on the convergence of these two composite rationalities on forces of ‘de-democratisation’ (Brown 2006: 691. She acknowledges the contradictions in a “project that empties the world of meaning, that cheapens and deracinates life and openly exploits desire, intersect one centred on fixing and enforcing meanings, conserving certain ways of

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life, and repressing and regulating desire,” but aims to examine the impact of these two streams of rationality on contemporary “landscapes of political intelligibility” (692-3). One site of social and psychological vulnerability are struggles for same-sex marriage, where neoconservative rhetoric frames them as attacks by homosexuals on marriage—which is the exclusive purview of heterosexuals. The neoliberal erosion of the executive power of the state to market-rationalism, has led to the depoliticisation of inequality into an “equal right to inequality” with no consideration of the “public good” or an “active citizenry” (695). Therefore, for example, the privatisation of essential services and welfare provisions have led to citizenship as ‘self-care’. On the other hand neoconservatism supports state intervention in enforcing norms along a range of issues, including marriage.

In neither rationality does equality have a place—neoliberalism is about winners and losers, while neoconservatism bats for the ‘unfairness’ of redistribution to the middle class. The apparent ‘amorality’ of neoliberalism has opened the way for neoconservative imposition of moralism and authoritarianism. We have seen these processes in operation in other countries in Africa where homophobia has become integrated as ‘state discourses’, while in South Africa’s young liberal democracy neoliberalism has deepened class inequalities, and exacerbated differentiated citizenship. Moreover, as churches become more profit-driven, the deployment of both rhetorics simultaneously bamboozles the working class with ‘values talk’ while pursuing aims of self-enrichment (Brown 2006: 702), for example, as is happening through the imperialism of American evangelical churches in Uganda (Kaoma 2012). The judicial institutionalisation of same-sex marriages in South Africa, whilst providing fertile grounds for consumerist expansion and processes of homonormalising queers, are also bulwarks against neoconservative forces in government. Firstly, the Constitutional Court has become a powerful arbiter of secular democratic values, and because South Africans still have a recent and lively culture of active citizenship.

#### **What is Marriage?**

Marriage is the public institution that creates a right to private sexual relations thereby establishing rights to a world of privacy. Hence marriage is state regulation—Foucauldian disciplining—of who may do what to whom, how and under what circumstances. For adults it represents the gateway to participating in the purported cornerstone of society, ‘the’ family. Marriage is a prerequisite for substantive material, cultural and social benefits and therefore for those citizens who are excluded from marriage it concerns both distribution and recognition politics. In countries where northocentric values predominate, marriage is seen variously as a sexually exclusive, lifelong, heterosexual coupling despite evidence that the majority of married people

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‘contravene’ these conditions. Still, marriage creates privileged access to many benefits, thereby creating exclusions of Others from citizenship. With the patent material and cultural benefits of marriage, it is no wonder that same-sex marriages have become the (contentious) ‘holy grail’ of LGBTI-Q politics.

Feminists, queer, and postcolonial theorists have critiqued marriage as a site of exclusion and for engendering inequalities among citizens. As South Africans are well aware, colonial and apartheid legislation on marriage also patrolled the borders of race through creating an unspoken norm of white national belonging. Hence marriage centres people as members of a national community—a community which Benedict Anderson (2006 [1983]) typifies as an ‘imagined’ community—a community therefore created by humans and consequently socially and culturally assailable. Citizenship confers a range of rights and obligations on citizens which are amplified by marriage: legal recognition by the polity; access to and enjoyment of certain rights and privileges in the community; access to practices of political engagement and organisation; status and political identity in a national community—feelings of belonging to nation and community (Brandzel 2005: 174). Several tropes of national identity include hegemonic masculinities and femininities based on being married and having a (biological) family.

Marriage law, a primary means of controlling women’s access to the public sphere, has been a tool for the construction and enforcement of women’s dependency. Carole Pateman points out that men’s citizenship and participation in the public sphere depended on the assumption that a man would have a wife and children enjoying their nominal citizenship in the private sphere. In this way, the social contract was founded on “the sexual contract” (Brandzel 2005: 178).

Therefore marriage is a primary site for generating gendered and heteronormative exclusions in citizenship. Jyl Josephson (2005: 273) argues that “the law’s very preference for marital and biological relationships is precisely what creates material exclusion for same-sex couples.” Like previous struggles to overcome interracial marriage prohibitions, same-sex marriage has been the focus of claims to equality through political mobilisation. Marriage is a configuration of state power shaped by belief systems that are under the influence of other value systems such as Christianity. For example the hate speech implicit in some Christians’ condemnation of homosexuality is akin to ‘aliens’ discourses used against unwanted immigrants, people from other religions, colours or cultures and which forms the bedrock of discriminatory treatment. In citizenship, these discourses are complicit in drawing boundaries of inclusion | exclusion.

But what of traditional African marriage systems? Most Southern African cultures still engage in the practice of ‘bridewealth’ (Dorrit Posel, Rudwick & Casale 2011) which involves the gift of cattle to the parents of the bride from the bridegroom’s family. These days it could be in the form of cash, and increasingly is seen as the son-in-law’s

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obligation. But bridewealth is a contested topic, as “the functions of bridewealth customs are complex, varied and multifaceted, and the significance of *ilobolo* ranges from sociocultural and socio-economic purposes to various identity formation functions” (Rudwick & Posel 2014: 1). Dorrit Posel, Stephanie Rudwick and Daniela Casale (2011: 106) caution us not to regard it as a “bride-price,” but rather as part of a complex relationship between women’s reproductive labour, the significance of cattle to Africans and the reciprocity between families. The exchange of cattle and gifts traditionally sealed the ‘legality’ of the marriage. Throughout the twentieth century the South African administration struggled to institute registration of African marriages (Deborah Posel 1995). Before democratisation only civil marriages were legitimate but the Recognition of Customary Marriages Act was passed in 1998 which in certain instances implicitly recognised polygynous marriages (Budlender, Chobokoane & Simelane 2004). Therefore, exclusion from citizenship for South African black people in customary marriages—which especially affected women negatively—was finally remedied by the state.

Hindu married citizens still have no formal recognition by the state. Finally, after 10 years of negotiating a Muslim Marriages Bill (between the state and the Muslim Judicial Council), by 30 April 2014 a number of Imams had been registered as marriage officers in anticipation of the passing of a Muslim Marriages Act (Muslim Marriages Bill 2010). But Muslim couples could also be registered according to the Marriages Act No. 25 of 1961 in order to access the advantages of the marital rights in the Constitution (SouthAfrica.info 2014). Unless Hindu couples also marry by civil marriage their relationships are not recognised in South Africa, and women particularly suffer due to the formal requirements of marriage in for example intestate inheritance or child maintenance (Women’s Legal Centre 2008).

African traditional cultures as well as Muslim and Hindu religious marriages permit polygynous unions, but only African marriages are legally recognised under the Recognition of Customary Marriages Act 120 of 1998 for African marriages which are polygynous. However, polygyny is still a bone of contention in the forthcoming Muslim Marriages Act (Stacey & Meadow 2009). Since Hindu marriages have to be registered under the Marriage Act of 1961 which is solely for monogamous marriages, polygamous Hindu couples are excluded from the privileges enjoyed by other customary groupings. Though the South African state endeavours to be inclusive of its diverse population through legislation shaped by the Bill of Rights, a hierarchy of value persists as some communities remain excluded from marriage recognition. Key arguments have been made, largely by feminists, that women in unrecognised marriages are the biggest losers by having to forfeit the protection of the state in their relationships, particularly in relation to the material benefits flowing from men’s

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obligations in marriage to care for their families (Mbatha 2011; Stacey & Meadow 2009).

However, women themselves have ambivalent relationships to polygyny: on the one hand it may provide access to resources as only more affluent men can afford bridewealth prices for multiple wives (Delius & Glaser 2004; Stacey & Meadow 2009), while Connie Anderson (2000) suggests also looking at the supportive family relationships with co-wives. On the other hand, Thabile Mbatha (2011) suggests that it increases vulnerability and health risks. Cultural practices of polygyny are typical of conservative heteropatriarchal marital regimes, and (re)inscribes women's subordinate position in the family through legislation, thereby questioning the potential for gender equality in citizenship for women.

In the United States of America the struggle for same-sex marriage has been lumped with other marriage struggles, for example some Mormons' insistence on polygyny, but also other struggles for polyamory—though this does not always include marriage. I agree with Judith Stacey and Tey Meadow (2009) who argue that a distinction should be made between polygyny emanating from fundamentalist heteropatriarchal values and those of polygamy from contemporary gender egalitarian positions. They argue that in the USA same-sex struggles and polygamy have been elided into a 'slippery slope'; the history in South Africa is counter to the USA since polygamous practices existed in precolonial Africa, even including some same-sex polygamous marriages. Despite the differences, they conclude that both struggles are implicitly deeply racialised: in South Africa the vast majority of people married under Customary Marriages are black, with some whites using egalitarian talk to argue that it is not allowing whites "black men's racial monopoly on legitimate polygyny" (177). Same-sex marriage struggles in both countries appear to have benefited whites first, while polygyny in the USA emanates from racist roots. Thus *de jure* marriage regimes do not automatically translate into *de facto* equalities, but need to be understood historically and contextually.

The South African Constitution enumerates the grounds of non-discrimination in the Bill of Rights making visible the gendered boundaries of discrimination—five out of sixteen relate to gender and sexualities—where marital status is one. Consequently the success of LGBTI-q struggles for same-sex marriage in South Africa have centred on rights to equality (Judge et al. 2008; Van Zyl 2009), showing the Constitution as a powerful enabling tool, but still operating unevenly (Van Zyl 2005b). But Amy Brandzel (2005: 172) argues that "a properly angled queer lens, then, analyses how heteronormativity functions through the production and taxonomy of racialised, gendered, sexualised, and classed behaviours and practices." Therefore, through

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intersections with other identities, South African LGBTI-q may experience more or less inclusion in the national community.

“Marriage is a conservative institution that reinforces existing social, economic, and political hierarchies” asserts Josephson (2005: 273), so while it provides benefits to some members of the community, it would disenfranchise others. We need to consider whether the heteropatriarchal values embedded in norms of marriage are being reproduced in same-sex marriages. “Arguments for same-sex marriage that fail to recognise the flawed nature of heterosexual marriage’s institutional structure and history tacitly accept a version of family and intimate life that is based on hierarchy and social exclusion” (276). Moreover, to what extent do patterns of gendered performances, for example ‘man’ powerful–‘woman’ subservient, play out in same-sex marriages? Some critical queer theorists argue that marriage will only make homosexuals behave more like heterosexuals. However, I suggest that without a critical political praxis which deliberately transforms marriage as a lived institution, particularly resisting the norms of the gendered power hierarchy, same-sex marriages are more likely to reproduce the multiple power dynamics in hegemonic forms of marriage. Marriage is already an exclusionary mechanism in citizenship, and though LGBTI-q argue that it should be their right to choose to get married, marriage will still function as an exclusionary measure in citizenship for those who do not choose to get married.

No matter how you cut it, marriage lays down the law on what kinds of intimate relationships are protected and which are vulnerable. For instance, heterosexual couples working towards equality in their relationships would find difficulties in subverting the axes of power—like the accumulated social privilege of men or households trying to subvert the sex–gender division of labour—and are likely to find social opprobrium from their communities. These gendered assumptions about marriage run deep: a common question to same-sex couples is “who is the ‘man’ and who is the ‘woman’ in your relationship?” Regrettably many same-sex relationships mimic the gendered inequalities structured into marriage, but with a notable exception of some lesbians who actively appreciate the power equilibrium in their relationships (Riggle et al. 2008; Van Zyl 2011b). Therefore heteronormativity is not only perpetuated by heterosexuals, but stands as preferred or privileged practices which shape the energy fields of gender relations. Therefore some heterosexual relationships can be considered non-heteronormative if the man is the primary child carer, or if a long-term monogamous heterosexual couple who cohabit are not married.

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#### **Sexual Politics**

The concept of sexual politics was first introduced by Kate Millett (1990 [1969]) who argued that the relations between the sexes were suffused with power, and therefore not ‘private’, but deeply political. Marriage is a site where the social dynamics of sexual power are at their densest: they are the institutionalised and state as well as culturally regulated sites of women’s subordination. Marriages are also locations for regulating and constraining families and family forms to specified norms for the physical and social reproduction of society. Thus they are founded on heterosexuality, maintain and reproduce hegemonic masculinities and femininities while upholding the gendered private | public dichotomy. Hence same-sex marriages go to the heart of queering sexual politics—the deviant sex–gender identities of the spouses can potentially subvert the gendered hierarchy of power which keeps heteropatriarchy in place.

In the next section I turn to belonging as a thicker concept for understanding citizenship.

## **Belonging**

How does one deliver erotic justice to sexual minorities? First, we need to explicate the everyday material and embodied conditions of people’s lives, and understand how political identities are constructed through numerous material and discursive practices which are shaped through emotional attachments. Therefore to deliver substantive citizenship, we need a concept which is ‘thicker’ than citizenship, and can account also for affective dimensions of social relationships and the way in which people are marginalised in the polity. Nira Yuval-Davis (2006a; 2007; 2011) proposes the concept of ‘belonging’ and argues that a politics of belonging involves complex struggles over boundaries around intersectional identities. In this section I focus on same-sex marriage in South Africa as a project of belonging.

‘Belonging’ is about inclusions | exclusions in groups according to prevailing norms and what makes people feel ‘safe and at home’. As I argued above, the relevant norms in the case of marriage are embedded in discourses of heteronormativity, hegemonic masculinities and femininities and homonormativity. It is also important to show how subjects are constituted as citizens through intersectional identifications and social positionalities to illustrate individuals’ and groups’ relationships to the state, through for example legal provisions. Struggles for belonging are also subtended on citizens’ agency as manifested through struggles for recognition.

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Yuval-Davis's framework of belonging includes two dimensions for an interrogation of belonging: belonging and a politics of belonging. She argues that belonging consists of three facets—identities, social positionalities, ethical and political values. Struggles for belonging are about 'boundary maintenance'—i.e. a struggle about norms. Finally, she argues that social phenomena based on inclusions | exclusions of subjects from the national polity are "political projects of belonging" (Yuval-Davis 2011: 20).

In the next chapter I show how I use Yuval-Davis's framework for analysing belonging as a heuristic tool to analyse same-sex marriage in South Africa as a lesbian and gay 'political project of belonging'.

#### **Analysing Belonging**

A liberal human rights discourse has its ontological basis in individualism, and deals with relationality through the rational concepts of rights and responsibilities. Yet it stumbles over contexts where various people's rights and responsibilities come into conflict, and how people are connected through affective relationships. As well as being more Afrocentric, a relational ontology such as Ubuntu is more conducive to understanding the layered interrelationships and obligations that exist between people. The notion of belonging enables the concept of citizenship to expand from a focus on individual rights to a situatedness in a context—where citizens are bound into affective, embodied and ineluctable relationships with other individual citizens, groups and communities. This encompassing concept also highlights that justice needs to be substantive—i.e. more than a discourse of rights. Social theorists have long used belonging as a concept of inclusion | exclusion in community; likewise citizenship theorists have adopted it to bridge some of the faultlines regarding citizenship. Therefore when addressing how marriage, kinship and community articulate with citizenship, belonging is a much more porous analytical concept, permeating the layers of social structuring: from individual / micro, to meso / community, to macro / structural-political.

Despite people having formal citizenship, Philomena Essed's (Essed 1990; 1991) concept of everyday racism can be used to explain how their cultural and social exclusion might point to people's non-belonging. Belonging accesses the hierarchies of social value which are upheld through different cultures and mores—through these relationships oppression, agency and human flourishing can occur. In the case of harm for example, they range from individual one on one violence to structural violence which situates some people outside the circle of protections and freedoms that rights are supposed to deliver.

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We live in a world where ideological discourses petrify social, cultural, economic and political boundaries through naturalisation, essentialisation and universalisation of concepts. These processes are part of the ongoing jostling for power; either they are consolidation efforts to bolster existing privileges or they are building challenges which will ensure different distributions of power. Human rights discourses of citizenship are profoundly shaped by ideologies of race, sex–gender–sexuality, family relations, class etc. which are in constant flux depending on their contexts. But citizenship discourses are inadequate to address the emotional dimensions of longing to belong which are central to struggles for inclusion (Yuval-Davis, Kannabiran & Vieten 2006: 1).

In addressing erotic justice through same-sex marriages in South Africa I employ the concept of belonging and carefully contextualise the different participants in the study within their different social and cultural milieus. Belonging also enables me to examine the agency of LGBTI-q activists in struggles for erotic justice, where I recognise that struggles for belonging are simultaneously challenging and constitutive of the boundaries being contested. I use the concepts of belonging developed by Nira Yuval-Davis (2006a; 2007; 2011; 2002), Yuval-Davis et al. (2006) and Yuval-Davis, Anthias and Kofman (2005).

#### **Need for Belonging**

Belonging has been a crucial concept in the humanities; ranging from micro to macro levels, it has been studied in a wide range of disciplines from psychology to political science. I briefly discuss the psychological importance of belonging before turning to Yuval-Davis's political framework for belonging, where she says it is important to distinguish between 'belonging' and a 'politics of belonging'. While 'belonging' is about feeling safe and feeling 'at home', a politics of belonging relates to "boundary maintenance" (Yuval-Davis 2006a: 204)—the manner in which norms and values are used to define and delineate who may or may not belong to certain social collectivities. A politics of belonging includes both the upholding as well as the challenging of the boundaries sustaining those norms. In the case of queer belonging it focuses on the contestations around the boundaries of gender norms, especially heteronormativity, and by extension also homonormativity. I argued in a previous chapter that hegemonic formations are not discrete but co-constitute one another, and that an intersectional lens is needed to understand their imbrications.

Roy Baumeister and Mark Leary (1995) approach belonging from a psychological perspective: they argue that the need to belong motivates human behaviour in a fundamental way. The desire for belonging drives people to develop and maintain at least some "lasting, positive and significant interpersonal relationships" (Baumeister &

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Leary 1995: 497). They argue that belonging is central to people's motivations for power, intimacy, approval (recognition?) and affiliation (498). People need to participate in these relationships on a regular basis and do so in a "context of a temporally stable and enduring framework of affective concern for each other's welfare" (497)—what I call 'contexts of care'. Though social bonds may be fluid across a person's life, some are more enduring, such as marital or familial bonds. Through examining the work of a range of scholars who emphasise the relationality and interdependence of human needs, they suggest that when people do not experience belonging it is detrimental to their health and well-being—it causes harm, in a way Judith Butler (2007) describes as an 'unliveable life'. They also conclude that belonging is relevant to a range of other arenas such as religion, social organisation, nationalism, culture and politics. I will show how longing to belong applies to lesbians and gays in South Africa in the context of same-sex marriage.

#### **Defining Belonging**

Yuval-Davis (2011: 200) describes belonging as a "state of emotion and mind which ... [is] critical to people's emotional balance and well-being" in a context of normative differences "constructed in different public, formal and informal discourses." Since belonging ranges from the deeply subjective to the socio-political, it follows that even people belonging to the same collectivity will not feel an equivalent sense of comfort, safety or belonging, nor will their feelings remain consistent over time. A person might also feel they belong to a group, say a family or kinship, while the other members of the group would exclude them. For instance, this is a common experience for LGBTI-q across the world where families will 'kick them out' of the home or the family. Thus collective boundaries must be critically analysed through their "ideological as well as material naturalised construction" (Yuval-Davis 2011: 200). This means taking account of how different social divisions such sex–gender–sexuality, race and class take priority in people's everyday interactions, while simultaneously understanding how they are mutually constituted. But it is also important to pay attention to how these categories are constructed symbolically, because struggles for recognition will involve their (re)constructions.

Analysing belonging needs to be approached with three underlying and complementary caveats in mind: intersectionality—people will experience belonging differently, depending on who they are, and their relative positions within the power networks in their context; temporality—the times we live in, the here and now and its history; spatiality—how hegemonic formations, such as the homogenising tendencies of globalisation, impact differently in different places (Yuval-Davis et al. 2006: 7). Besides distinguishing between belonging and a politics of belonging, Yuval-Davis

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(2011: 10) also sees belonging as composed of three different analytical facets: social positioning, identifications and political values. Hence a politics of belonging needs to take account of how the various facets of belonging interface with struggles for belonging.

#### **Facets of Belonging**

Belonging is never simple as it is shaped by numerous relationships, both concrete and abstract (Yuval-Davis 2006a). Yuval-Davis (2006: 199) also says that even when apparently most stable, “belonging is always a dynamic process ... which is only a naturalised construction of a particular hegemonic form of power relations.” But since belonging is deeply woven into our everyday existence, it tends to become naturalised until it comes under threat and there is a contestation over the boundaries of belonging; that is when a politics of belonging becomes salient (Yuval-Davis 2011: 10). A politics of belonging speaks to agency and participatory citizenship, as well as to rights and obligations. Furthermore, using the concept of belonging to analyse a particular social phenomenon requires us to range (seamlessly?) across the private–public divide, showing how the political is infused into the personal and how the personal innervates the political. Yuval-Davis (2011: 200) suggests that to grasp the complexity of belonging and political projects of belonging one should situate particular case studies within a broader macro analysis. I focus on the phenomenon of same-sex marriages in the Western Cape, South Africa.

#### **Facet 1: Social Locations**

Every person is situated within a community where pre-existing ideological boundaries have been demarcated; therefore people may be said to belong to different classes, nations, races, sex–gender–sexualities etc. But these locations are not merely descriptive; through the hegemonic formations in society they also designate certain social and economic positions within the constellations of power (Yuval-Davis 2011: 13). Processes of Othering underpin the power differentials in these positions, and they become the loci through which individuals and groups experience invisibilisation, marginalisation, stigmatisation and exclusions. Though these social stratifications have different ontological bases, they need to be considered as a whole. Theorists might prioritise people’s positionalities in relation to one category over another, such as Marxists who focus predominantly on class, and feminists and queers who are preoccupied with sex–gender–sexuality. Yuval-Davis (2011: 13) says that “in different historical moments, different systems of stratification tend to give differential weight to different intersectional categories of location and axes of power, and they might operate in many different ways.” Also, some positionalities are more stable and

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enduring than others, such as sex or race—though not immutable. Moreover, though different embodied signifiers such as genitalia, skin colour or performance might reference these social locations, they should not be equated with people’s subjective identifications.

The complex layering and imbrication of these social locations makes it extremely important to use an intersectional analysis which shows how they are mutually constituted. But Yuval-Davis (2011: 13) suggests “intra-categorical” case studies before integrating them into “inter-categorical” studies of macro environments. This implies a deeply historicised account of the geopolitical context in which a particular project of belonging is situated. In this study I foreground sex–gender–sexualities and their articulations around heteronormativity through same-sex marriage discourses in South Africa.

#### **Facet 2: Identifications**

The next facet in the analysis of belonging concerns identifications and emotional attachments to others. The word ‘identity’ has been used in different ways, but two dominant meanings refer to identity as a social category, and also as a source of self-regard—like dignity or authenticity (Fearon 1999). I prefer the latter emphasis on the formation of self, but understand how identity as a category is implicated in analysing the normative constructions of social groups, and therefore identity formation is also about constituting border definitions between self and society—‘me’ and ‘you’, ‘me’ and ‘us’, and ‘us’ and ‘them’ (Guibernau 2013). Baumeister (1997) shows how the ‘self’ originates through embodiment in a web of social relationships. He acknowledges that different cultural contexts shape the self differently in relation to the natal community; he also argues that people have a need to know about themselves and find ways to express themselves—their identity—to others as well as to themselves.

#### **Identities**

Seyla Benhabib (1999b: 344-345) says “[w]e are born into webs of ... narrative—from the familial and gender narratives to the linguistic one to the macronarrative of one’s collective identity.” We find ourselves in a world previously shaped, but our agency provides a capacity to shape life stories that make sense in creating a unique self. Though our freedom to change the codes is limited, we find ways of discovering our own authentic selves. But our options are temporally specific, “inflected by the master narrative of the family structure and gender roles into which each individual is thrown” (Benhabib 1999b: 345). The discourses which discipline us are never unitary, so that we have the capacity to perform in unique and creative ways to generate our own identity narratives.

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Yuval-Davis (2011) uses narrative theory to explain identities but also argues that performativity becomes part of identity construction. I favour process-based views which see identities as relatively fluid: identities are relational and develop over time through social interactions in a continual process of action and becoming. Yet, people also project particular conceptions of themselves through the “stories people tell themselves and others about who they are” (Yuval-Davis 2011: 14). But ‘who I am’ is also material: situated and embodied, and fluctuates with ‘where’ I am speaking from and with whom I am speaking (Benhabib 1999b: 344).

‘Identity’ refers to both personal traits as well as group identities, so identity formation is also about constructing boundaries between the self and others. Narrative and performative interpretations of identity take account of the power constellations between people, and recognise that not all members of particular identity groupings are positioned in the same way. Not only do social inclusions and exclusions form part of the processes of identification, the power to include | exclude is not evenly distributed since power is built on the normativisation of certain values.

“Constructions of self and identity can, in certain historical contexts be forced on people” (Yuval-Davis 2011: 18). In situations of unequal power social locations and identities can become intricately entwined, but these distinctions need to remain analytically discrete in analyses of belonging. For example they are necessary to analyse political consciousness, such as feminist consciousness and black consciousness, where hegemonic power inscribes itself on the identities of both the more powerful as well as the subaltern. Narratives of identity may consolidate or undermine our conceptions of our ‘self’ (Benhabib 1999b: 341). A consciousness of self-oppression shows how other people’s narratives of one’s identity may become internalised. Therefore, besides identities needing to be understood as intersectional they also need to be seen as fluid to account for agency and transformation.

#### ***Fluidity of identities***

Judith Butler’s (2006 [1990]: xiv-xv) theory of identity as performativity explains how identities are never fixed, but are in a continuous process of construction. Her theory of identity on gender as performativity is firstly as a “metalepsis, the way in which the anticipation of a gendered essence produces that which it posits as outside itself. Secondly, performativity is not a singular act, but a repetition and a ritual, which achieves its effects through its naturalisation in the context of a body, understood, in part, as a culturally sustained temporal duration”. She adds that political agency is subtended on the iterability of performativity as it engages the dynamics of power that have created it (xxiv).

Understanding identity as generated through actions means it cannot be fixed; yet knowing that the self is located in myriad discursive fields that make it intelligible,

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spells out the constraints that limit its operations, and thereby politicises the terms through which identities are articulated (189). Seyla Benhabib (1999b: 353) says that “identity does not mean ‘sameness in time’ but rather the capacity to generate meaning over time so as to hold past, present, and future together.” Stories about identity can invoke the past, such as in origin myths, or can aim to situate us in the present, but can also project a direction for a future (Yuval-Davis 2011: 14). Therefore identities are reproduced from generation to generation, in a selective way, where new identities are forged, multiplied and contested, but provide a personal and collective “sense of order and meaning” (Yuval-Davis 2011: 14). It also presupposes that identities are never ‘complete’, but always contingent and multiplex in an ongoing process of “being and becoming, belonging and longing to belong” (Yuval-Davis 2011: 15).

Benhabib (1999b: 353) describes the process of ‘dialogue’ by which we synthesise stories about ourselves and Others—what she calls “the ‘strange’ within, and the ‘stranger’ without”—as a merging of many voices that “constitute us”. This complex web of interactions that sustains our identities is both stable and fragile, but a sense of self necessarily underlies our ability to develop any sense of subjectivity and agency. Martin Sökefeld (1999) argues that northocentric concepts of ‘self’ are egocentric and focused on autonomy, while the ‘self’ in the global South emphasises its interconnectedness with others (see also Gouws & Van Zyl 2015 forthcoming). We begin life in the “psychic economy of the household” (Benhabib 1999b: 349), and though we cannot separate ourselves from our material and spiritual past, we do synthesise new and varied stories from the many voices inside us where in the cycles of re-telling our identities, we choose what to reveal and what not to reveal about ourselves.

The layering of various identities may contain ambivalences and contradictions which needs to be ‘managed’ through a coherent concept of self—a self which is agentic and reflexive (Sökefeld 1999). Though these identities resonate with other people and groups in the environment, the way they are layered and emphasised at different times is unique to one person, forming aspects of their ‘authenticity’. It also shows how we are intersectionally constituted and embodied within regulating fields of power as we move through varying contexts throughout our lives, learning to ‘manage’ our identities through positioning ourselves strategically within discursive fields.

Queer theorists have focused on this ‘strategic management of identities’ in the context of ‘coming out’ for LGBTI-q. It involves assessing one’s social environment to decide whether it is ‘safe’ to disclose hidden identities such as one’s sexual identity. Suzanne Johnson (2008) describes her selectivity in coming out to students as a

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lecturer in a conservative college as a ‘revolving closet door’. Jason Orne (2011) details numerous strategies used by lgbti-q to control access to others’ knowledge about their identities. These behaviours and practices arise through performativity in social contexts—linking individuals into collective behaviour essential for the construction and reproduction of identity narratives. Identity narratives are not only ‘passive’ but can be constructed within, counter to and outside specific social discourses; for example they may be expressed through rituals in social and cultural spaces, such as drag shows.

Achieving our personal identity is a complex negotiation of our own and others’ (on whom we depend) stories of who we are. One’s ability to achieve a measure of (negotiated) autonomy is predicated on a community who (more or less) accepts one’s self (Benhabib 1999b: 350). The more people’s identities become threatened, the more insecure they become, and the more important it becomes to protect them against fragmentation. For this we need to establish solidarity with others. But for lgbti-q the spaces where we are among people most supposed to make us feel safe and cherished—with our significant others in our homes, families and among our friends—are often the ones who shun us. Thus we might turn to ‘strangers’ where we may find dignity and where people can hear and believe our stories. These are our entry points into politics where the ‘negotiations’ for what constitutes normativity can begin (Benhabib 1999b: 357), and establish the right to claim rights based on our identities.

#### ***Politics of identity***

Despite the spread of liberal democratic ideologies and systems it has not brought human rights to people, and claims to rights are manifesting everywhere (Benhabib 1997: 28). In the last few decades social movements have emerged which show an apparent ‘shift’ from movements of distribution (material) to movements of recognition (identities)—women, black people, lgbti etc.—the “grammar of forms of life” (Benhabib 1997: 29). But ‘rights’ to identities emerge from inside the boundaries of an “existing sovereign nation-state” (Benhabib 1997: 30). Therefore, in struggle, one dimension of our layered identities is through our connection to a national polity.

In the face of expanding neoliberalism with its wave of globalising cultural signifiers, new dialectics of difference are set in motion (Benhabib 1997). Firstly, differences between the signifiers for identities in the global North and global South are becoming indistinct, so that increasingly ‘North’ and ‘South’ merely refer to a place from which to speak. During struggles for recognition, a political consolidation of identities results in a form of essentialisation where differences within the categories become obscured in national(ist) discourses. Secondly, identities such as lesbian, gay, bisexual, transgender, intersex and queer as represented in agglomerated acronyms

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like lgbti-q also lose distinction. The identities that emerge into public discourse are the outcomes of hegemonic struggles by “social groups who vie with one another for the dominance of certain identity definitions over others” (Benhabib 1999a: 297). Thus we see how white gay (male) agenda-setting continues to shape projects in the South African lgbti-q movement today (Jara & Lapinsky 1998; Oswin 2007b; Soldaat & Van Zyl 2014; Van Zyl 2005a). In this process, identities are constituted through what one is, against what one is not, and therefore generate a perpetual cycle of structuring difference (Benhabib 1997). Through the creation of, and emphasis on differences, a process of Othering begins, and movements may fragment rather than find common cause. Yet people inside the movement experience those identity differences as significant reflections of their everyday lives.

Thus a two-fold dilemma emerges: on the one hand, particularly when identities become ‘institutionalised’ through human rights instruments, essentialisation of identities arises, erasing the differences within (and the similarities without) the group. On the other hand, the need for solidarity requires a (strategic) ironing over of differences, in spite of significant differentiated experiences amongst its members. Hegemonies within the groups can cause marginalisations and exclusions which can also fracture the social movement. Increasingly there is a call that ‘lgbti-q’ should cease to signify different identities, but increasingly use it as an umbrella term to signify solidarity amongst sexual minorities rather than an expression of specifically bounded identities. This is where queer activists would argue for using the term ‘queer’, but even this has been marked as problematic (Oswin 2007a).

Social positionalities as well as identities are historically constituted, but subjects have agency, and self-identifications may be re-constituted. No matter the erasures of difference in discourse, it is necessary to acknowledge the differences in experiences, and priorities in movement agendas arising from different social locations. Sex–gender–sexuality identities in Africa are not the same as in the global North, nor are the histories of same-sex struggles alike, therefore these differences need to be acknowledged when addressing what same-sex marriage means in contemporary South African cultures. Finally, when expressing our agency and solidarity through identity-based social movements, it is engaging and claiming power. How then does one stop identity categories becoming an instrument of the power one opposes? (Butler 2006 [1990]).

#### **Facet 3: Ethical and Political Values**

Belonging is about more than social locations, identities of self and collectivities; it also needs to account for the values underpinning not only the discourses about identities more generally, but also the performances of, for example sex–gender–sexualities by

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lgbti-q. Ethical and political values pervade society through discourses of human value that range from international to local evaluations of what is ‘good’ and what is ‘bad’. When dealing with sexualities, the hierarchy of values developed by Gayle Rubin (1984) shows how sexual identities (as implied by social practices) are positioned in discourses on a continuum of a ‘good’ to a ‘bad’ person. Where one fits into these social hierarchies, how one’s multiple identities intersect with other identities—stigmatised or privileged—and what others say about us, all contribute to how we value ourselves.

Discourses of value have currency in everyday life, ranging from micro to macro levels in a profusion of ideologies. Those discourses with the most powerful dimensions, such as the Constitution, and religious or bio-medical discourses, do not need to be synchronised. At the everyday level, we who have queer identities find ourselves face to face with a continuous barrage of values about ourselves that we have to fend off, “specific attitudes and ideologies concerning where and how identity and categorical boundaries are being / should be drawn” (Yuval-Davis 2011: 18). In discourses about marriage it concerns whether marriage is ‘naturally’ heterosexual, and more broadly relating to national identities, whether homosexuality is ‘unAfrican’.

At the macro level, there are four overarching discourses of value competing for ‘air space’ in South Africa: the individualistic liberal human rights framework on which the Constitution and legal system is based; Africanist discourses of indigeneity; a dominant Christian patriarchal religious discourse and the neoliberal discourse of consumerism. The internationalisation of human rights as standing for the dignity of all humans has been a powerful mobilising force across the globe. Here, struggles for rights have ensured legislation which regulates discrimination against lgbti-q. Though many queers criticise the implementation of laws, they have also achieved a new-found security in their rights (see Van Zyl 2015 for labour rights), not least of which is the right to marry. African discourses of indigeneity arise out of post-colonial struggles of identity (Mamdani 2005) while Christian fundamentalists are the most discriminatory, and some factions are actively spreading hate speech against lgbti-q (Mkhize et al. 2010). Reaching across the world, globalising neoliberal discourses of consumption shape identities through gendered ideologies of appearance and performance (see for example Matebeni 2011; Salo & Davids 2009).

The power vested in a juridical framework of human rights cannot be denied, especially as it finds resonance in the international arena with bodies such as the United Nations development of the Yogyakarta Principles, and more recently the resolution adopted by the African Commission on Human and People’s Rights that prohibits discrimination against lgbti-q (MambaOnline 2014). This is evidence of the broader continental project of belonging around the humanity of lgbti-q in Africa.

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Internet access has also provided virtual spaces for people who share values and experiences of oppression to connect and to mobilise online and forge links across the world. This has been a valuable resource for LGBTI-q on the African continent. By mobilising on the basis of shared values, activists are engaging with an international politics of belonging in attempting to change the boundaries that demarcate inclusions or exclusions of particular people or groupings of people in belonging.

#### **Politics of Belonging**

The politics of belonging is about contestations around boundaries, physical as well as conceptual and symbolic: it is about the way they are constructed, regulated, maintained and represented; it is about who has the power to define, discipline and defend them. A politics of belonging is all about power (Yuval-Davis 2011: 19), and the dynamics of hegemonies. Power has been conceptualised from different perspectives, where for a long time the simplistic notion of the power to subjugate others took precedence—what is usually referred to as ‘power over.’ Michel Foucault (1982) problematised power through the constitution of subjects: he situated subjects in relations of production and signification as well as complex power relations; he also argued that we need a conceptualisation of power that firstly takes account of the “historical conditions which motivate our conceptualisation” and secondly the “type of reality with which we are dealing” (Foucault 1982: 778).

Foucault (1982: 780) suggests looking at the forms of resistance against power “to bring to light power relations, locate their position, and find out their point of application and methods used. Rather than analysing power from the point of view of its internal rationality, it consists of analysing power relations through the antagonism of strategies.” Power brings into play relations between individuals or groups, and the way in which certain actions can modify others; power exists in action upon action. He suggests that the objectives of power are manifold (792): for example the maintenance of privilege, accumulation of profits, statutory authority and conventions of practice. But from an egalitarian perspective these concepts are focused mostly on power as hierarchical. He says power finds expression through people’s access to technologies and through forms of institutionalisation—for LGBTI-q the traditional tropes of ‘power over’ have included criminalisation, demonisation and pathologisation of practices and identities. Embedded power dynamics sustain the systems of differentiation and Othering which underlie both their conditions as well as their outcomes. Yet, power dynamics are the lifeblood of social relations and manifest throughout the social body, but despite having momentum as well as inertia, they are never absolute and can be transformative (795).

### 3. *Citizenship and Belonging*

Looking at power from a feminist perspective, Amy Allen (1998b) argues that feminist theories can be divided into broad streams regarding conceptualisations of power, and that notions of women always being subordinate to men—including the ‘women as victims’ ideology—relies on ‘power over’ conceptualisations. In contrast, ‘empowerment’ feminists such as the feminist ethics of care theorists rely on different relations of power—‘power to’. But she also suggests that there is another form of power relations arising from solidarity and coalition building—‘power with’. Therefore she clarifies different ‘modalities of power’ than Foucault’s two of subjectivisation and resistance. She also argues that these modalities of power are usually intertwined and not as simple as the catchlines suggest. For example, she suggests a more nuanced conception of ‘power over’ where the power dynamic is not necessarily one of coercive domination. For instance what about when people consent to authority? (Allen 1998b: 33-34). Life is replete with situations where one person is more powerful than another: being a passenger in someone’s car; being a responsible parent. Especially amongst lesbian feminists there have been raging debates about power around sado-masochism and bondage in sexual practices. These examples highlight the relationality of our existence and our interdependencies on each other, which in the end rely on trust.

When addressing the ‘power to’ of empowerment, Allen (1998b: 34) notes that this also involves a concept of resistance, the capacity to act against domination, or to subvert domination, and therefore suggests agency in a relationship. But this leads us into the realms of ‘power with’ where power lies in numbers. Yet who is to say that this power constellation cannot be mobilised as domination? Hegemonic formations clearly speak of the coercive power of people acting in concert. Yet, people’s capacity to act is the engine that drives power relations, and these change from time to time and context to context. Therefore it is useful to distinguish different modalities of power, but it is equally important to understand how they are integrated.

Foucault (1982: 779) differentiates between different forms of power, arguing that “diseases of power” such as fascism and Stalinism (“power over”) are only extensions of existing political rationalities. He suggests that struggles of subjectivity—struggles about ‘who we are’—are an attack on a particular regime of power which abstracts us as individuals into an “economic and ideological state of violence, which ignores who we are individually” and which engages “a scientific or administrative inquisition which determines who one is” (781).

This form of power applies itself to immediate everyday life which categorises the individual, marks him by his own individuality, attaches him to his own identity, imposes a law of truth on him which he must recognise and which others have to recognise in him. It is a form of power which makes individuals subjects. There are two meanings of the word ‘subject’: subject to someone else by control and dependence; and tied to his

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own identity by a conscience or self-knowledge. Both meanings suggest a form of power which subjugates and makes subject to (Foucault 1982: 781).

These same struggles—for example for women’s equality—happen across the world in many different localities and are about shifting the power dynamics. They address the status of the individual, including his / her right to be different (i.e. against a constraint of identities). They are also struggles against the privileging of knowledge, secrecy, deformation and mystifying representations. Therefore resistance emerges through new types of subjectivity; a refusal of the kind of individuality which is imposed upon us.

Focusing on the importance of agency, Allen (1998a) shows how Butler’s theory of performativity can be seen as a critical analysis of power. She argues that Foucault’s conception of agency does not account for a mediation between established norms and actions, but that Butler gives “an account of that which mediates between the compulsory norms of heterosexist domination and the sexed / gendered individuals who perform them” (461). She calls it the “notion of citationality and iterability / signification” which can *both subvert as well as reiterate* the norms. Iterability is a necessary condition for negotiating the “complex dialectical interplay between the domination enforced by heterosexist norms and individual refusal of, resistance to, or subversion of those norms” (463). Thus unlike Foucault’s formulation where regulatory power creates the subjects it controls, Butler’s performativity reads sites of disciplinary power as convergences of interwoven relations of domination, regulation as well as (re)constitution and resistance. Therefore resistance elicits a resignification of power (Allen 1998a: 463).

Solidarity creates its own hegemonies, developing exclusionary norms to safeguard its borders of identity concepts, thereby (re)enacting the identitary logic of domination and exclusion. Yet the creation of new ‘norms’ is also part of the processes of resistance: for example the development of feminist consciousness or black consciousness are profound responses to normative regimes of dominating power. Thus social struggles around identities can consolidate existing boundaries and norms for categories of people, or they may (re)invent them. Therefore, though social struggles may be divided into various types—against exploitation and distribution, against domination and in struggles of identity and recognition—these need to be viewed as overlapping (Benhabib 1999b; Fraser 2009). Therefore groups striving for recognition may be organised into ‘communities of belonging’ where the embodied and situated active participation of members engage in the power-imbued actions of defining, excluding and differentiating.

Yuval-Davis (2011: 20) acknowledges the association between power and ‘boundary maintenance’ in projects of belonging. But she confirms that “different

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hegemonic political projects of belonging represent different symbolic power orders.” She says a politics of belonging is concerned with community of belonging, “sometimes physical but always symbolic” and which separates the world into ‘us’ and ‘them’. She acknowledges the embodiedness and contextual situation of communities of belonging, but states that the boundaries of Andersonian ‘imagined communities’ is central to all projects of belonging. “The politics of belonging involve not only the maintenance and the reproduction of the boundaries of the community of belonging by the hegemonic political powers (within and outside the community), but also their contestation, challenge and resistance by other political agents.” (20). Feminism has been a struggle in opposition to the power of men over women, while queer struggles are around the structuring of heteronormativity as a constellation of power.

Struggles in projects of belonging are about challenging marginalised citizenship through activism (Yuval-Davis 2011: 59-60). But this activism needs to take account of our location in the South: is it merely a struggle for inclusion into a juridical framework where norms are structured on historic inequalities and values emerging from northern regimes of knowledge production—“conditions which are pre-set in terms of ideas of the rule of law, tolerance, human rights, science and objectivity” (Yuval-Davis et al. 2006: 8)? And how do LGBTI-q activists ensure that inclusion in the polity alters the values around difference and inequalities in these discourses at a deeper level? Thus struggles for belonging are also about transforming the terms of inclusion in projects of belonging. In this thesis I argue that the issue of same-sex marriage in South Africa constitutes a project in the politics of belonging.

## **Conclusion: Citizenship and Belonging**

In the face of failures to deliver erotic justice through formal rights in citizenship, I argued that we needed a ‘thicker’ concept for understanding the relationships between citizens and the polity, and that Yuval-Davis’s framework for belonging could identify the affective dimensions of social and political relationships, and show how people are marginalised through differential discourses of value and power. She proposed a distinction between ‘belonging’ and a ‘politics of belonging’, arguing that it is only when belonging can not be taken for granted that a politics of belonging becomes salient. A politics of belonging concerns contestations of normative boundaries, while belonging consists of three interrelated facets: social locations, identifications and emotional attachments, and political and ethical values.

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She shows how political projects of belonging are multi-layered and transversal, and can be emancipatory (Yuval-Davis 2011: 203): a political project of belonging uses the lenses of normativities to cast light on how social power intersects with emotional power. A political project of belonging is situated, and engages with contexts and discourses of political and social values that circulate through issues defined by people's social locations and fluid identities and identifications.

Citizenship and belonging are both about the power to include | exclude people from the polity. Foucault argues that biopower is exercised through bodies and governmentality, but only becomes visible when resistance occurs. Amy Allen proposed a third form of power which derives from solidarity. The struggle for same-sex marriage was part of a larger process of civic activism in challenging the power of heteronormativity. It drew into its gravitational field complex and intersecting questions on global discourses of governance, differentiated identities, geopolitical spaces and social locations. Underpinning and being challenged by this project of belonging are heteropatriarchal and liberal social and political values exercised through competing normativities in the state and civil society.

In the next chapter I discuss the methodology for the study.

## chapter four

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# A Queer Feminist ‘Jacket’

I have been actively involved in struggles for social justice for almost forty years. So I know not to expect miracles—social change takes a long time. I have seen the apartheid regime dismantled and seen apartheid continue to influence our lives in profound ways, but not in quite the same way as before. As a lesbian feminist I have fought relentlessly for women’s rights and queer rights, and have seen formal rights acknowledged. Despite my feminist rejection of (heteronormative) marriage, when the Civil Union Act was introduced I got married, against a background of homophobia which led to my friend’s rape and assault, and to acquaintances being murdered in hate crimes. How was it that our legal framework was the envy of the world, while my own world was still shrouded in hatred? But on the other side of the pain, was love and solidarity too—my hope for the future.

This research emanates from my own experiences of shifting senses and spaces of belonging. I wanted to connect the passions I feel about injustice with the laws that promise equality. Because formal rights do not necessarily lead to social inclusion I employ ‘belonging’ to understand how rights on paper influence the affective dimensions of citizenship which are embedded in our cultural contexts of care and interpersonal intimacy. Worldwide marriage is regarded as a central institution for the regulation of social and physical reproduction, and confers privileges which can be attained in no other way. Same-sex marriage has long been a (contested) frontline of struggle for LGBTI-q rights. I wanted to know how the Civil Union Act had impacted LGBTI-q belonging in South Africa. Thence my research question.

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How has the Civil Union Act impacted their sense of belonging for Capetonian lesbians and gay men in long-term intimate relationships?

Being centred in the middle of this field of inquiry means it is partial—therefore I use a values-based model of research which “advocates a ‘partial’ stance based on an analysis of power relations between those involved in the research and society more broadly, and admits emotion into the ethical process” (Edwards & Mauthner 2002: 21). At the same time, this partiality is made transparent so that the reader can make an informed judgement. I wanted to enter into conversations with other lesbians and gays in committed relationships to find out how they felt about same-sex marriage. I therefore embarked on a biographical process of inquiry (Merrill & West, 2009), asking participants to explain their perceptions and experiences of being in long-term lesbian or gay sexual relationships, and how they felt about the legalisation of same-sex marriage. I wanted to know if they felt a greater sense of belonging as a result of the Civil Union Act. I analysed their responses by using Nvivo10 for a themed analysis, and discuss the findings as a project of political belonging through using Nira Yuval-Davis’s framework for belonging as a heuristic tool.

In this chapter I describe the methodology I used, as well as discussing my experiences of working in my ‘own’ milieu and how my identity as ‘researcher’ engaged with the ‘topic’ and the ‘methodology’ (Bennett & Pereira 2013: 16).

### What Shall I Wear?

For me, being a feminist means living as a feminist—it means my practices are informed by ethics and principles shaped by feminism. Liz Stanley and Sue Wise (1983: 192) say “feminism is a way of living our lives rather than a set of beliefs or a style of revolutionary rhetoric or a means of analysis.” Feminist research has a long tradition of acknowledging the position from which we speak (see for example Arnfred & Ampofo 2009; Harding 2009; Stoetzler & Yuval-Davis 2002) and the need to acknowledge that we build relationships with participants in research—and that our positionality in society and in relation to the participants influences the production of knowledge about our topic.

Focusing on lesbian and gay identities in Africa, I problematise essentialising identities, particularly when they derive from colonial and globalised conceptual lexicons. For this I favour a queer approach which is critical of fixed identities—particularly those which thrive on binarisms—and which focus on subjectivities in

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dynamic interaction with one another. Both feminist and queer epistemologies emphasise an “understanding of self brought about by social determinants and the individual’s own construction of their reality” (Hammers & Brown III 2004: 86). Queer theory looks further to the dialectic between disciplinary regimes and how we locate ourselves as subjects within the parameters shaped by (hetero)normativities which we inevitably reproduce, but which also form the basis for our struggles.

### **Feminist and Queer Epistemologies**

Going against taken for granted beliefs about disembodied and universally knowing subjects, feminist epistemologies are concerned with the ways in which gender influences what constitutes knowledge, who the knowing subject is and practices of inquiry, representation and circulation of knowledge (Code 2014). Feminist postmodernists and queer theory and epistemologies emerge from paradigms which emphasise the instability of identities, and are critical of standpoint perspectives which are based on assumptions that subjects are stable unitary selves. They also caution against a ‘politics of location’ which reproduces Othering by arguing that some knowledges are superior, and thereby become exclusionary (Hammers & Brown III 2004: 93).

### **Politicising Standpoint Epistemologies**

Sandra Harding (1995: 337) argues that objectivism framed as being value-neutral, distorts or occludes the practices and hierarchies of power that inform knowledge production: “It certifies as value-neutral, normal, natural and therefore not political at all the policies and practices through which powerful groups can gain the information and explanations that they need to advance their priorities.” She suggests that even a more careful application of existing methods is unable to reveal the values and interests at play, and therefore calls it ‘weak objectivity’ (340). In searching for methods that are able to unravel values and interests she recommends the use of standpoint theories which argue that

what we do in our social relations both enables and limits (it does not determine) what we can know ... [they] *begin* from the recognition of social inequality ... All human thought necessarily can be only partial; it is always limited by the fact of having only a particular historical location—of not being able to everywhere and see everything, and of being ‘contained’ by cultural assumptions that become visible only from outside that culture (Harding 1995: 341, emphasis in original).

This suggests that one needs to start from marginalised locations to explain not only those lives, but also to grasp the wider social structures which give rise to certain beliefs and activities. She argues that those benefiting least from the power imbalances are more able to provide critical insight into phenomena that were invisible

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from within dominant paradigms and conceptual schemes. Therefore in standpoint theory it is important to start from the point of view of those that have been excluded from the benefits of the dominant conceptual frameworks, but *without essentialising people’s consciousness from their social location*. Standpoint theory therefore politicises research practices, and provides a method for attaining *strong objectivity* through being able to detect the “values and interests that enlarge and those that limit our descriptions, explanations and understandings of nature and social relations” (341). Strong objectivity requires revealing the ‘context of discovery’ and the values and interests in the conceptual frameworks of a research terrain. Using standpoint theory therefore involves acknowledging the place from which the researcher sees the world, and how it facilitates or constrains what we know, as well as what we can or cannot know.

Postmodernist feminist and queer epistemologies emphasise the social construction of knowledge, arising out of multiple and unstable identities which are generated through an ongoing process of becoming (Hammers & Brown III 2004). Thus the production of gendered and sexualised subjects through disciplinary regimes as theorised by Butler (2006 [1990]) and Foucault (1998 [1976]) posit non-essentialised identities, which nevertheless are embodied, and able to be politicised and mobilised against hegemonic formations. Therefore using a feminist–queer postmodern conceptual framework does not imply a reversion to the Cartesian dualism of body | mind, but an acknowledgement of how Othering is embedded in our symbolic systems of meaning-making.

Furthermore, my undergraduate studies in media and communication sensitised me to humans as meaning-makers, and how our stories or biographies are representations through which we know the world (Merrill & West 2009). Jane Bennett and Charmaine Pereira (2013: 16) call the intersections of our social status, as queers or women, and our cultural performativity the ‘jackets’ which will lend respectability to the research. Therefore my queer feminist ‘jacket’ in this research has many pockets: a consultant to the Non-Governmental Sector on gender and sexualities, a participatory action researcher, a lifelong social justice activist latterly focusing more intently on lesbian issues, an independent scholar and lecturer in Disability Studies, being an older white lesbian in a diverse and progressive social community, and an elderly—‘senior’—student doing a doctoral dissertation. These ‘credentials’ give me access to a range of organisations and communities for this research, with widely varying power dynamics, most of which place me in positions of social privilege.

Thus wearing a queer feminist ‘jacket’ enables me to draw on the distinctiveness of feminist methodologies which address gendered inequalities and acknowledge the

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politics inherent in any research process, whilst simultaneously a queer view insists on the multiplicity and fluidity of gendered subjectivities. It also highlights the importance of reflexivity as a tool for politicising and understanding the everyday dimensions of our identities, relationships and struggles for belonging with all their instabilities.

#### **Qualitative Research**

Qualitative research begins with the understanding that the world is in constant flux, and that there are innumerable interpretations of reality, in contrast to quantitative research which departs from a belief in a single fixed reality which can be measured (Merriam 2002: 3). There are numerous philosophical approaches in qualitative research, ranging from interpretive, to critical to postmodern or post-structural, but all qualitative research begins with trying to understand the context of the phenomenon under scrutiny, where the researcher is the primary instrument of investigation. The researcher's partiality is assumed, but it has to be acknowledged to show how it might shape the interpretation of the data, which is richly descriptive. Qualitative research tries to make sense of participants' worlds, therefore is based on meaning and understanding (Merriam 2002: 6). As qualitative research, narrative research represents a subjective turn which uses biographical methods to elicit first-person accounts of people's experiences told as stories. They reveal insights into individuals' histories of becoming, and the interplays between self and Other, and self and others (Merrill & West 2009). However, feminists have shown how biographies are political, and stories from the margins are necessary to challenge dominant perceptions of the social order. Therefore I interpret the contexts of lesbian and gay lives more critically, and combine narrative inquiry with critical theories to derive insights from the contexts under study.

Norman Denzin and Yvonna Lincoln (2003: 6, 9) typify the qualitative researcher as a "*bricoleur*" or "*quilt-maker*" where the choices of what interpretive practices to use are constrained by "what is available in the context, and what the researcher can do in that setting". Nonetheless, they also say that qualitative research is guided by "multiple interpretive practices" shaped by interactions between the researcher's history, positionality and the people in that setting, where the interpretive structure connects the parts to the whole. They unpack the complications that emerge out of different interpretive frameworks and I concur with their list of criteria for a feminist paradigm as: "Afrocentric, lived experience, dialogue, caring, accountability, race, class, gender, reflexivity, praxis, emotion, concrete grounding" (Denzin & Lincoln 2003: 34). But I would add 'critical' (see Van Dijk 2001) and 'emancipatory' (Mies 1983) as criteria which address power and injustices in society. My focus is on how lesbian and gay Capetonians make sense of the Civil Union Act in the face of their committed

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relationships, therefore I use a biographical method of open-ended interviews (or dialogue) to elicit their stories.

##### **Narrative Inquiry**

In this thesis I am investigating the sexual politics of belonging in relation to same-sex marriage for lesbians and gays in South Africa. A sense of belonging is subjective, deeply affective and shaped by factors ranging from personal psychology, social relationships as well as cultural and political disciplinary values and regimes. I therefore decided to use the qualitative research methodology of narrative inquiry for eliciting stories about the participants' perceptions and experiences regarding their long-term relationships and whether they wanted to get married or not. To interpret their responses I used a narrative thematic analysis to focus simply on what they said (rather than how it was said or for what reason) (Riessman 2005). Narrative inquiry is also about situating people's lives within their social, cultural, economic and political milieus. Using biographical methods enables the researcher to explore in a variety of ways how people's life experiences reflect social changes and how individuals interpret their changing identities and relationships with families, and communities (Roberts 2002).

Using a pragmatic approach, D. Jean Clandinin and Jerry Rosiek (2007: 37) argue for an ontology where narratives arise from experience, and experiences emerge out of social relationships; therefore they say that knowledge emerges from relationships which are expressed through representations that are always selective, partial and unfurl through time.

Beginning with respect for ordinary lived experience, the focus of narrative inquiry is not only a valorising of individuals' experience but also an exploration of the social, cultural, and institutional narratives within which individuals' experiences were constituted, shaped, expressed, and enacted—but in a way that begins and ends that inquiry in the storied lives of the people involved (Clandinin & Rosiek 2007: 42).

They continue by comparing narrative inquiry from a pragmatic point of view with post-positivism, Marxism and critical theory, and post-structuralism and postmodernism, but find that the borders between them are hard to uphold, and that narrative inquiry occurs in the blurred "borderland spaces" (Clandinin & Rosiek 2007: 60). Thus from a critical perspective stories which break the silences about oppression can lead to healing and movements for liberation (62); postmodernist preoccupations with discourses and their articulations with disciplinary regimes sketch the landscape of power. It is in these overlapping borderlands that I approach narrative inquiry dressed in a queer feminist jacket.

For me narrative inquiry is about hearing and affirming individual people's stories (without essentialising their identities), but we live in communities where some

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people's voices count more than others', so it is also about understanding how social, cultural and institutional narratives—'grand narratives'—shape people's experiences and performances. In this conceptualisation of narrative inquiry I draw on a Foucauldian understanding of power, knowledge and discourse, and Butler's theory of performativity. In affirming people's individual and collective agency to disturb and potentially subvert dominant hegemony, I acknowledge the productive power of stories. As a feminist I acknowledge that my understanding of same-sex marriage begins with my personal experience (Stanley & Wise 1983), therefore I use biographical methods to understand the inter-relationships between others' experiences of same-sex marriage with my own biography (Merrill & West 2009: 31).

Narrative inquiry has a comfortable 'fit' with qualitative research where, in contrast to quantitative research, "researchers are interested not in prediction and control but in understanding" (Pinnegar & Daynes 2007: 4). Narrative researchers use a variety of approaches, strategies and methods, with narrative as both a method and the phenomenon under study. It is a way of studying social phenomena in context, in relation to the meanings people bring to the trivial and difficult aspects of their everyday lives. Stefinee Pinnegar and J Gary Daynes (2007: 6) describe narrative inquiry as a "way of knowing" and discern four "turns" in the shifts from positivist inquiry to narrative inquiry in the social sciences: first is the recognition of relationality between researched and 'researched'; second is a turning away from numbers to foregrounding words and language for knowing; thirdly they argue that narrative inquiry is anchored in particularity and embodiedness; and finally that it encompasses multiple ways of knowing—"For narrative inquirers both the stories and the humans are continuously visible in the study" (Pinnegar & Daynes 2007: 9). Importantly, in narrative inquiry the parties involved in the interaction change, and different researchers with different personalities and communication styles will elicit different stories; even the same researcher and participant will generate different stories in different contexts and at different times (Pinnegar & Daynes 2007: 14), confirming queer perspectives on the fluidity of people's everyday realities.

Besides affirming the varied ways of knowing through depth, messiness and uncertainties, "the relational and interactive nature of human science research, the use of the story, and a focus on a careful accounting of the particular are hallmarks of knowing in narrative inquiry" (Pinnegar & Daynes 2007: 25). Turning to the particularity and embodiedness of experiences in contexts, has affirmed knowing from ordinary people, and enabled movements for social justice to garner solidarity in challenging "grand narratives" (Pinnegar & Daynes 2007: 24). These 'subversive' narratives from subaltern positionalities have a long history in gender, black and queer activism. Hence narrative inquiry intersects with qualitative inquiry as it moves away from the

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beliefs enshrined in positivist epistemologies in the social sciences which through ‘generalisation’ work to extend bureaucratic social controls, and turns to caring, curiosity, passion and change (29). More significantly, narrative inquiry raises questions about power, method, authority and community:

Who owns the story? Who can tell it? Who can change it? ... Whose version of the story is convincing? What happens when narratives compete? ... What do stories do among us? (Pinnegar & Daynes 2007: 30).

#### **Thematic Analysis**

The turn to narrative inquiry also asks questions about the trustworthiness of research and its interpretation. Narrative inquiry is a versatile tool used by researchers from different ideological approaches which focus on people’s stories and how they make sense of their world (Chase 2005)—there are a number of techniques to elicit people’s stories, including interviews and more—autobiographic forms such as letters, diaries etc. Earlier, many scholars such as sociologists and anthropologists used narrative inquiry as a way of accessing life stories—usually of the Other. Critiquing the androcentrism of the social sciences, and asserting that the ‘personal is political’, feminists affirmed women’s personal accounts of their everyday experiences as valid accounts of their social worlds (Chase 2005). In this way narrative inquiry also provides opportunities for subaltern voices to be heard, and the potential for fragmenting ‘master narratives’ (Langellier 2001 in Riessman 2005).

In her typology of narrative analysis, Catherine Riessman (2005: 2) lists thematic analysis, and describes it as follows: “Emphasis is on the content of a text, ‘what’ is said more than ‘how’ it is said, the ‘told’ rather than the ‘telling’ ... [where] language is a direct and unambiguous route to meaning.” Multiple narratives may then be organised and sub-divided into themes where general patterns may be discerned. Further representation may involve seeing how “general cultural stories” shape personal stories, for instance how lgbti-q tell their ‘coming out stories’. She argues that “the thematic approach is useful for theorising across a number of cases” (Riessman 2005: 3), but questions the extent of the researcher’s influence on the outcome of the narrative. Also, when narratives are grouped into categories, there is the danger of eliding ambiguities and nuances, and rejecting stories that don’t ‘fit’. Therefore it is important to acknowledge how narratives arise intersubjectively, shaped by the context of the conversation.

By focusing on the dialogic process between two people, the storytelling thereby becomes a process of co-construction. Susan Chase (2005) suggests that in studies based on in-depth interviews the interviewer–interviewee relationship turns into a listener–narrator interaction. For example, a question and answer exchange in an open-ended interview might elicit “stories of personal experience, organised around

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the life world of the teller” (Riessman 2005: 4). Riessman (2005) also cautions us to reveal the context when presenting a conversation by including all the participants, as well as showing paralinguistic features, such as laughter for example.

Chase (2005: 661) acknowledges the social constraints impinging on any social setting, and that the narrator’s voice is also socially mediated, but suggests that interviewers should be listening for the “authentic” experiences of the narrator through paying attention to the “particularity of the narrator’s story and voice.” In this way a researcher may remain open to stories that ‘happen’ and of openings for ‘invitations’ to stories. Open-ended interviews starting with a broad question are a good example of this form of listening for a story to unfold; questions asked at strategic moments may act as invitations to focus on certain dimensions within the story. This means the researcher must be knowledgeable about the narrators’ social and cultural settings—know what issues are deemed worthy of stories—to know what questions to ask (Chase 2005: 662). She also alerts us to how a ‘subversion’ of the interview process, is indicative of a narrator exercising power in the interview: for instance by someone starting to ask questions of the interviewer.

#### **Interpretation**

Chase (2005) delineates a variety of lenses and a range of approaches to interpreting interviews which are not necessarily discrete. As the researcher in this project, my key lens is as an interpreter and publisher of other people’s stories. The researcher also needs to understand the similarities and differences arising from different people’s stories, and to acknowledge that the story which is told is only one of any number of possible stories, which may not remain constant across different contexts; that a narrator’s story highlights “versions of self, reality and experience that the storyteller produces through the telling” (Chase 2005: 257). My approach also spans an interest in the quality of people’s lives through intensive interviews on a particular topic. But primarily, as an academic researcher, I turn into the narrator as I engage in the process of interpretation and publication of people’s life stories pertaining to their long-term committed same-sex relationship.

Narrative inquiry is based on securing, analysing and representing people’s life stories as told by them (Etherington 2007: 599). These stories express their feelings and thoughts about themselves, and the significant events in their lives. By allowing a researcher into their world, they allow us to make sense of broader social, cultural and political issues, through synthesising our understanding about them. However, Kim Etherington (2007: 600) warns that we might try to fill gaps and silences with our own assumptions and beliefs. Therefore it is important to acknowledge how stories are transformed through the relationship between the narrator and the researcher. When

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synthesised, the interweaving of stories from different people becomes part of larger projects of knowledge creation and circulation. They also contribute to the treasury of available stories capable of creating fissures in 'master narratives' of identity—what I call the normativities.

In a collection of stories, such as a research project where many voices are telling stories, Chase (2005: 663) nonetheless reminds us first to listen to the voices *within* the stories before trying to link them *across* each other to grasp the storyteller's narrative strategy—the way narrators weave together the different elements of their own experiences—and how the telling of a story underwrites a particular understanding of a (fluid) self. At the same time we need to acknowledge that stories unfold differently in different contexts and form parts of a larger autobiography (narrative of self) which emerges through different situations and relationships—the narrator tells the listener 'who I am' at a particular time and place (Chase 2005: 667). I also refer to this as the 'strategic management of identities' where the narrator is a self who is reflexive and agentic (see for example Sökefeld 1999).

How then does the researcher go about representing the voices of participants? Chase (2005: 664) suggests that there are different conventions in different disciplines, but that the voice of the researcher becomes the authoritative interpretive one. The researcher's voice is distinctive in its use of language: for instance researchers will use an 'academic' voice by using terminology common to their discipline. However, this change of voice does not necessarily imply disrespect. Differentiating the identities behind the voices is consistent with standpoint practices, to show the interweaving and collective production of knowledge and reveal the social location of the 'epistemic agent' (Bowell 2011). Making apparent the different voices reveals the relationship between the researcher and the participants: "Thus the researcher appears to us not as an invisible, anonymous voice of authority, but as a real, historical individual with concrete, specific desires and interests" (Harding 1987: 9) Reflexivity is the process by which the intersubjective dimensions of interviews can be ascertained, and what impact the experience of listening to someone's story has had on the researcher (Chase 2005: 665).

#### **Social Justice**

The question remains as to how narrative inquiry can contribute to an emancipatory agenda. Chase (2005: 667) details the value of storytelling for the narrator, where "the act of narrating a significant life event itself facilitated positive change." However she also argues that narratives are situated in a narrative environment; alternative narratives may challenge oppressive metanarratives—what I call dominant discourses—and open up avenues for social change. Mitsunori Misawa (2012) says that

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we use narrative to make sense of our everyday lives, as well as to connect with other people; therefore situations where we experience harassment or violence—through for instance racism and homophobia—will be reflected in our stories. Misawa uses narrative inquiry within a critical queer framework to show how subaltern voices may contribute to emancipatory discourses. Furthermore, stories which focus on lived reality can shed light on intersectional locations, and challenge dominant cultures. Misawa (2012: 243) suggests that narratives become important data sources to deconstruct ideologies and normativities. Because “social justice narrative inquiry examines the reasons why some narratives have not been heard as grand narratives” it helps to confront ahistoricism and essentialisation in dominant discourses by emphasising situated and experiential knowledge of marginalised people. These narratives can be used as “a source of power in the pursuit of social justice” (Misawa 2012: 244). The participants’ stories that form the empirical basis of this research can help to challenge the ‘metanarratives’ which keep heteronormativities in place in South Africa.

Narrative inquiry is usually placed within an interpretive–constructionist framework (Denzin & Lincoln 2003; Riessman 2005), but several authors also describe its place within a critical framework (Chase 2005; Misawa 2012). Kristin Langellier (2001) extends the argument that narratives are performative acts, and can be analysed through contextualising them within the politics of discourses. She suggests that stories are about identity-making, and therefore are performances of meaning-making. She focuses on stories told on the body, such as mastectomy or tattoos, but since stories are situated within networks of power they encapsulate cultural conflicts. Narratives are iterative performances of who we think we are—being simultaneously created and performed. Performances are constrained by a range of discursive and material conditions, but may challenge dominant relations of power and knowledge (Peterson & Langellier 2006).

Many lgbti-q auto/biographies and narratives have formed a bedrock of nuanced and situated knowledge about a great diversity of queer lives in South Africa. As a queer feminist researcher, I follow the lead of situating my biographical inquiry within a queer feminist perspective based on the notion that stories are iterative performances which engage dominant discourses around ideologies of sex–gender–sexualities in heteronormativities and homonormativities.

#### **Trustworthiness**

Narrative inquiry is not about ‘objective’ truth, but about meanings—how people experience their world; how they see themselves and want others to see them; what they feel and think about their world—and how researchers can use this rich

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repository of knowledge to understand humanity (Polkinghorne 2007). Therefore it is important for researchers to follow 'principled analyses' of data from stories (Loh 2013: 7). But what are they?

One of the key questions involving narrative inquiry, and qualitative research more generally, is the thorny question about the 'validity' of qualitative methodologies (Denzin 2009). Jason Loh (2013) unpacks the 'micropolitics' of academia over setting quality criteria for research, and addresses the contestations around validity in narrative inquiry. Time and again the term 'evidence-based' is used to draw boundaries of acceptability for qualitative research. Norman Denzin (2009: 140) calls it 'the elephant in the living room' and says "[s]tandards for assessing quality research are pedagogies of practice, moral, ethical and political institutional apparatuses that regulate and produce a particular form of science." He suggests that guidelines for qualitative research be flexible, and "not driven by quantitative criteria." He shows how funding is dependent on dominant discourses which suggest that all research can be judged by the same criteria (Denzin 2009: 141), i.e. quantitative criteria. He categorises those who agree with this notion as foundationalists; he says quasi foundationalists are those who support a "guiding framework unique to qualitative research". Finally he places theorists who emphasise understanding over predictability as 'non-foundationalist' (Denzin 2009: 141). He argues that the word 'evidence' is not ethically neutral since its meaning depends on who defines it and who judges it, and that the politics of epistemology play out differently in different contexts, with numerous institutions competing for centre-stage.

Turning to criteria for "quality research," he systematically refutes a number of assumptions about the dominant concepts, showing how the check-lists of criteria reproduce "self-fulfilling" aims and processes (Denzin 2009: 147). He suggests that we need to engage in a process which affirms that "knowing is always already partial, moral and political", and that qualitative research does not have a "single gold standard", but that there is "an ample supply of methodological rules and interpretive guidelines" (Denzin 2009: 154). Moreover, qualitative research is "open-ended, unruly, disruptive" and that "inquiry is always political and moral." Finally he says that "[o]ur feminist, communitarian" ethics cannot be based on regulatory protocols, and that qualitative researchers need to resist the orthodoxy of a "hegemonic politics of evidence" (Denzin 2009: 155).

Acknowledging the 'politics of epistemology', Jason Loh (2013) nevertheless argues that we do need ways to evaluate qualitative research, notably its "trustworthiness"—an alternative term for 'validity', 'reliability' and 'generalisability' (Lincoln & Guba 1985)—since this is how to find acceptance. He delineates some criteria which practitioners in the broader qualitative field have developed for

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trustworthiness, and applies them to narrative inquiry (Loh 2013: 3). Understanding that validity depends on “consensus within a community” (Polkinghorne 2007 in Loh 2013: 4), he suggests that the much-cited work of Yvonna Lincoln and Egon Guba (1985) provides guidelines accepted by many in the qualitative research community. However, they acknowledge that these criteria are constructed, and not ‘perfect’, and should be used as a map not a decree. Loh lists four criteria and possible techniques for establishing them: credibility (internal validity); transferability (external validity); dependability (reliability); confirmability (objectivity). As a guideline, I used the following tools for trustworthiness. I have highlighted the ones used in this project, and reference them where they occur.

TABLE 1: TRUSTWORTHINESS CRITERIA AND TOOLS

CRITERIA	TECHNIQUES	
Credibility (internal validity)	1) Prolonged engagement	(pp. 301-304)
	2) Persistent observation	(pp. 304-305)
	3) Triangulation (sources, methods, investigators)	(pp. 305-307)
	4) Peer debriefing	(pp. 308-309)
	5) Negative case analysis	(pp. 309-313)
	6) Referential adequacy (archiving of data)	(pp. 313-314)
	7) Member checks	(pp. 314-316)
Transferability (external validity)	8) Thick description	(p. 316)
Dependability (reliability)	9) Overlap methods (Triangulation of methods)	(p. 317)
	10) Dependability audit—examining process of the inquiry (how data was collected; how data was kept; accuracy of data)	(pp. 317-318)
Confirmability (objectivity)	11) Confirmability audit—examines the product to attest that the findings, interpretations and recommendations are supported by data	(pp. 318-327)
All 4 criteria	12) Reflexive journal (about self and method)	(p. 327)

Source: Loh (2013: 5)

Loh (2013) further shows how these have been integrated into work by other influential authors, with a clear understanding that fulfilling all the criteria, and only those criteria, are not necessary conditions for trustworthiness—that researchers in narrative studies should choose which are appropriate for establishing trustworthiness. He also adds that the data must ‘ring true’, the criterion of ‘verisimilitude’ (Loh 2013: 9) which can be confirmed by member checking. Loh (2013: 6-7) also adds peer and audience review as other tools for member checking. All these checks and balances contribute to the ‘plausibility’ (Polkinghorne 2007: 477)—in other words, how would lesbian and gay couples in long-term relationships in South Africa recognise their own experiences in the stories. Therefore, the credibility, and consequent usefulness of narrative inquiry needs to be developed through adhering to existing standards that have already been confirmed through practice.

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### Ethics

In *Elephant in the living room*, Denzin (2009) claims that research cannot be separated from ethics, therefore I now turn to the ethics in qualitative research. In the introduction to their book, Maxine Birch, Tina Miller, Melanie Mauthner and Julie Jessop (2002: 1) argue that qualitative research explores people's intimate lives, and that though there have been many ethical guidelines established, they are more concerned with "notions of protection, confidentiality and anonymity" in order to gain professional approval. They contend that ethical issues are embedded throughout the research, and "are empirical and theoretical and permeate the qualitative research process" (emphasis in original). Therefore they put forward a research praxis which straddles the divide between ethics as " 'lived' research" and "static and increasingly formalised" guidelines (Birch et al. 2002: 2). They say that feminism has contributed greatly to traditional approaches because of recognising the negotiation of hazards in the terrain between private stories and public exposure, unpacking the relationships between researchers and participants, validating marginalised voices and recognising the need for reflexivity. By addressing the politics of research feminists have developed an "inherent ethical stance" which emerges in the "interplay between public, social knowledge and private and personal lived experiences" (Birch et al. 2002: 3).

### Politics of Research

Interpreting what this ethical stance might mean, Marilys Guillemin and Lynn Gillam (2004) distinguish between 'procedural' and 'lived' ethics in research, and suggest that reflexivity is both a way of understanding ethics as well as a way of practising research ethically. Focusing on qualitative research, they highlight the inadequacies of 'procedural' ethics which are the formal processes of approval for research through institutional ethics committees. Experienced researchers are able to fill in forms through learnt 'ethics-committee speak' (Guillemin & Gillam 2004: 263) and "using the appropriate discourse to ensure that applications will be approved as quickly as possible with a minimum of changes and dispute, while remaining true to their research integrity" (Guillemin & Gillam 2004: 264). In contrast they sketch an ethical dilemma as it might occur during a research process, where a researcher needs to frame an appropriate response to an "ethically important moment" for which there is no established guideline, nor is it possible to plan for one.

They also focus on conduct in ordinary dynamics between researchers and participants—which they call *microethics*—that arise in the everyday practices of research (Guillemin & Gillam 2004: 265). Despite the difficulties of enforcing procedural ethics Guillemin and Gillam (2004) say they speak to important ethical

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principles of research which become the responsibility of the researcher to ensure: respect for persons, doing no harm, free and informed consent, respect for privacy and confidentiality (Guillemin & Gillam 2004: 272). They suggest that reflexivity is a way of thinking and working which can lead to ethical research practice.

Research is knowledge generation—emerging out of the questions ‘what do I know?’ However, reflexivity entails a stepping back and observing the researcher-self in action, and aims to answer the question ‘how do I know?’ They characterise reflexivity as a “process that saturates every stage of research” and which is a “critical reflection both on the kind of knowledge produced from research and how that knowledge is generated” (Guillemin & Gillam 2004: 274). They argue that being sensitive not only to rigorous research practice, but to all aspects of knowledge creation through reflexivity, provides a basic approach to ethics in research capable of ensuring the microethics of research practice as well as being able to deal with larger ethical dilemmas (Guillemin & Gillam 2004: 278).

I agree with Birch et al. (2002: 4) who say that a ‘tick-a-box’ approach to ethics is an abstracted way of addressing research processes and dilemmas that need ongoing discussion. I also concur that many institutionalised ethics committees concern themselves with protecting those who are researched, the researcher and the institution from harm through formalised codes of behaviour which emanate from an institution’s internal values. Emídio Gune and Sandra Manuel (2011: 37) therefore raise pertinent issues when they ask “whose ethics?” Concurring with ethical criteria related to (the usual) consent, power abuse and confidentiality, they identified a number of dilemmas concerning contradictions in values between the ‘institution’, themselves as researchers, and the ‘field’. They showed that participants weren’t powerless, but that it varied, depending on the situation and type of research. One issue that was salient for them, and which also emerged in my research process, is anonymity.

There is no question that research is usually done for the benefit of the researcher; in narrative research the researcher walks away with the stories and ideas of participants. It is ironic that institutions which espouse meticulous values related to plagiarism do not discuss the ‘theft’ of knowledge from research respondents. What ethics then should be applicable to ‘anonymity’? Anonymity is often a key criterion for ethical approval through institutions, ostensibly to ‘protect’ the identities of research subjects. But Katje Guenther (2009) and Anne Grinyer (2009) problematise notions of anonymity and confidentiality, suggesting that anonymity may also be like ‘stealing’ someone’s story. Both assert that while the interests of participants should be protected, they may not always experience ethical guidelines in the same way as the researcher, and argue that respect for their wishes is part of the ethics of the research process. They therefore call for ongoing discussions and negotiations with participants

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in addressing the implications of their decisions to use real names or pseudonyms. Guenther (2009) says it affects a range of ethical concerns including our relationships with participants, confidentiality, how fieldwork is conducted through to publication of the results.

Grinyer (2009: 2) acknowledges situations where “anonymity to research participants is of paramount importance”, but tackles instances where participants want to “retain ownership of their stories” and that the random allocation of pseudonyms may cause distress. She describes some of the difficulties in using real names as opposed to pseudonyms, and who decides what name to use. Besides, people may change their minds—a woman who had consented to using pseudonyms later felt it had made her deceased son invisible, and wanted their real names used in further publications. Besides, unique narratives can reveal identities to people who know them, and can impact people who are close to them, e.g. family who had no say in decision-making about whether to reveal at all, so it is not just about the participant’s anonymity. Grinyer (2009: 4) spells out further difficulties in using a mixture of real names and pseudonyms; she opts for not distinguishing between them as “the reader does not need this information.” I followed her suggestion of addressing these issues individually with each respondent.

Guenther (2009) echoes this recommendation to openly address implications of using real names or choosing pseudonyms with participants. She highlights how naming conventions can influence the findings; what is revealed or concealed with the use of real names or pseudonyms? How does the “protection” of pseudonyms impact our arguments? Do real names makes us more accountable? And how does silencing of voices feed into exploitative and unequal systems of domination? I agree with all the authors mentioned above that anonymity should be an issue which is negotiated with participants in an ongoing discussion, and if at all possible, until final publication.

These issues emphasise the importance of relating to our research participants as equals, with agency to negotiate their relationships with researchers. For instance, assumptions about participants’ vulnerability can be construed as patronising. Why is there a general assumption that a participant will be coerced into saying something about which they choose to remain silent? As an experienced researcher, as well as sometimes participant, in narrative research, I know participants have the power to include and exclude facets of their lives, as well as put their own ‘spin’ on the story. Besides, the stories we capture are unique windows into the becoming of an individual at a particular time. In the end one can only rely on establishing a good rapport with participants and listening with care to their stories: after all they have something the researcher wants, and that gives them some power.

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Addressing risks during unstructured interviews in qualitative research, Juliet Corbin and Janice Morse (2003) argue that participants are not at the same risks as those in, for example, biomedical research. However, asserting the ethical responsibilities of researchers to treat participants with dignity and respect, they assess the potential risks when interviewing participants on sensitive subjects. They argue that confidentiality and anonymity are better protected in research interviews than in everyday life, and that participants have more control over sensitive subjects when telling their stories in unstructured interviews (Corbin & Morse 2003: 337). They might even be more protected than in everyday life since researchers may be trained and prepared to do intervention counselling should a participant get distressed by telling her story (see Angless, Maconachie & Van Zyl 1998). Besides, many participants find it therapeutic to tell their stories to a non-judgemental listener. Corbin and Morse (2003) also emphasise respect for participants' agency, and their ability to control what, if anything, is said.

Yet researchers structure the conversation, therefore "they have a certain degree of power over the situation" (Corbin & Morse 2003: 339). How this power plays out depends on the type of interview, and the personalities of individuals involved. It is also very difficult to predict how a particular interview will progress. In the years of training qualitative researchers on sensitive topics, I have developed what I call 'following the emotional curve' which exhorts interviewers to ensure the emotional well-being of the participant (see Lynch & Van Zyl 2013): an interview generally starts with general talk before it delves into the sensitive details of an experience, and before ending the interview, the interviewer must turn the conversation so that it ends on a positive note (see also Corbin & Morse 2003: 341-344). In general, open-ended interviews form part of many stories participants tell about their lives, any one of which could cause distress, but people deal with it. If an interview has caused the distress, it is the researcher's responsibility to assist the participant with whatever help is possible, for example follow-up calls, or referral to a professional.

Once participants' stories have been entrusted to the researcher, potential abuse or misuse of the information can endanger participants' security. But people's safety and security are not static, varying according to changing contexts. Therefore it is important that the relationship between the participants and the researcher endures beyond the fieldwork phase of the project (see Guenther 2009: 416, for problems related to accessibility). It is in the use of information that ethics need to be scrutinised most carefully, and this falls beyond the scope of ethics committees. Therefore, questions of anonymity and confidentiality cannot be mere ticks in boxes, but something which is negotiated with participants through full disclosure on the potential dangers of naming, and the implications of different types of publications.

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In this thesis, a potential danger lay with 'outing' participants, therefore only self-identified 'out' lesbians and gays were asked to participate in the study. However, insofar as there is 'danger' it lies in the participant no longer having control over the 'management' of their identity. Yet this is a daily risk, and it also needs to be recognised that different types of publications have different risk factors associated with them—an academic publication for a specialised audience hardly carries the same risks as exposure on national television or on a social networking site. Therefore these are the nuances of publication that also need to form part of the discussion around participants' consent to use their stories, and which we discussed during the 'consent' conversations.

Another ethical problem concerns the editing and abridging of people's stories, as meanings are created through how fragments of stories are selected and combined. However, unless they asked for it, I did not offer to negotiate their approval for what is published. I did ask originally for consent to use their stories in 'academic' publications: this thesis, papers in academic journals and an academic book. Knowing that their stories were being published in two journals (Van Zyl 2011a; 2011b), three couples asked for copies of the articles. One couple gave me (unsolicited) feedback that they were very pleased with the way I had interpreted and presented their story.

All these caveats do not mean that research should not adhere to ethical standards, but like any rules they are only as valuable as the power of their implementation. The critical scrutiny required relates to critically understanding the politics of research: the power relationships between the university and the researcher, the researcher and the participants, and the university and the participants. In the end, only the personal values and integrity of the researchers and participants, and their mutual trustworthiness will ensure the safety of participants, and the truthfulness of the knowledge produced.

#### **Reflexivity**

If the trustworthiness of the data, and hence the interpretation and findings of the research are all based on the trustworthiness of the researcher-participant relationship, then reflexivity becomes a key measure through which the quality of the research can be estimated. Reflexivity is rendering account of how our subjectivities are entangled in the research processes and how our activities impinge on the lives of others; "[i]t is a conscious experiencing of the self ... as the one coming to know the self within the processes of research itself" (Lincoln & Guba 2011: 283). Andrea Doucet and Natasha Mauthner (2002: 124) argue that reflexivity is at the core of "what it means to 'know well', to 'know responsibly' and to attain a high degree of 'epistemic responsibility'." They advance two arguments for conducting ethical research: the first

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focuses on research relationships and the second on accountability in research. They say that transparency about the “epistemological, ontological, theoretical, and personal assumptions that inform our research generally” is at the core of accountability in research, and that reflexivity is the means to achieve it (Doucet & Mauthner 2002: 125). Therefore, they see reflexivity as an ethical issue at the heart of honesty, transparency and accountability in research. In a subsequent paper (Mauthner & Doucet 2003) they make suggestions about how practically to address reflexivity during the interpretive process, because they argue that data analysis is not neutral, but imbued with values about subjectivities and knowledge construction. They note that it is important to show how our conclusions are reached, i.e. to present an account of how choices were made about what voices to foreground in our analyses. The first layer of analysis concerns our social location and our emotional responses to our respondents. They suggest a first reading of transcripts based on our emotional responses to the narrative—documented as a record of how we are located socially, emotionally and intellectually in relation to the participants. But they alert us to an over-analytical positioning in relation to gender, race, class etc. suggesting that “the interplay between our multiple social locations and how these intersect with the particularities of our personal biographies need to be considered” (Mauthner & Doucet 2003: 419).

With South Africa's history of racialisation and the continuing impact of apartheid, I assume that my identity as an older white lesbian is significant in my relationships with participants. Racial differences are still marked by extreme social privilege, geopolitical and linguistic boundaries. How then does one proceed? Yasmin Gunaratnam (2003) suggests that issues around consequences for knowledge production are far more complex than adding up commonalities and differences between a researcher and participants. She argues that we need to

address the social contexts in which interview relations are located, and somewhat paradoxically, we also have to de-racialise the dominant discourses of racial difference ... to resist the analytical temptation to see 'race' and ethnicity as being produced from a sole and fundamental difference between 'black' and 'white' or from any racially / ethnically marked characteristics of interviews and research participants (Gunaratnam 2003: 103).

She therefore argues that we must not shy away from the “messy work” which accompanies the complexities of working in heterogeneous environments—by connecting across differences we might “interrogate the points of commonality for the dislocations and differences that they carry” (Gunaratnam 2003: 104). She argues that we need to value the richness that emanates from the difficulties and uncertainties of working across social differences. Hence Gunaratnam (2003) confirms

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the suggestion by Doucet and Mauthner (2003) that we reflect on who we are and how that impacts what we do throughout the research process.

Kim Etherington shows how reflexivity contributes to transparency and dialogue in research relationships: by stating our beliefs and values openly we can “lower the barrier between researcher and researched, and allow both sides to be seen and understood for who they are” (Etherington 2007: 600). This can be done by having ongoing conversations with participants, where researchers need to make themselves vulnerable and reveal their humanity.

In summary I put forward the following guidelines for reflexivity in ethical practice integrating those proposed by Etherington (2007: 614) to:

- affirm the intersubjectivity of our existence, and respect our relationality
- be conscious of, and sensitive to, the power dynamics between myself and the research participants, especially in relation to burdened social locations such as gender and race, and to address them critically through the research process
- respect the agency of participants, through negotiating our respective needs
- not evade my own vulnerability, and to present myself openly and honestly to participants through judicious self-disclosure
- reflect openly on the ‘messiness’ in the research process, and how, or if, issues have been resolved.

Therefore, having chosen relationality as a fundamental ‘building block’ of social relationships, and therefore the production of knowledge, I reflect critically and conscientiously on my relationships with participants to open up an understanding of the knowledge we have engendered.

## Researching Same-Sex Marriage

The politicisation of gender–sexuality is made manifest by the energies injected into disciplinary regimes which impinge profoundly on the emotional and intimate lives of gender non-conforming people like lesbians and gays. Marriage is a powerful social and cultural institution of inclusion | exclusion in citizenship, and the Civil Union Act gave South African lesbians and gays formal rights to marriage. In this interpretive study I used narrative inquiry and thematic analyses to understand how a range of lesbian and gay couples in committed relationships perceive and experience same-sex marriage in South Africa. Through their stories I unravel the ambiguities and

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contradictions of same-sex marriage as a project of belonging to show how lesbian and gay citizens experience equality and dignity in their everyday lives—recognition of them as citizen-subjects, protection of their intimate relationships as well as their struggles for belonging.

### Participants

I chose to work in Cape Town as my 'home space' (K Narayan 1993). I have been an activist in the LGBTI-Q sector for many years, and therefore was known to many key figures. I had also worked on a number of consultancies with Triangle Project, a key LGBTI-Q rights organisation based in Cape Town. I therefore used my networks and connections to recruit participants through purposive sampling (Coyne 1997), where I was looking for couples from diverse sectors of the Cape Town LGBTI-Q community. I used what is usually called a 'snowball' technique in the North, but which I call the 'qongqothwane' technique—like a dung beetle arduously rolling dung into a ball, and made famous by Miriam Makeba's 'click' song—because we rarely get enough snow here to roll into balls! (see Van Zyl 2006). This technique uses the relationships between people to find participants, and since this type of sampling results in the recruitment of particular types of 'like-minded' people, certain inclusions | exclusions will occur (Browne 2005). But since this narrative inquiry was aiming for deep affective stories, and in no way intended to be quantitative or representative, it was deemed an appropriate sampling technique.

I chose couples who had been in committed same-sex relationships for at least 7 years since most heterosexual couples who get divorced do so between 5 and 9 years after getting married (Statistics South Africa 2012). I also wanted participants who were out of the closet and had acknowledged a queer identity to themselves (McCormick 2013). I was interested in their responses to same-sex marriage recognition and wanted participants who would be 'in the market' for marriage. I interviewed a diverse range of gay and lesbian couples of different ages, races, cultures and nationalities from all over Cape Town. The South African landscape is still organised geographically by race and class, and where people live (and work) and what language/s they speak is a significant part of their sense of belonging. Cape Town's topography helps to mark it geopolitically (Salo et al. 2010; Tucker 2009; Visser 2003), so I made sure to interview people from all over the metropolitan area. However, since I used purposive sampling, they were not meant to be representative, merely interesting.

In addition I did 6 interviews with key LGBTI-Q activists to cast additional light on the dominant discourses of value pertaining to queers in South Africa as that was one dimension of belonging identified by Yuval-Davis (2006, 2013). I spoke to: the

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coordinator of a black lesbian organisation—Free Gender; the director of a transgender organisation—Gender DynamiX; an academic gender activist; three queer spiritual leaders from the Christian, Jewish and Muslim faiths, one who is also a constitutional law expert and was part of the Joint Working Group on the Civil Union Act. As thought leaders who are lesbian and gay, they had engaged in struggles with, and reflection on, dominant value systems and homophobic discourses. These discourses have a significant impact on the contexts of care in which participants find themselves. This also helped with triangulation of data (Lincoln & Guba 1985: 305-307).

### Face to Face Interviews

I used Yuval-Davis's framework for analysing belonging as a heuristic tool to analyse same-sex marriage in South Africa as a lesbian and gay 'political project of belonging.' Therefore I needed to find out how people identified themselves and represented their social positionalities, and enquire about their political and ethical values. I also wanted to know about their involvement in struggles for belonging. In order to engage in open-ended conversations about their lives I decided to meet them face-to-face. I had prepared a basic outline of the themes I wanted to cover (see Appendix B). I needed to focus on facets of belonging according to the framework developed by Yuval-Davis (2006a; 2011) around their identities, emotional attachments and political values. I also needed to know how they understood belonging. Interviews were audio-recorded with participants' consent (no one refused) to have a verbatim record of the oral narratives.

Each interview was unique and took the form of a conversation which usually started with me asking 'please tell me a bit about yourselves'. Then, depending on what they'd said, I could ask questions like 'when did you first realise you were different from other kids?' If there were parts of their narrative that I wanted to know more about, I would ask them when there was a suitable pause. Thus I elicited narrative accounts of the partners' social positionalities (race, class etc.), identities (when did you realise you were different, coming out stories), their relationship (how did you meet, marriage?), their relationships with significant others (parents, family, children). I asked about their political values (what they think of the Constitution and Civil Union Act). To contribute to the discussion on a politics of belonging, I also asked about their involvement in LGBTI-Q struggles for belonging and their vision for the future (to elicit shortcomings in polity).

### Language

Participants could choose in which of the three local languages—Afrikaans, isiXhosa or English—they wanted to conduct the interview. Afrikaans is my home language, and I

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speak excellent English, but only have a basic knowledge of isiXhosa. I could not exclude members of a community which are already marginalised through place, race, and language, so I opted for getting help with Xhosa interviews. I chose to work with fluent Xhosa–English lesbian and gay people who had done interviewing before: they needed to access couples for me to interview and I would let them lead the interviews. Before the interviews started we spent a day together where they did experiential training on the topic of the research, the process and methods; for example we did role-plays of the interviews. They helped me to access Xhosa-speaking couples from their networks, set up interviews and went with me to interviews, interpreting, and subsequently transcribing and translating the recordings of the interviews and ensuring that the transcripts were signed off with the signing of the second consent form. Besides being an opportunity for them to earn money, the research assistants were keen to learn some research skills.

In the Xhosa interviews and interviews with gay men I usually let the research assistants take the lead, and interjected when I wanted to find out something specific. The Xhosa interviews were the most difficult for me; I managed to follow most of the conversations, and knew more or less what had been discussed. However, I was hesitant in asking for clarification when I didn't understand anything in case it broke the flow of conversation. Though all but one gay interview was conducted in English, I let Brian take the lead as a fellow gay man. I conducted all the interviews with the queer activists in either English or Afrikaans.

To thank participants at the end of each interview, I gave them an unexpected gift—a box of 'luxury' chocolates. I checked to make sure they would not cause offence (e.g. *haraam*). Without exception, the participants seemed surprised and pleased by the gift. In one case where a woman (training to be a *sangoma*) was on a special diet, she fended off her eager children by saying they would all eat them together when she was again allowed to eat them.

#### **The Politics of Interviewing**

I was not only doing research in my own milieu (K Narayan 1993) of LGBTI-q activism, but I am also a feminist lesbian who is married, and trying to understand other people's lives through my own experiences (Roberts 2002). Thus my concerns were deeply embedded in the research process. As a feminist I am deeply critical of heteronormative marriage as an institution, and as a queer deeply versed with the contradictions inherent in same-sex marriage. Yet I took the opportunity to marry my long-term woman lover as soon as the law allowed us. Our marriage was motivated predominantly by putting legal protections in place to protect our personal autonomy—power of attorney in care—and joint property. I had also experienced

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personal struggles within my own family, and was thus sensitised to all the complexities regarding (same-sex) marriage. I believe I was open to hearing people's reservations to getting married.

Other dynamics which complicated the interviewing process was interviewing couples with their own interpersonal dynamics. Doing joint interviews is consistent with the notion of us as relational beings, and as the topic was their relationship it seemed appropriate for them to tell the stories of their lives together as a couple in each other's presence. Margunn Bjornholt and Gunhild Farstad (2012) spell out the advantages of interviewing couples together: it produces rich data by enabling the interviewer to observe the dynamics of their interaction; it overcomes ethical issues regarding confidentiality about their perspectives on their shared stories; and there are a number of practical advantages such as setting up the interview. However, as I discovered, it can also cause complications if one person is not as keen to be interviewed as the other. When Anna Einarsdottir and Brian Heapy (2012) interviewed couples about their Civil Partnership in the UK, they found that joint interviews yielded relationship stories, while additional individual interviews covered biographical details. In the interviews in this study I did not conduct individual interviews since each person had an opportunity to give brief biographical details, most of which would be known to their partner.

Three of the married couples were friends from our personal social circle, and I was well-acquainted with another couple. I did not know any of the others prior to the research. It is difficult to estimate whether friendships would advance or hinder the research relationship (Castro 2005; Haynes 2006): on the one hand there is a history of mutual trust and knowledge which can elicit nuanced responses; on the other hand people already know each others' opinions on matters, and in areas of disagreement may not want to 'go there' for fear of affecting the friendship. Lisa Tillmann-Healy (2003: 8) proposes friendship as a methodology where she argues that narrative research follows the practices of friendship such as 'data-gathering', observation and also require that we follow the ethics of friendship, i.e. confidentiality. However, since not all my participants were friends, I followed conventional research methods and ethics. Conversely, talking to strangers might facilitate or impede candid conversations as people may be guarded in how they present themselves. In my opinion it is speculative to try and determine beforehand what will work best and it is something one has to be content not to know, except perhaps in retrospect.

The research assistants I employed to help me with isiXhosa interviews took an active role in the interviews, and did not act merely as translators (see Temple & Edwards 2008; Temple & Young 2004). I developed a good rapport with the research assistants, and this visibly relaxed relationship helped me to establish rapport also with

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the participants who were culturally different to me (Gunaratnam 2003: 89-90). They also helped me on an ad hoc basis by checking my coding and interpretations: for example I would phone the person who had accompanied me to the interview, and clarify any uncertainties which arose. During the interviews, the power dynamics shifted as involvement in the story ebbed and flowed. When we did interviews in public places, my dominance as the lead researcher was emphasised through being the 'hostess' and paying for the refreshments we had.

It is difficult to control for the interpersonal dynamics in face to face interviews. I cannot say what effects the variable dynamics of my social positionality, the joint interviewing of couples, the history (or not) of my relationship with the participants, or the presence of the research assistants had on the stories we gathered. I accepted that whatever had transpired in the interviews, the narratives I had gathered were good enough.

### **Thematic Data Analysis**

The trustworthiness of research relies on more than how the data are analysed. The relationships between ethics and reflexivity are also bound up in the interpretations, and therefore the data consist of more than the desk-top information from secondary sources, or the stories gleaned from participants and transcribed into narratives for analysis. They also include the 'meta-data' generated by field notes, casual conversations, journals, memos and reflections.

Though I used Nvivo10 software for data analysis, it is misleading to assume that the program actually does the analysis. It is a sophisticated administrative tool which complements and facilitates an analysis which is initiated and generated by the researcher. The analysis began as an iterative process initiated by the study proposal, then supplemented by the literature and finally interwoven with the data that had been sorted, ranked and categorised. Once the interviews had been transcribed and organised in the project folder, the analysis was completed through the following tasks:

- getting to know the data very well
- searching for themes
- coding and naming themes
- linking stories with other materials
- checking interpretations with research assistants
- reviewing themes and re-coding
- making notes of findings
- selecting and writing up the findings.

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It is important to understand that this process was not linear and depending on what was required would shuttle back and forth, even during writing up.

##### **Qualitative Analysis Software**

Nvivo10 is a tool for analysis—it assists by facilitating systematic and consistent techniques for analysing data, hence potentially improving rigour (see Odena 2012). *This does not supersede the intellectual work involved in working with data*, but helps to manage the data and allows “an increased focus on ways of examining the meaning of what is recorded” (Bazeley & Jackson 2013: 2). By harnessing the computer’s facility in storing, recording, managing, transcribing, editing, sorting, searching, and matching one is able efficiently to make links across different pieces and sources of data (Weitzman 2005).

Nvivo10 is also excellent in creating subject indexing, or a meta-database for one’s literature, by coding different concepts and linking relevant references. But more than this, by being able to work with numerous types of sources in Nvivo, I was able to link key texts with codes generated from my interviews. These capabilities in the software also make reflexivity more systematic, as one can link field notes in the form of memos to interviews. Another facility I found useful was to quickly refer to the audio files to check for meta-linguistic clues during interviews, for example laughter, pauses, etc.

##### **Organisation of data**

I organised my data into various categories: my ‘sources’ consisted of academic papers and texts, audio files of the interviews and transcripts of the interviews. I also generated memos and notes, and an Excel file of biographic details. From these I generated coded lists, through which I could link themes across my sources. Finally I managed to create queries which finessed some of the cross-cutting themes, for example identity and place.

##### **Coding (creating nodes)**

A key activity was coding or creating nodes: the allocation of sections of text, whether in reference literature, or primary data into themes which could later be mined. For instance, being able to link field notes to interviews, and the ability to create memos which can later be incorporated into the final discussion enables a ‘panoramic’ view of data relevant to one interview, and helps with the interpretation of data *within* an interview (see Chase 2005: 663). Through its coding facility, it is also possible to link *across* interviews to facilitate thematic analyses.

My coding went through numerous stages, where I created preliminary codes based on Yuval-Davis’s categories of belonging: Identities; Emotional relationships;

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political values; cultural values; struggles for belonging. These were soon supplemented by codes emerging from the interviews—more appropriate naming, sub-coding, etc. For example, Emotional relationships became Contexts of care, and included the sub-codes of ‘children’, ‘own relationship’, ‘dogs’, ‘natal family’, ‘friends’, ‘community’. Their relationship also had sub-codes for the formalisation of their relationship or not, i.e. ‘married’ (which would include the CUA or similar civil partnerships), ‘other partnership status’ (like traditional marriage that did not have legal standing), ‘not married’ (meaning they did not want to get married), ‘other’ (also included differences between the partners in wanting to get married).

The biographical information was selected and generated into an MSExcel file which is incorporated as information for the participants in the next chapter.

### Conclusion: A Queer Feminist ‘Jacket’

In this research project a number of perspectives are being recorded, the main one being my own ‘academic’ lens. However, I am also trying to represent with integrity the lenses the participants use on their own lives. Hence I am aware of the shifting points of view and the relationships between them. This consciousness of the centrality of my own lens is made manifest through the concepts and language I use to describe their lives in the ‘academic’ text. However, there is a ‘first layer’ of interpretation by using the words they use, acknowledging that they were generated in discussions between us during the interviewing process. The key concepts I use to produce this knowledge (dissertation), therefore needs to reflect the terms they themselves use to describe their relationships; hence words like ‘love’, ‘commitment’, ‘caring’, ‘coming out’ need to be contextualised inside the picture they paint of their own world. As a listener, interpreter and co-constructor of other people’s stories, I need constantly to imagine the world from their point of view. Moreover, I need to put my own marriage inside the same frame—after all it is my own unique experience of a same-sex marriage that centres and t(a)ints my understanding of their choices (Roberts 2002).

I draw my own inspiration from gender struggles for social justice—feminist, lesbian and gay and anti-neoliberalism. More broadly, I acknowledge the following feminist values underlying my research methodology:

- intersubjectivity in research relationships
- a commitment to ‘strong objectivity’
- the personal is political

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- research is political
- we humans make meaning through stories which:
  - are situated and constructed in contexts
  - are representations of what is important to us
  - arise through interactions
  - are iterative parts of performing our identities
  - help people connect past, present and future.
- there is no value free research, therefore as a researcher I come from a position of conscious partiality.

### The Story of the Research Process

Below I summarise my methodology by providing a narrative account of the process from getting an interview to the interpretation of the data.

I was working inside my 'own' lgbti-q community in Cape Town (K Narayan 1993), so I would ask a lesbian or gay person or couple whom I know, at a social gathering or at a workshop or conference, if they wanted to be interviewed. If they agreed, we would exchange telephone numbers if necessary and I would inform them in detail of what was involved: the scope of the project, their role etc. They would also tell me of others who might be interested. This happened on three occasions. We would then arrange for a time and place to meet. From our conversations I know that the research assistants followed a similar procedure to secure interviews, except they would need to double-check if I was available, which I usually was.

At the interview I (or the research assistant) would explain the project and give them an information sheet (Appendix A), ask if they had any questions, and then proceed to sign the first consent form—consent to be interviewed (Appendix C). I got permission to use a voice recorder (no one refused), and we would start the interview. It was important that people understood clearly what was involved in consenting to be interviewed—"dutiful ethics" (Etherington 2007: 601). Since people don't always know to what they are consenting, they also knew that they would have time until they signed off the final transcript to change their minds about anything, including withdrawing from the study altogether. In particular we would spend time discussing the consequences of using their own names, vs. choosing a pseudonym and how I would erase a lot of identifying data, such as places or names to anonymise them (Grinyer 2009; Guenther 2009). Using the interview schedule (Appendix B) as a rough guide, the interview proceeded like a conversation, and they also asked questions and directed the conversation to topics they wanted to raise. I would steer the conversation back to anything I wanted to know until the conversation came to a close. I would thank them for their time, and I would hand them their gift.

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Back at home I would file away the consent form and download the audio file into Nvivo, which would be transcribed within a week to ten days. I would also make a file for 'field notes' describing the interaction and any issues that I had noticed. These would be made in the form of memos to be linked with the interview and would include a 'thick' description of the couple's relationship as it appeared to me from the interview (Lincoln & Guba 1985: 316).

Within a week to ten days I would return the transcript to the participants where they were able to correct and edit the transcript to reflect what they wanted to say. At this point they 'signed off' the transcript through signing a second consent form (Appendix C) which detailed whether and what pseudonym they wanted to use, and what they wanted to do with their interview material. I gave them the option of having it destroyed, or lodging it with the Gay and Lesbian Memory in Action (GALA) archives in Johannesburg. All the participants consented to donating their interview material to GALA. This member-checking contributed to the internal validity of the data (Lincoln & Guba 1985: 314-316), as participants were allowed the opportunity to give an alternative reading of the material. Three Xhosa-speaking couples did not have email, so the research assistants (who did have email and computer facilities—a condition for being a research assistant) took the transcripts and consent forms to them for signing. All the participants could understand and speak English, even though the interviews were conducted in isiXhosa.

The changes from the transcripts would be entered into the files, and the filenames changed to indicate that it was a 'final' (and approved) version. The consent forms were put together in a folder, and the 'admin' checked off in a check-list in Excel. These processes for managing and auditing the data ensured dependability (Lincoln & Guba 1985: 317-318).

All the transcripts were read and checked against the 'thick' descriptions, and any new insights recorded. Some preliminary themes were identified, and established as codes in Nvivo. The transcripts were then coded. If new themes emerged, new codes would be added. After all the transcripts had been coded, I checked for frequency of occurrences of codes, and double-checked the transcripts against the codes to make sure they fit into the codes. I then worked with my Xhosa-speaking friend to make sure I had interpreted the translated interviews with idiomatic consistency into the codes, and adaptations to a small number of codes were made to be context-appropriate. The multiple readings of the transcripts, member checking and constant cross-referencing all contributed to the credibility of the research (Lincoln & Guba 1985: 301ff).

For the findings, I generated a small biographical details table in MSExcel, and 'played around' with the Nvivo software, linking interviews to themes, and making

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word-maps (establishing frequency of certain words in the interviews). These allowed me to group and link data across a range of categories, e.g. safety, place etc. All the time I was generating memos, linked to the interviews, but also to the themes. These formed the themes’ I eventually generated to export into MSWord, and incorporate in my findings.

The publication of two academic peer review papers (Van Zyl 2011a; 2011b) from some of the initial interviews meant that peer validation had occurred (Loh 2013: 6), showing that my analytical procedures and findings rang true—satisfying the conditions of ‘verisimilitude’ and utility (Loh 2013: 9, 10). As mentioned earlier three couples had also read the articles, and one couple had given positive feedback about the use of their story, confirming the plausibility of the interpretations (Polkinghorne 2007). Through my social networks I am still in regular contact with a number of the couples who are following the outcome of this dissertation with interest. Finally, the reading and support of my supervisors during the writing of my dissertation counted as both peer as well as audience validation (Loh 2013: 7). Comments from the examiners have also helped to deepen my analysis.

What I initially thought of as challenges—language, differences, interviewing couples, the presence of research assistants, children, dogs—were all situations that had to be dealt with, and ultimately contributed to the richness of the data. The interviewing process was not always smooth, but these incidents are noted in the field notes for each interview.

I hope that this project has provided a map for understanding the lives and hopes of lesbian and gay couples in South Africa a bit better, and that it will be taken up as the basis for work by others.

As for me, a queer feminist researcher and activist, I adopt a partial and critical stance which ‘queers’ dominant hegemony in an attempt to forge a more just future for lgbti-q in South Africa. Having chosen methods that I feel are appropriate to the subject I studied, I trust that the dialectic process between my data and the theories that inform my intellectual endeavours have yielded a useful framework for advancing social justice.

In the next chapter I look at the findings emerging around the participants’ identifications.

## chapter five

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# Being Queer—Identities

In most of the world's societies, the sexual politics of marriage is defined through norms of a gendered hierarchy of heteronormativity. While most contemporary cultures support monogamy, there are still some societies who practise polyandry, and numerous ones who endorse polygyny. With soaring divorce rates in modern societies, many people are marrying more than once in their lifetime; that style of marriage has been dubbed 'serial monogamy', where partners go from one dyadic relationship to another. These different forms of marriages form part of the sexual regulatory systems which ensure the survival of the 'nation' through different forms of economic distribution. In South Africa marriages are enmeshed in global forces of neoliberalism and its attendant cultures of profit and consumption—even for those who struggle to afford them.

Marriages are structured systemically through law and culture which seem to overlap apparently seamlessly in heterosexual marriages, but in the lives of the lesbian and gay participants those boundaries are made more visible as they struggle for formal marriage recognition. Kathleen Hull (2006) shows how they find expressions in different performances and for different reasons in the USA. In this chapter I introduce the seventeen same-sex couples from Cape Town, and also present the stories of six key informants who are involved in LGBTI-Q struggles for belonging. I focus on how they identify themselves, and tell the stories of how they 'came out'.

## Meet the Participants

Except for one couple, all the participants were interviewed together. Puleng was interviewed twice, once together with Anna when she was still alive, and three years later after Anna had passed away. Thabani, Bongani's partner was not available when we did the interview, so we only spoke to Bongani. The participants ranged across a wide age range, with Kenny being the youngest at 22, and Pat the oldest at 75. Two participants were in their twenties, seventeen were in their thirties, six in their forties, three in their fifties, three in their sixties and three in their seventies. There were no black participants in the sixties or seventies groups (only white and coloured), whereas the two youngest were both black lesbians.

### Cape Town Spaces

FIGURE 1. AERIAL VIEW OF THE CAPE PENINSULA FROM THE NORTH



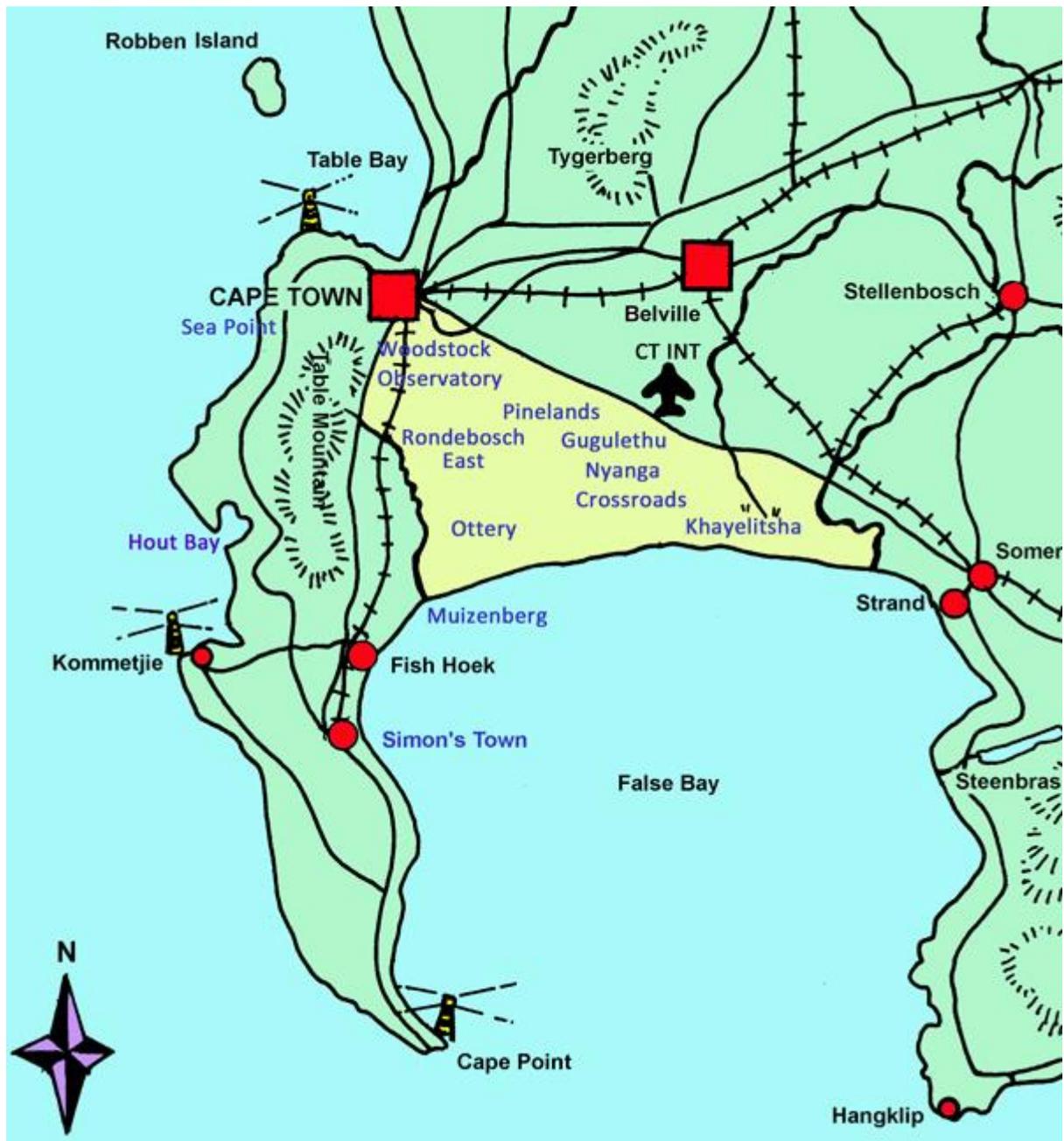
The couples came from all over Cape Town: I live inside the city bowl—the area lying between the harbour and the arc made by Devil's Peak, Table Mountain, Lion's Head and Signal Hill (Paul and Tomas also live here). This area houses the Central Business District or what is known as the 'city centre', though the city sprawls around the foot of the Cape Peninsula Mountain Chain, a range of mountains ranging South behind Table Mountain and ending at Cape Point. On the Westerly edge of the City Bowl is Green Point, lying between the city and the wealthier Atlantic seaboard areas starting with Sea Point (Dominic and Robert) and continuing down the coast to Hout Bay (where Jon and Dean used to live). Green Point houses what is known as 'the gay

village’—an area of gay bars and clubs for the more affluent, and predominantly white male patrons. At the Eastern end of the bowl, going around the ‘corner’ of Devil’s Peak, are the traditional working class areas such as the historic District 6, and Woodstock (Gill and Pat) and Observatory (Bongani and Thabani). In spite of apartheid’s best efforts, these areas have remained mixed-race, and because of their convenient proximity to the city, are areas for ‘gentrification’. They form the gateway to the rest of Cape Town’s expanding metropole. Going South, along and under the eastern flanks of the mountain chain lie the historically white, English Southern Suburbs, which wend their way South until they meet False Bay at Muizenberg (Agnes and Sarah) and continue on via Simon’s Town (Perry and Lutz) to Cape Point. Moving away from the mountain chain to the East lie the Cape Flats, where the majority of coloured and black people live.

The national N1 highway to the hinterland in the North first moves East through the Northern Suburbs past Bellville, where the predominantly non-English home language speakers live. North of the N1 lie the Tygerberg Hills where predominantly white Afrikaans speakers live, and immediately to the South live coloured Afrikaans speakers. These areas fan out to the South and East towards False Bay to encompass the Cape Flats where the majority of black Xhosa speakers live. In the blurry areas between the suburbs and the Cape Flats lie Pinelands (Rodney and Andy), Rondebosch East (Ronnie and Eve) and Ottery (Gerald and Walter). Currently, different races inhabit all these middle-class areas—during apartheid Pinelands used to be ‘white’, Rondebosch East used to be separated into ‘coloured’ and ‘white’ sectors and Ottery was ‘coloured’. Further to the East and South lie the ‘townships’—almost exclusively inhabited by black people—including Nyanga (Maru and Neo), Gugulethu (Gugu and Tete), Crossroads (Puleng and Anna) and the vast sprawl that is Khayelitsha (Lumka and Kenny, Funeka and Thando, Sue and Brenda and Pamella and Nkuli). Previously from Hout Bay on the Atlantic seaboard, Jon and Dean moved to Sedgefield, 500km away in the Southern Cape. After the interviews were completed Agnes and Sarah also moved to the Southern Cape.

The map of Cape Town indicates the places where the participants live; most of them live in the lime green area on the South-eastern side of the Peninsula Mountain Chain. I would drive to an agreed place of interview, often in people’s houses, or a few times in public places like restaurants, where I would buy refreshments for everyone. If a research assistant was accompanying me, I would pick them up at a pre-arranged rendezvous. Having independent mobility in the form of a car was extremely convenient for negotiating the landscape of Cape Town.

FIGURE 2. MAP OF CAPE PENINSULA



### Biographical Sketches of the Couples

I will present the narratives in order of those couples who were together for the longest time, to those who were together for the shortest time, i.e. eight years. (Where I use verbatim quotes from participants they are referenced by the allocated numbers below.) The years of being together and their ages are given for the time when the interviews were conducted between December 2009 and January 2013. These are compiled from the interviews and field notes made after the interviews.

The key informants are presented in the order they were done. They were all done by me at various, usually public, venues during 2013. I interviewed Daniel on Skype. Liesl and Ecclesia spoke Afrikaans.

### **01. Walter and Gerald**

Walter and Gerald were both 74 years old at the time of the interview. Walter: “I am 74 years old, I am a pensioner, retired and living with my partner for 52 years.” Walter worked in the clothing industry, and Gerald (“they call me Gerry”) worked for a glass company for forty years. Gerry: “We got to know each other when we were 22 years old ... we are both coloured; a mixture of everything in-between, and I think we belong to the middle class, we are quite religious and belong to the Anglican church.” They have been living in a building complex in Ottery for twenty years, where they are accepted and respected by their neighbours and in their community. They were still debating about getting married. The interview was conducted in Afrikaans.

### **02. Agnes and Sarah**

Agnes was 60 years old and Sarah 68 years old, and had been together for 27 years at the time of the interview. They are married under the Civil Union Act. When I asked “what would be the tags that you attach to yourself” Agnes called herself “womanly [laughs] ... obviously a ‘white settler’ ... I mean I wouldn’t go around saying I’m white ... would identify just being white all the time. So ja, I suppose my tag probably would be feminist if I’m anything, but ... tick the boxes of white, female, South African”. Sarah said “The same really, I’d certainly want to identify myself as a feminist ... I think I would like to let them know that I am a lesbian and a feminist and a grandmother.” They lived in Muizenberg. Sarah had been married to a man and has four adult children with some grandchildren. Sarah and Agnes got married after long deliberation as they had become scared after a friend died without seeing her friends because the family had prevented them. Sarah: “I said, what if it happens to me, or it happens to Agnes and the other one is not allowed to see them ... I turned completely. I turned a corner there and then, and then we talked about it, from the 1<sup>st</sup> of November when M died.”

### **03. Jon and Dean**

I’ve known Jon since 1985 when he was a former student, and subsequently became a good friend. They promised to be one of my sample when I first started talking about my topic. Several arrangements to interview them in Cape Town were postponed, and I finally interviewed them in tandem on Skype. They have been together for about 25 years, and moved to Sedgefield 10 years ago. They have a one-year old son, Luke, with a lesbian couple, Kate and Jules, who all live with them in a separate dwelling on their farm. Dean (Luke’s biological father) is 45 and Jon is 48, while Kate (Luke’s biological mother) is 39 and her partner Jules 36. When asked when he realised he was gay, Dean

said: “from the beginning of time.” Dean feels that being a father has shifted the way the community perceives them: “If Jon and I are out with Luke, there’s definitely a sense of acceptance of two fifty-year old gay men together ... yeah.. It’s more inclusiveness if you’ve got a little Luke hanging around. People engage you, so there’s not the thing of being two gay men, it’s two fathers.”

#### **04. *Eve and Ronnie***

I was referred to Evelyn and Ronnie via friends we have in common. Eve and Ronnie have been together for 18 years, and living together for 15. They live in their own house in Rondebosch East, and that is where we did the interview in Afrikaans with interjections here and there in English. Eve is 37, and Ronnie 41. In response to a question on how they would describe themselves Eve said: “I’m a 37-year old lesbian who lives in Rondebosch East. I suppose you could say I’m middle-class now, but I grew up being working class.” Ronnie added: “Middle-class coloured ... ja, lesbian. But I prefer to call myself a woman.” They have good relationships with their neighbours often babysitting for them. Ronnie: “They know us, and we all get on well. If they want to go out sometimes, they ask us to babysit.” Eve: “First we used to go to their house, but now the kids come here, and we play games and watch videos.” They got married two years previously. Eve: “Obviously we wanted the world to know how much we love each other, and that we wanted to be together forever.”

#### **05. *Bongani and Thabani***

Though it had been made clear that we wanted to talk to both of them, Thabani was not there when we arrived in Observatory for the interview. Brian had set it up, so after some consultation I decided we should go ahead, as it had been a difficult interview to set up. When asked to tell us a bit about himself Bongani said: “Originally I am from the Eastern Cape ... I am a 37 year-old man working as a community development worker ... I am a religious person, a Christian and I attend St Joseph’s Church every time.” He describes his 42-year old partner Thabani as follows: “He is that guy who looks straight ... only if one is gay can you pick up that he is gay.” When asked about his sexual attraction to men he says “Before, I used to think I am bisexual, because I was dating girls ... I never told myself that I am gay, but I don’t mix with girls any more. I probably started having relationships with men in 1994.” They are not considering marriage. “I would not want to get married to him, not now. Because in the 15 years we have been together everything has been fine and I think probably marriage will spoil everything.”

#### **06. *Gill and Pat***

Pat and Gill are friends of ours. They are an interracial (coloured–white) couple who have been together for fifteen years; Pat was 75 and Gill 49 when I interviewed them in

their house in Woodstock. To the question “how do you see yourself?” Gill responded: “49 next birthday ... I see myself as a lesbian ... and I would say I’m a lesbian feminist. I live with Pat who as you see ... or hear ... is English, from the UK. We live in our own house with our three cats and two dogs.” Gill is not religious, but Pat says: “I go to the Anglican church, the cathedral.” They are married. Pat: “We actually got married under British law ... went to the British consulate with our witnesses.” Asking why they didn’t wait for the South African law, Gill said: “Because it didn’t really matter. Once we’d decided ... we just wanted to do it, and get it over with.”

### **07. Puleng and Anna**

Puleng (37) and Anna (35) are both Sesotho speakers. Anna was very quiet and let Puleng do most of the talking. Ntando had set up the interview and we moved between isiXhosa and English in the interview with Ntando taking the leading role in asking the ‘questions’. Anna has since passed away and Puleng has trained as a sangoma. They were together for 12 years. Puleng introduced themselves as follows: “My name is Puleng Mahlomo and I am 37 years old. I was born in Sterkspruit. I am a proudly black lesbian. I am married to Anna who is 35 years and coming from Lesotho.” [Anna nodding]. Knowing that they were married, Ntando asked: “Why did you get married?” Puleng: “We decided to get married in 2003 in a traditional way and in 2008 we decided to legalise our marriage at Home Affairs ... my wife is from Lesotho and I had to marry her in order [for her] to get South African citizenship.” I did a follow-up interview with Puleng, also in her house, where Ntando was present but I took the lead, speaking mainly English. Puleng had custody of Anna’s children, and was struggling with Home Affairs to get identity documents for them, even though she and Anna had been legally married and she was their legal guardian, also acknowledged through tradition by Anna’s natal family.

### **08. Dominic and Robert**

Together with Brian who had set it up, we did this interview in English. Robert and Dominic live in Sea Point. Dominic: “My name is Dominic Kessel, I am a 32 years old coloured male from Cape Town, South Africa. I was born and raised in a mixed family [white and coloured parents] and I have been involved in a relationship for about ten years now.” Robert: “My name is Robert and I’m Dominic’s partner, his better half, and I am turning 38 next week. I am from Germany and have been here in South Africa since the end of 2000 because of him.” They are both involved with the gay-friendly Good Hope Metropolitan Community Church. The Constitutional Court had ruled in 1999 that same-sex partners of South Africans be treated as spouses in immigration legislation, therefore Robert could get legal status as a registered partner—but not without some problems at Home Affairs. Robert: “When we put my immigration papers in, the spousal visa and the immigration was between the Minister of Home

Affairs and the Constitutional Court ... and you know how Home Affairs are and they are not geared into doing some sensible decisions.” They managed to register their partnership, but have not got married because “our concepts of marriage are a bit different” (Dominic).

#### **09. Gugu and Tete**

Gugu and Tete had been together for 10 years at interview. Pam had set it up, and went with me to do it. We did the interview in the Spur (a steak house food chain) in Mitchell’s Plain. The interview was conducted mainly in isiXhosa, so Pam took the lead. Asking to say who they were, Gugu said: “My name is Gugu and I am 35 years old, living in Gugulethu. I am running a project on Igbti-q based in Gugulethu. I am a lesbian and a Christian. I am black African.” Tete is also 35 years old, and called herself “a lesbian woman”, “Christian” and “African”. Gugu has a daughter and Tete has two; the children live with their maternal grandparents. On getting married Gugu said: “Yes. I love Tete so much. Because we have been living together for eight years and been together for more than ten years. A marriage is the union of two people, we want to get married next year—we will definitely get married.” They did get married the following year.

#### **10. Lumka and Kenny**

Ntando did most of this interview in isiXhosa. We did the interview in Ntando’s house in Khayelitsha; they also live in Khayelitsha, but in a different section. Lumka is 30 and calls herself a “lesbian” and “South African.” Kenny is 22 and says “I am a lesbian, and I am not a religious person. I grew up in the Eastern Cape and I am currently staying in Khayelitsha with my girlfriend.” They have been together since 2000 (10 years). Neither of them has children. They disagree about getting married. Lumka: “We are not married. We always fight when I speak about marriage. Kenny does not want to get married.” Kenny: “I do not want to get married because I am scared about what my father will say. I think when I finally decide to marry my girlfriend I will tell my mother first.” They don’t have any children.

#### **11. Funeka and Thando**

Funeka and Thando live in Khayelitsha, and are friends of Pauline and I. I did this interview in English at our house in Tamboerskloof one weekend when they were visiting us. Funeka was 52 and Thando 33. They had been together for nine years. When I asked how they would identify themselves Thando said: “I would say I’m a woman, a mother, also I’m in a relationship with a woman.” Thando’s son lives with her mother in the Eastern Cape. Funeka said: “I am a woman.” They got married in 2011. On being asked how they feel about the Civil Union Act and why it was important, Thando said: “For me, it gives us the rights that we can say ‘Ok. I’m also married.’ And I

can have the certificate ... it is a need to respect that it's there." Funeka wanted to get married so that her family could not take the house away from Thando. "They have to know that there's someone who it there. It really gives dignity to my home."

### **12. Perry and Lutz**

Perry and Lutz are both from Europe, and run a children's home in South Africa. They live near Simon's Town in their own house. Brian set up the interview which was conducted in English. When asked to identify themselves Perry said "I am 49 years and was born in Holland to a Chinese father and Dutch mother. I am a homosexual and not really a religious person". Lutz said "I am 54 years old and born in Berlin in Germany. I am living now eight years in South Africa and also gay and open about it and I am happy to live in South Africa and work in South Africa." They registered a life partnership in 2001. Perry: "Lutz would get a work permit ... and I needed also a resident's permit as otherwise I could have only stayed as a tourist." They married again in the Netherlands two years before the interview. Perry: "We had to have another marriage ... because the Dutch laws did not recognise our South African life partnership." They have no children of their own.

### **13. Paul and Tomas**

Paul and Tomas had been involved for 8 years when Brian and I met them in Café Manhattan's in the gay village, near where they work in the hospitality industry. They live in the City Bowl in a block of flats (apartment). Paul: "I am a 38 years old white man, and I am from Cape Town ... I am as out of the closet as possible". Tomas said: "I am Tomas, 40 years old and I come from Macedonia ... I am not very out." They are not married, but have a life partnership agreement. Paul: "The word spouse was extended to imply same-sex relationships and for certain purposes we did a life partnership agreement ... which would enable Tomas to get work in this country, and now he is waiting for citizenship."

### **14. Rodney and Andy**

Rodney and Andy got together eight years ago and live in Rodney's house in Pinelands, which is where we did the interview (in English) that Brian had arranged. Rodney grew up in Pinelands, but Andy said: "I am from the Northern Cape in Port Nolloth ... I am 31 years old ... I identify myself as a gay man also from the middle class and of the coloured community." Rodney said: "I am a 61 year old white man and I can say I belong to the middle class. We are both religious and we go to the MCCGH [Good Hope Metropolitan Community Church] church. How you see us is the same we will be like tomorrow; we are such a simple couple. I am a white person but when I speak people identify me as a coloured person, but I am a white person." He also said "I am a gay dirty old man, put it that way, especially when I am working in the garden. I have

no desire to wear women's clothing at all, just be a guy who is attracted to other men. What we can say is a 'straight gay guy'."

#### **15. Maru and Neo**

The interview, arranged by Pam, took place at the Mitchell's Plain Spur. It was mostly in isiXhosa and led by Pam. I met Pam and then we picked up Maru and Neo from where they live in KTC Nyanga. Maru: "I am 31 years old. I am a black female from Cape Town, South Africa. I was born in eBhayi [Port Elizabeth] ... I am a lesbian." Neo said: "I am 38 years old ... I am a lesbian too, but I prefer the word *Stabane* 'cause it's more African than 'lesbian'." Maru does not have children, but Neo says "I have one cute boy; he is nine years old ... he lives with my mother because I am working, so my mother took him and I did not have a problem with that." To Pam's question: "Are you guys gonna get married?" Maru replied: "Yes, I want to, I really want to get married, I love Neo so much I wanna spend the rest of my life with her." Neo: "Yes I do. I have been with her for eight years now."

#### **16. Sue and Brenda**

Pam set up this interview which we held in the Mitchell's Plain Spur. It was mostly in isiXhosa. Sue and Brenda live in Khayelitsha and have been together for eight years. Pam: "Tell us about who you are, class, race, religion and so on." Sue: "My name is Sue, I am a 35-year old lesbian. I am an African and both my parents are black, that makes me black too. If there is an affording class just count me there ... I am not a Christian, and I don't have time to go to church." Brenda: "I am 30 years old, a lesbian born and living in South Africa. I am black. I always say I am a working class person. I am a Christian. I go to church almost every Sunday." They want to get married, but Brenda is concerned about Sue's homophobic family. Sue has a daughter "fifteen years old living with my mother" and Brenda has two; "my daughter lives with her father ... and my loveable son lives with my mother."

#### **17. Pamella and Nkuli**

This interview took place in Khayelitsha at Ntando's house. It was done in isiXhosa. Pamella: "I am Pamella and I am 23 years ... I was born in Cape Town in Nyanga. I am South African and also a Christian." Nkuli: "I am Nonkululeko, nickname 'Nkuli'. I am a 35-year old female born in the Eastern Cape ... I am a Christian and identify myself as lesbian". They have been together for eight years and have two children. Nkuli: "One boy and a girl of 15 years. The girl stays with us at Cape Town, and the boy stays with my family in the Eastern Cape." When Ntando asked them about marriage Nkuli said: "We are not married, but we do talk about it." However, she doesn't want to get married now, while Pamella says: "I do want to get married."

## **Biographical Sketches of the Key Informants**

### **K1. Funeka Soldaat**

Funeka is a close friend and also one of the couples interviewed, so her voice is strong in this study. She is a tireless gender and queer activist, in particular as the founder of *Free Gender*, a black lesbian organisation in Khayelitsha addressing homophobia and hate crimes. She spoke about her experiences as a lesbian in political organisations. We did the interview in English at my house one weekend when she and Thando were visiting. We discussed what it means to be an lgbti-q activist.

### **K2. Daniel Kaplan**

I wanted to speak to Daniel Kaplan to get a perspective on the Constitutional issues around the passing of the Civil Union Act, and also because he is a Jewish marriage officer who has conducted several gay and lesbian weddings. “I’m currently a professor ... in Human Rights and Constitutional Law and director of a research institute on constitutional and human rights law; and a secretary-general of an international constitutional law association—so I’m very involved in the public sphere and my work is in the field of Human Rights Law.” Daniel was the legal advisor for NGOs making submissions to parliament on the Civil Union Act. “[S]ubsequently I became a marriage officer in terms of *JewishOutlook* which is a Jewish lgbt organisation, and then became a marriage officer for the organisation and conducted several gay and lesbian weddings.” Daniel explained the process of negotiation with government and we discussed the conscientious objection clause in the Act.

### **K3. Zethu Matebeni**

Zethu and I knew each other from various queer events, and some activism. We met at *Bean There*, a coffee shop where they sell Fair Trade coffee. Zethu is an activist and academic who grew up with politics. “My interest in lgbt issues started at home ... I come from a very political family, well, my mother is a unionist ... she was the first person to introduce me to a trans person, and I was a little person, this was her best friend. T used to cross-dress and for her this was another way of being. We were made to understand that it was just a different way of expressing oneself, and a way of occupying the world.” Asked about a lesbian identification she said: “For me it is a political identification, completely ... I can have an encounter with someone ... who makes me want to claim that identity. Or because of that interaction I enforce my identity as a lesbian, but not just as a lesbian but a *black* lesbian.” Zethu and I talked about the significance of same-sex marriages and belonging.

### **K4. Ecclesia de Lange**

I had met Ecclesia briefly during a film showing for *Out in Africa* of her struggles within the church. I met her at a deli, *Melissa’s* near her home in the Northern Suburbs. The

interview was conducted in Afrikaans, with a smattering of English here and there. She was a minister in the Methodist Church, and is part of Inclusive and Affirming Ministries (IAM) in Cape Town; she is also a marriage officer registered with the Good Hope Metropolitan Community Church. “I was dismissed out of the church because I married my same-sex partner. The marriage was under unbelievable pressure. I lost my job, my income; my identity had been erased.” Ecclesia and I spoke about the challenges inclusive churches and ministers were facing in relation to same-sex marriages.

#### **K5. Liesl Theron**

Liesl and I knew each other from chatting at numerous workshops and meetings and the odd social event. We met at a coffee shop in Gardens near her home. We spoke Afrikaans. At the time she was the director of Gender DynamiX, a support and rights organisation for transgender people in Cape Town. When I asked her how she identified, she said she is wary of labels and labelling, but she owned the label ‘lesbian’, saying “I think that is the easy way of defining myself, but I have negotiated with labels over the years, considering whether to call myself ‘bisexual’, because I also went out with trans masculine people ... so this lesbian is more complex than other lesbians. I am aware of terms like pansexual blah, blah, blah, omnisexual, all those words, but they are not words that belong here, they are not South African words. So this is a very long answer to a short question, because that is my identification.” We spoke about the limitations of the Civil Union Act and marriage in the context of transgender people’s lives.

#### **K6. Muhsin Hendricks**

I had seen Muhsin at some meetings on the Civil Union Act. We met at the offices of *The Inner Circle*. Muhsin is a gay Imam, and founder of *The Inner Circle*, a social support group to help Muslims reconcile Islam with their sexuality. Through dialogue, they work locally and internationally with affiliates to integrate Islamic Rights with Human Rights. “I only came out of the closet when I was 29, after being married for 6 years and having three kids ... discovering it was a double life that I’m leading. And coming out almost immediately after I got divorced. And then meeting with more queer Muslims and then finding out that they were quite challenged, beyond the challenges that I’ve personally experienced. And I just felt compelled to do something about that, so I just started support groups in my house and then eventually the group grew from 6 people to 25 and then in a span of two years we were an organisation. Ja.” Muhsin explained to me about how Islam accommodates same-sex relations, and consequently same-sex marriage.

Below is Table 2. Biographic Data of the Couples.

TABLE 2. BIOGRAPHIC DATA OF THE COUPLES

No.	L	Name	Age	Since	Area	Gender identity	Racial	Culture	Natio-nality	Religion	Values	Commit-ment
Date												
01	A	Walter	74	1957	Ottery	gay	coloured	coloured	SA	Anglican		no
0110	A	Gerald	74			gay	coloured	coloured	SA	Anglican		
02	E	Sarah	68	1983	Muizen-berg	lesbian	white	white settler	SA	Spiritual	feminist	CUA
1008	E	Agnes	60			feminist	white	Eng SA	SA	Spiritual	feminist	
03	E	Jon	52	1990	Sedge-field	gay	white	Eng SA	SA	no		CUA
0914	E	Dean	48			gay	white	Eng SA	SA	no		
04	A	Eve	37	1992	Ronde-bosch East	woman	coloured	coloured	SA	Christian		CUA
0610	A	Ronnie	41			lesbian	coloured	coloured	SA	no	feminist	
05	E	Bongani	37	1994	Obser-vatory	gay	black	umXhosa	SA	Christian		no
1209	E	Thabani	42			gay	black	umXhosa	SA	no		
06	E	Gill	49	1993	Wood-stock	lesbian	coloured	coloured	SA	no	feminist	UK part-nership
0711	E	Pat	75			lesbian	white	white British	British	Anglican		
07	X	Puleng	37	2000	Cross-roads	lesbian	black	Mosotho	SA	Traditional	trad.	Lobola & CUA
1109	X	Anna	35			lesbian	black	Mosotho	Mosotho	Traditional	trad.	
08	E	Dominic	32	2000	Sea Point	gay	coloured	coloured	SA	GHMCC		Lifelong partners
0610	E	Robert	38			gay	white	German	German	GHMCC		
09	X	Gugu	35	2000	Gugulethu	lesbian	black	umXhosa	SA	Christian		no
1109	X	Tete	35			lesbian	African	umXhosa	SA	Christian		

No.	L	Name	Age	Since	Area	Gender identity	Racial	Culture	Natio-nality	Religion	Values	Commit-ment
Date												
10	X	Lumka	30	2000	Khaye-litsha	lesbian	black	umXhosa	SA	Christian		no
1109	X	Kenny	22			lesbian	black	umXhosa	SA	no		
11	E	Funeka	52	2004	Khaye-litsha	woman	black	umXhosa	SA	no	feminist	CUA
0413	E	Thando	32			woman	black	umXhosa	SA	Christian		
12	E	Perry	49	2001	Simon's Town	gay	mixed	Chinese/Dutch	Dutch	no		Lifelong & Dutch marriage
1109	E	Lutz	54			gay	white	German	German	no	democrat	
13	E	Paul	38	2002	Cape Town	gay	white	Eng SA	SA	Spiritual		Lifelong partners
1209	E	Tomas	40			gay	white	Macedonian	Maced.	no		
14	E	Rodney	61	2002	Pinelands	gay	white	white	[SA]	GHMCC		Engage-ment
0210	E	Andy	31			gay	coloured	col	[SA]	GHMCC		
15	X	Maru	31	2002	Nyanga	lesbian	black	umXhosa	[SA]	[no info]		no
1209	X	Neo	38			stabane	black	umXhosa	[SA]	[no info]		
16	X	Sue	35	2002	Khaye-litsha	lesbian	black	umXhosa	SA	no		no
1109	X	Brenda	30			lesbian	black	umXhosa	SA	Christian		
17	X	Pamella	23	2001	Khaye-litsha	lesbian	black	umXhosa	SA	Christian		no
1109	X	Nkuli	35			lesbian	black	umXhosa	SA	Christian		

The first column contains the reference number for the interview and below it is the month and year the interview was conducted.

Language (L): X=isiXhosa; A=Afrikaans; E=English

## Participants Define Belonging

In this section I explore participants' understanding of belonging. These are some of their responses to the question: "What do you understand by belonging?"

Dean: *I suppose how I would understand it is a sense of belonging within a society that I'm in, so that people around me, my family, relatives, friends, ja (03).*

Ronnie: *Knowing who you are, and being able to live with yourself ... and being with others who love you, like having a loving family, having your own house, having good neighbours ...*

Eve: *It's actually very difficult to say. To feel at home, to feel safe, to feel loved (04).*

Pat: *It's being part of a community, and feeling safe wherever you are (06).*

Thando: *Belonging I would say is where you think you fit in in the society and the community in terms of your sexuality.*

Funeka: *Belonging for me is being part of the bigger picture. Not being excluded by others (11).*

Daniel: *OK Ja belonging. Belonging is about connecting to a political community, being part of a political community, feeling a sense of participation and a stake in that and a sense of connection and relationships to that community. Belonging would be opposed to feeling alienated. There's a sense of connection, and I think that for me also comes with a sense of equality, equal treatment in the sense of being a full participant, and to be treated with respect and dignity (K2).*

Zethu: *I see belonging as implying that one has a sense of being, to know who one is and to be able to associate with those who have similar characteristics ... whether those are ideas, ideologies, politics; so belonging for me I guess it's less about physicality, like the location, it's more about a way of thinking, a mindset (K3).*

Ecclesia: *For me, belonging is definitely a right to be, to be safe, to respect yourself, and a community ... without being excluded, being part of ... be part of the greater, not to be on the margins (K4).*

Liesl: *Belonging is a space, that mind space that you find in a community and in yourself ... so a relationship with your environment (K5).*

Muhsin: *When I hear belonging, I hear identity. So it's about feeling comfortable and accepted in a particular space, belonging to people that share your similar interests ... ideals, beliefs perhaps (K6).*

The elements that emerge as key criteria for belonging are shared identities, emotional connections with people, spaces, mind-spaces, security, safety and a shared sense of values. Most refer to a sense of community while the activists also focus on self-esteem, respect, equality and dignity as dimensions of belonging, evoking the terms of formal inclusion from the Constitution.

The participants did not isolate their lesbian or gay identities as particular foundations for belonging, but evoke the affective dimensions of their humanity, emphasising inclusion and connection—sharing similar interests, feeling safe and being included as part of a community, resonating with what Judith Butler calls a ‘liveable life’. They confirm Nira Yuval-Davis’s (2006a: 197) concept of belonging as complex and multi-layered, and go beyond conceptualising belonging only as formal ‘inclusion’ in citizenship. Thus belonging emerges as a concept which enables us to understand the privatised and affective dimensions of citizenship. But belonging for the participants also emerges as something precarious: they yearn for an ‘authentic’ life (see Hattingh 2005) within a society which has positioned them variously as outsiders because of their queerness.

Belonging is usually taken for granted, and becomes visible only when it is denied, then struggles for belonging emerge (Yuval-Davis 2006a: 204). In the LGBTI-q movement, a politics of belonging has mostly been waged as identity politics for recognition. Worldwide, struggles for LGBTI-q recognition have used the human rights framework in a sexual politics of belonging to challenge the boundaries of inclusion | exclusion into the polity. In South Africa these struggles have resulted in formal recognition of rights in the Constitution and legislation. Queers in the rest of Africa are still struggling for decriminalisation. In the next section I look at how the participants managed their identities in coming out stories.

## Identifications and Social Locations

Identifications are about the boundaries between self and others—‘I’ and ‘you’ (singular); ‘I’ and ‘we’; ‘I’ and ‘you’ (plural); ‘I’ and ‘they’. Nira Yuval-Davis (2006a) describes identities as ‘the stories we tell ourselves and others about who we are’. Social locations are the social positionalities we occupy in relation to wider discourses of power, such as gender, race, ethnicity, class, nationality and so on. The participants foregrounded some of these ‘labels’ as part of their identities, while ignoring, contesting or explaining others, but usually incorporating them into the answer to the question “Tell me a bit about yourself” (or words to that effect). However, I did not

follow a strict question and answer routine, nor a particularly rigid sequencing. Therefore, the meaning of their stories guided me to where I coded them (sometimes because of overlaps I coded the same content twice). Here I position them to aid the discussion of identity as a facet of belonging.

## **Coming Out Queer**

‘Coming out’ stories are about who I think I am, versus what dominant discourses, and also people in relationships with me, think I ought to be. It involves a hidden or secret dimension of identity which goes against the grain, and the process of disclosing that ‘aberrant’ identity. Globally, ‘coming out’ is a dominant discourse around identities for lgbti-q. It signifies a process from which queer people emerge by asserting a non-heteronormative or gender non-conforming sexual identity to others. Because heteronormativity and gender binarism are such powerful regulatory discourses, it usually involves a range of powerful emotions for the individuals concerned. Disclosing an aberrant sexual orientation to others is a struggle because of fears of rejection, discrimination, ostracism and violence. It is a process suffused with disbelief, denial, recognition, acceptance, relief, fear and possibly eventual pride (Bilodeau & Renn 2005). Because ‘coming out’ is a complex and layered process consisting of broader strategies for ‘managing’ one’s identity it cannot be understood as a single act, but rather as a series of performances and part of constructing a narrative of self (Orne 2011). Many people follow similar processes whereby they recognise themselves as ‘different’ during childhood; as they get older they identify it as a same-sex attraction leading to self-labelling as lesbian or gay (or whatever), and possibly later to bisexual or transgender (Robertson 2011). By coming out queers position themselves outside the charmed circle of heterosexual belonging. While ‘coming out’ helps to ‘authenticate’ a queer identity, it also binds people into new identity categories, and tends to consolidate the binary between heterosexuality | homosexuality and consequently the masculine | feminine binary that upholds them (McCormick 2013). Because ‘coming out’ is such a common narrative in lgbti-q identifications and identities (though by no means universal), where appropriate we asked the participants for coming out stories usually by a question like “when did you realise you were different?”

## **Same-Sex Attraction and ‘Playing’**

Participants often experienced their same-sex attraction at an early age, even though they did not have an identity label for it.

*Walter: Since my early days at school, probably when I was six years old, we used to be all the boys together and sort of played with each other ... sometimes fondling each other or*

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*them fondling me. It was around 1943. With the boys it was just playing, but I was realising that I felt excited and was enjoying it (01).*

Among the lesbians there were ‘mummy–baby’ or ‘amachicken’ relationships (see also Gunkel 2010b). ‘Mummy–baby’ relationships have been documented among young black women since the 1950s, where it has been documented as part of the culture in same-sex institutions (Gay 1986; Gunkel 2010a; Khumalo & Wieringa 2005). Though often seen as preparation for later heterosexual relationships, these relationships may also be homoerotic.

*Funeka: There was this thing that happened in our communities ...*

*Thando: When you are young then you are kind of dating a woman but you say this is my ‘child’.*

*Mikki: ‘Mummy–baby’?*

*Funeka: So I started to experience that from the early eighties.*

*Mikki: And were you the ‘mummy’ or the ‘baby’?*

*Funeka: No, I was always being the ‘mummy’ [laughter]. Ja. But I think in ‘87 when I experienced sex, but I didn’t know it was sex anyway. I didn’t know what I was doing.*

*Mikki: But you liked it?*

*Funeka: I liked it. That was hectic. But I didn’t know what was going on. Because I remember, I think it was before ‘87, I’m not sure, but in the eighties when I was having this ‘baby’, so before I have sex, we touch ourselves, we kiss each other, we hug and whatever, enjoying it and we don’t know what’s happening (11).*

Participants described a sense of being ‘different’ from other children in a fundamental way, usually through gender non-conformity. It is this difference that often expresses itself through same-sex attraction which emerges before many people even know what it means to be ‘gay’ or ‘lesbian’.

*Gerald: I think I was a late bloomer so to speak because I knew when I was about 12 years old, I think you know, and there was something: I felt that I was different. I have never been attracted to women and so I used to admire men and sexually felt very attracted to them and so of course 12, 13, 14 from there on I started to become a little bit more active, and so I used to meet a lot of people at Bachelor’s Cove, and meet them afterwards. Of course the inevitable happens you know, and the partners were mostly whites because it was a white beach.*

*Walter: Coming out really did apply to us because I sort of accepted myself more than Gerald did. My parents probably suspected that I was not the same as other people. I grew up in a family with ten kids; I was different to the others in the family and I decided when I was 21 that I was going to leave home because I was not free enough to do what I wanted. I was not embarrassed really. I stayed with my gay friends in Woodstock and staying within a group of friends of 13 of us, we were a group of gay guys and that’s where I fully came out (01).*

### Knowing that You're 'Gay' or 'Lesbian'

Many of the older participants who grew up when homosexuality was a more hidden discourse, took a while to put a name to their identities.

*Agnes: The thing of being a lesbian is about knowing who you are, kind of thing; so I had my first relationship, lesbian relationship when I was 14, almost 15, but I didn't really know that that's what it was, or I did sort of know, but I didn't know that that's what I was. And it was only at about 22 where I actually really said, "Oh right, that's what I am"—ja it's hard ... I think it's in your consciousness, or something. It didn't quite penetrate, ja, that was the awareness (02).*

Rodney an older man, and his younger partner Andy from the Northern Cape also didn't have labels for themselves.

*Rodney: Oh. I was seeing a guy when I was 21. But I never knew that I was gay. I was teaching Sunday school that time and I was chatting to this guy in the class. I became very close to the family and I developed feelings for him, but I didn't know what gay means and what it is all about. So when I really came out and found out all about gay community and everything else, I was probably 28 or 29.*

*Andy: I am coming from a community where we didn't know what gay is all about; we used call them 'moffies'. I was so in denial and I came out in 2002 all by myself ... experiencing, exploring and so. After 2002 I realised that I was gay.*

*Brian: Andy, what do you mean by denial?*

*Andy: I was not so sure about my sexuality and at the same time I was involved with a guy and also involved with a girl (14).*

Some of the younger participants were clearer about their homosexual identities.

*Pamella: I was never in the closet and I can't say I was born as a lesbian, but I grew up as one. I did not think what I was doing was wrong [dating women], and I never felt that I am hiding my sexuality. My community did not know, but my family and friends knew although I did not tell them, they just figured it out from my actions and behaviour (17).*

*Dean: I was never really in [the closet] ... [my parents] always knew; there was always an acceptance because I wasn't any different. There was no change in my behaviour from when I ... how can I put it ... I was always just the same person, and I don't know if they knew or didn't know, but they weren't questioning me about why I didn't have girlfriends or anything like that. So it all was just simple really. It was quite easy (03).*

### Sex–Gender–Sexuality Subjectivities

Many participants included gender-blending in their descriptions of their coming out stories, showing how homosexuality potentially disrupts the binaries of masculinity–male and femininity–female which uphold heteronormativity (and threaten heteropatriarchy).

*Bongani: Because of the way I grew up and the way things happened, because of cultural things, I never sort of experienced it at an earlier age—that gay thing. But when I realised*

*that I was gay I just had a picture of hanging out with girls. We used to play together and do things like cooking and other chores that can be said are for women. But it never came into my mind that I may be gay until when I was in my twenties (05).*

*Gill: I was a tomboy all my life. I preferred ... I liked to play with my dolls, which I enjoyed, but I much preferred to go out and play cricket with the boys, or football or soccer. But when my body started developing, my breasts started developing and I enjoyed that, I loved that. This is mine!*

*Pat: I was good at sport, so there were a few of us who were less girlish. So we just took it as natural (06).*

*Mikki: And when did you know inside yourself that you weren't heterosexual ... that heterosexuality was a bit of a problem?*

*Muhsin: Well I didn't know at five they call it that, but I did know that I wasn't like other boys. So really around 4, 4-5. I was a very feminine boy, I was often teased because of my interest with the feminine (K6).*

### **Telling the Family**

When participants disclosed their homosexual identities to families and friends they invoked a significant boundary of belonging, as it could mean ostracism from the family and loss of friends. Some left their families and friends behind to live as a gay—or lesbian-identified person.

*Lumka: We started dating in 2000 and I first came out to my friends in 2003, and after that I decided to tell my family. I was staying with my mother and was raised by a single parent. When I told my mother that I was a lesbian she could not believe it, and she was so stressed as she did not take the news very well. We don't really talk about it in the family as they feel that it is an embarrassment. I did not tell my father, I did not see the need to because he did not raise me; we don't have a good relationship.*

*After I told my family, I disclosed to my friends too. Some of them did accept me and understood, but others did not take it very well, they decided to stop being friends with me. Basically I have lost some friends whom I thought were dear to me.*

*Kenny: I am still in the closet I would say, because I never talk about my sexuality to my parents or anyone. My parents know that I am a lesbian, although I did not tell them and they did not confront me or ask anything. My mother has heard rumours about it but she hasn't asked me anything. However, my father has asked me why I dress like boys. I did not tell him that I was a lesbian because I was scared of rejection, and that he would kick me out of his house, or would say that if I don't change he won't look after me and would not take me as his child (10).*

In the North, Perry and Lutz found acceptance of their gay identities from their parents.

*Perry: Up till now I have never come out to my parents. You see I came from family values where one was not supposed to talk about anything sexual or even that is deemed as different from family values. I am an individual who is the person he is. When I was 16 years I tried many times to talk with my mother about it, and she felt that I need to tell her*

something, but every time I tried to talk about it she immediately changed the subject. But when I was together with my first partner, we had our first house, my parents helped with moving to our new home and helped by furnishing the new bedroom of two men living together. I saw it as an acceptance towards my sexuality by my parents and up to now they adore Lutz and they accept him as my partner ... However, they have never talked about it and they have accepted us and how we are and visit us ... probably they showed their acceptance by visiting us and that they have accepted my sexuality. Nothing was discussed, it was more of an action because I was brought up in a non-talking family.

Lutz: I come from a middle class poorer family. My father was a policeman and my mother was a housewife and there was no open space for sexuality at all in my family. When I tried to touch on the subject when I was 16 or 17, there was just no reaction. Like Perry's family probably it was more strange to the family. I also knew nobody in my whole life and family until that time who was gay, so I did not have any idea what gay means. When I was 17 I went to a place which was rumoured as a gay bar. The place was full of older people and I could not believe I was gay as I was the youngest in the bar ... My first sexual experience was with the Haitian and he was 18 and that was when I found out that I was gay. I discovered that all the misconceptions about being gay as a sickness or something else was absolutely not true and it's beautiful and I am happy. We remained good friends and unfortunately he passed away as he was one of the first victims of HIV and AIDS in Europe (12).

Thando's family helped her to tell her mother about her relationships with a woman.

Thando: First my sister. That time I was staying with my little sister. And she was like, "Yo sisi, I'm so confused now," because I think she was looking after me, "Yoo, are you going to tell our parents?" I said, "I don't know." She said, "Oh I won't tell anyone. It will be our secret." Later, two years later I told my cousin because my mother was visiting with my baby ... and then my cousin ... oh first like I started wearing bikinis, I would take Tafura's<sup>5</sup> [Funeka's] bikini and then I would wear it, and then it will hang with everyone's underwear, so I know they will ask "Whose underwear is this?" And there were all those questions. But they were quiet and then I told my cousin, "I don't want to tell them myself, can you tell them?" and wait for them to ask me, because I know they will be mad and then they have to ask me. So then I went away, and my cousin told my mother .. and I asked my cousin, "How did they take it?" And my cousin said "Yo! your mother is upset." I said "OK whatever." Then when I came from work they had the meeting. They said to the little ones, my other cousin, "Go upstairs we want a meeting." Then I knew. Yo! But what was strange for me, answering whatever they were asking, then my aunt, the one I grew up with, she's a teacher, she said "No, we have gays and lesbians at our school, there's nothing wrong, there's nothing wrong with it." Then my mother was saying, "No, you can't do this to me. What is the community and what are they going to say now? Maybe did I fail you in any way? What about the child now? What is going to happen to the baby? What if you decided to get married? And then you're going to get married, you're going to refuse the baby." I said, "I don't know if I'm going to get married. I don't know what is going to happen. We'll just see, but this is the way I feel and I don't think there's anything wrong." And my mother said "Maybe you were disappointed by your child's father? Maybe you're going to get love again, you were still young." I said "No, I know I'm beautiful and I can get any man, and I'm working, but I don't need a man." But I think my aunt made it easy for me to convince my

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5. The prefix 'Ta' indicates a masculine form of address, thus it gives Funeka symbolic status as a man.

mother. But strangely enough we didn't tell my father and our grandfather and my brothers. Still they don't know. So I'm only out to the females.

Mikki: Why do you think that is?

Thando: Ooh. My father will be very upset, and then he will blame my mother and then there's going to be a big fight and then ... maybe it's going to break their marriage. Maybe my father will say then "You need to decide, if you are with your girls then you can go with your girls." I don't think I'm ready for that. And my brothers, I can tell them any time, because I'm the first born. I will just force it with them, then they have to absorb it [laughter]. But I did come out to my brother's wife. I don't know why she is not telling my brother. I always do that ... she knows. Maybe I can ask her to tell him. [Laughter] I'm good with that (11).

Letting the family know, directly or indirectly about one's sexual orientation was a protracted process for some of the participants, requiring some planning and guile and being selective about who one told and how the knowledge was delivered. Their accounts speak of discourses of silence around sexualities, and Thando's account focuses on the potential for 'violence' as a space-events (see Puar 2012: 60) where men are present. I discuss coming out as space-events this in the final chapter.

### **Strategic Management of Identities**

Not everyone who is 'out' is out everywhere and with everyone. Through fears and projected expectations from others, people perform their identities strategically (Orne 2011). If personal performances allow lesbians and gays the option of 'passing', they have more control over choosing when and how to disclose, i.e. when they feel safe—depending on the contexts and relationships they find themselves in.

Robert: Back in Germany as a boy ... especially Bavaria were I originally come from is very conservative so we have all these rights. From a norm point of view a lot of things are open but they are very conservative in the way people behave and so I had it on a need to know basis (08).

Most homosexuals are conscious of how most public spaces are heterosexualised (Corteen 2002; Tucker 2009).

Mikki: So you're happy with your family and community and being lesbians?

Ronnie: Ja. I'd say mostly. We don't blab it all over the shop.

Eve: Yes. But we don't do long deep kisses in public! Even if we'd like to. We sometimes walk hand in hand or arm in arm. But nothing 'offensive' (04).

Brian: Would it be safe to visit the townships, for example Mzoli's?<sup>6</sup>

Paul: I will go and as a couple too, but I don't think I would kiss him over the table (13).

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6. Mzoli's Place is a popular open-air grill and bar in Gugulethu.

One of the places to negotiate outness is at the workplace. Though gays and lesbians know their rights and many are out at work, invisible discrimination makes them cautious (see Van Zyl 2015).

Mikki: *Thando, are you out at work?*

Thando: *To some people. To my close friends. People are so cruel man. These short-term personnel, sometimes they are talking about lesbians, it does come up and then the things they say about you, lesbians and gays, are so cruel. So if I out myself to them then I will be in a war, because I won't tolerate anything that they say which is bad about lesbians, and then I know we're going to fight and then we're not going to talk. So I just do it for keeping the peace, because they don't respect people man. They're so judgemental and I don't want to fight. So I just say, it's for me not for them. Ja.*

As a member of 'the struggle' Funeka came out to her comrades in the ANC Youth League. There was an awareness among anti-apartheid activists that one should not have secrets that could be exploited by the police.

Funeka: *My coming out was so strange. I did my coming out to ... the ANC Youth League. That is where I started to share with the comrades that 'Hey guys', because I've seen people 'skinnering'<sup>7</sup> in corners, then to come out by myself, and then I told them ... And I think just because of the activism mentality, before even telling my family. Then I was invited by Radio Xhosa at that time in 1992 for an interview. Then I just went for the interview and then later I told my parents (11).*

Coming out or being out is a complex and ongoing process by which homosexuals manage disclosure about their sexual identities (Gibson 2010). For a number of participants their knowledge about their attraction to people of the same sex prefigured any sense of a particular identity, and many only adopted the labels available to them after some sexual experiences. Coming out to families was seen as an important but risky disclosure, as these are often the most significant relationships and contexts of care, and could have adverse consequences. The participants were also conscious of managing their identities strategically through assessing the safety of spaces and relationships with others. Coming out is part of an individual struggle for belonging, as well as a broader identification with or belonging within a sexual minority.

## Gendering

Gendering addresses biologism, and how people's biological sex is supposed to conform with norms of masculinities and femininities—in other words it is about maintaining and reproducing hegemonic masculinities and femininities which uphold heteropatriarchies. Marriage is built upon the assumption that partners will be of opposite sexes, and will perform designated gendered and hierarchical roles in the

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7. Gossiping.

relationship. Therefore gendering is both about identifications as well as social expectations; how roles are allocated to sexed individuals and valued accordingly is indicative of the gender division of labour. Historically the sex–gender division of labour has been hierarchical where women’s roles are less valued and therefore contribute to women’s subordination in marriage. Women are deemed the primary caretakers of the family and home—‘unproductive’ labour, while men are seen to be the ‘breadwinners’—‘productive’ labour, regardless of whether women also bring an income into the home. However, in egalitarian households these feminine roles may remain gendered but not be regarded as less valuable. In some same-sex relationships partners challenge these roles to varying degrees, while others might follow the heteronormative scripts of power and gender.

In Puleng’s household she is regarded as the husband and father, expressed through de-sexing the gendered nomenclature.

*Puleng: I was the first person to come to Cape Town. I came to work ... More than anything I wanted security, a house. I got a bungalow with one room. Then I got a house, and I wanted a house with a loving wife. Then I got a job at Transnet. I couldn’t listen to anyone. I was independent, working for myself. I was a man, independent (07).*

This gendered role-designation was carried over into the family context. During the second interview, Puleng’s son was making food for his ‘father’, whom he calls ‘Daddy’. A *makhoti* is feminine—a wife, but also a daughter in law, who traditionally works not only for her husband, but for her husband’s whole family. Being a *makhoti* therefore means working for the family. Because their mother had died, all the children were expected to take on the role of *makhoti* in their father’s house. They also have a strong sense of family responsibility.

*Son: Daddy knows this is a big house ... if you come here you can stay here ... Treating my family that’s important. I’m makhoti where I’m standing at the moment. Daddy knows that for a fact. You know that I’m makhoti.*

*Ntando: ... you won’t have time.*

*Son: Trust me, for my family I would make any means. Daddy is working 24/7 but he does make time for the family ... Family comes first, you know that.*

*Puleng: I went to Durban ...*

*Son: My dad had to leave and then as soon as he came back, I went back to my stuff. So I cancelled, I cancelled. I mean if it’s that important, it’s gonna have to wait ... it will come again. It will come again (07).*

Not only is Puleng regarded as masculine by her family, the community also perceives her as an ‘honorary’ man.

*Puleng: Everyone is calling me ‘Daddy Daddy’, they all call me the same ‘Daddy’. Or maybe if there’s a meeting for men, the other guy will come from his house and come and knock*

## 5. Being Queer - Identities

here. Specially the time when the hostel was around, they will come and say “Hey Daddy, we’ve something here for the men.” They’re gonna sit and talk. Then I come back (07).

On the one hand the gendered relationships of care are very normative in Puleng’s household, yet they challenge the biological essentialism of household arrangements. Gerald and Walter also have gender-divided roles.

Gerald: *Walter does the kitchen and I do the garden. You see I don’t want to interfere with the kitchen and he won’t interfere with the garden.*

Walter: *We are men but probably someone might want to identify us as a man and woman, but we are men (01).*

Paul and Tomas mix their roles.

Paul: *We both do everything, but sometimes it depends on who is working, what time we have, a sort of schedule. There are certain things that we have different talents for, for example I don’t enjoy shopping, I find it very stressful, and Tomas happens to do most of the shopping, especially most of the shopping for clothes, but it’s not like he does the shopping and I go to work (13).*

The feminists were more sensitive to gendering in their relationships. Agnes explains how she extracted herself from a relationship which was too heteronormative.

Agnes: *I had just come out of a relationship ... it was really one of those kind of stereotype relationships that I hadn’t realised when I went in. You know, very much a kind of ... she rode a motorbike, she fixed the pool and I got this incredible fright that suddenly I needed to go and bake in the kitchen. So it was like, ‘My God, what have I done?’ I think it was really quite a shock ... modelled on a very heterosexual kind of conventional thing and I just felt completely claustrophobic. I’d also never really liked any kind of domestic feeling. I had a great resistance to that (02).*

Gill: *Other people always think there’s one who should be more butch, and the other one the femme. But we don’t operate like that. We each play to our strengths and support each other in whatever way.*

Pat: *Some would say I’m more butch because Gill dresses up in femme finery from time to time. But then she does our building projects ... the one with the paint-brush and tool-box, but I’m the one who drives when we go somewhere .. so a mixture. I will do the washing and she cooks, so we share everything, the housework. Though like all good South Africans we have a maid ... and an occasional gardener to help Gill with any heavy stuff (06).*

In Jon and Dean’s household, their roles are strictly divided and somewhat gendered, but they subvert gendered power dynamics through being regarded as equally valuable.

Jon: *At a certain level it is quite functional and practical to have a division of labour and to say “Honey I’m better at this, you’re better at that, let’s just divide it up like that” and that works for a lot of people. Dean and I have an absolute division of labour about things. I do not hammer nails in walls, and he does not wire up computers or wire up hi-fis ... we don’t even ask each other to do those things; if that needs doing I handle it, if that ... he handles it. I don’t deal with certain staff members on our property, I don’t deal with the gardeners*

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*and the painting and home improvement stuff, I don't deal with them at all. I will deal with Thembisa and the domestic workers and that kind of thing.*

Mikki: *Would you say they're gendered roles or not?*

Jon: *Yes. They are definitely gendered in that I cook, and I'm more creative ... in a feminine kind of a way I believe, and Dean does the hardware handyman kind of stuff. So that is slightly gendered.*

Mikki: *So does that gendering, is that replicating the hierarchy in heterosexual gendered relationships ... because it's not the fact that it's gendered, it's the fact that it is unequal that is wrong about for instance heterosexual marriage. The criticism that feminists have of heterosexual marriage is that it is hierarchical, and not necessarily that it is gendered, but that it's hierarchically gendered.*

Jon: *Yes. That's a great point. Because the thing is that I ... that where something is hierarchical, there's a sense of coercion that people may or may not be aware of and there's also a valuation of tasks, some things are seen as more important and more essential than other things. And that feeds into that whole invisibility thing ... so somehow, making a meal is not as important as putting up a painting. But I mean the thing is that we don't have those differentials between the two of us. I do think we have them where one person feels that they are doing more than another. And might sulk, because they think they are shouldering too much. But I really don't think it is a gendered situation with us, but more to do with our personalities and what we take on (03).*

Jon links the gendering in domestic roles to belonging.

Jon: *But getting back to belonging, I think that if you're a gay person, what is taught to you is how to belong to the society around you, of course a very heterosexual context most of the time, and what you eventually work out to be your own belonging can vary quite a lot. I also think that a lot of homosexual and lesbian people will take on board the value system of heterosexuals in defining what belonging means to them. And I've seen that where you can almost see it happening through role-playing in relationships (03).*

Hence gendering is a key boundary of belonging, where participants negotiated between their identities—who I am—and society's expectations of hegemonic masculine or feminine behaviours. In some relationships the power dynamics left the potential for negotiation more open, while in some relationships partners retained the 'safety' of heteronormative divisions. I would argue that because the role division in same-sex relationships is less clear-cut, they are easier to negotiate than for heterosexual couples who aspire to more fluidity or equality in their households. Negotiations around gendering can be seen as struggles for belonging arising out of feelings of not belonging.

Through gender performances we interpellate ourselves into different hegemonic categories of women and men; hence we position ourselves in relation to other men and women and how we want them to perceive us as gendered beings. Gender is about power in society, where masculinity is in a relation of higher value than femininity, but it is also about 'appropriate' performances of gender. Extra-colonial

discourses of sex–gender–sexuality in Africa did / do not have the same biologicistic essentialism between biological sex and gender identity (see Morgan & Wieringa 2005; Murray & Roscoe 1998b), yet they enforce hierarchically gendered performances. Puleng (07) claims a proud lesbian identity, but calls herself a ‘man’. Her marriage to Anna followed Basotho traditions of *lobola*, where Puleng’s family negotiated a traditional marriage between the women. They paid the brideprice of six cattle, and followed the rituals for her new identity as *makhoti* (daughter-in-law)—giving her a new name and changing all Anna’s clothes with ones that follow the dress codes in keeping with her married status. But in the end they did not reap the benefits of having a daughter-in-law (*makhoti*) to work for the family, as Puleng did not want her to be a ‘slave’. In their own household in Cape Town, Puleng is known to her children as ‘Daddy’, and is known at their (white) school as ‘their father’. Moreover, Puleng is treated as an ‘honorary’ man both in her family of origin as well as in her community. She, as well as Funeka (11), have been given the respect of a masculine form of address ‘Ta’ or ‘Tata’. Funeka also fulfils masculine roles in her family, yet when asked, Funeka identifies herself unambiguously as a woman. In their homes, the gendered hierarchies of labour remain intact.

In contrast, Jon and Dean (03) admit to having a ‘gendered’ division of labour, but do not attribute differential values to the tasks. Two lesbian couples (04, 06) and two gay couples (01, 13) spoke about a division of labour, but indicated that it was not hierarchical, while most of the other participants did not speak about the gendering in their relationships. The desire for equal relationships, especially amongst lesbians (02, 03, 04, 06, 09, 13), concurs with findings by Ellen Riggle et al. (2008) in the United States of America. However, Ecclesia (K4) reports an insistence on gender hierarchies in their relationships among black (butch) women in workshops she holds. This confirmed some of the findings by Jill Henderson, Allanise Cloete and Mikki van Zyl (2011) in a study on lesbian health. However, Zethu Matebeni (2011) came across a discourse of 50 | 50 in Johannesburg, which I have also heard in Khayelitsha from some of the young lesbians I know—it is a demand from femme lesbians for equality with their butch partners. In Zethu’s (K3) interview with me we speculated about it arising from an increasing uptake of women’s rights talk.

Gender is a performance with punitive consequences if not done ‘right’—the “tacit, collective agreement to perform, produce and sustain discrete and polar genders as cultural fictions ... that obscure its origins (Butler 2006 [1990]: 178)” But through their gender performances many of the couples expose those fictions by challenging the gender hierarchy promoted in heteronormative households. Others appear to uphold the gender hierarchy, but through queering bodies who perform gendered labour subvert the biologically essentialist fiction of men’s ‘natural’

superiority over women. Even relationships which mimic heterosexuality through butch–femme dynamics distort the biologism of bodies and performances, thus queering heteronormativity, even if only minutely. These performances of queer self-identification generate new forms and conditions of belonging. In the final chapter I discuss the following questions: How does Puleng and Anna’s relationship consolidate or challenge customary African marriages? How do couples’ egalitarian relationships subvert the gender inequalities endemic in heterosexual marriage ideology? How do young black lesbians invoke new gender discourses in a desire for equality?

## Queer Visibilisation

The Constitutional provision on same-sex equality has resulted in the visibilisation of queers, queer issues and queer spaces in South Africa. It has also laid the foundation for ongoing LGBTI-Q activism. Visibilisation performs work on several levels of belonging: the constitution of subjectivities as non-heteronormative, the legitimisation of concerns and struggle around equality, dignity and freedom, and the opening of physical and symbolic spaces of being, interacting and becoming. As far as same-sex marriage is concerned, it has also stepped into the heartland of struggles for belonging.

Invisibility is not only associated with marginalisation and exclusion, but also denotes something unremarked—a blending in. Hence the visibilisation of sexualised identities is partly a lifting out of the shadows, but simultaneously a delimitation, regulating how identities enter discourses. Michel Foucault (1980) showed how sexual subjects were constructed through disciplinary discourses in Europe. The epistemic violence of colonialism created similarly individualised subjects in Africa where ‘homosexuals’ were branded Other, which was then carried over into post-colonial regimes. Individualists often simplistically criticise communitarian ethics for subjecting the individual to the group, but fail to acknowledge the coercion inherent in Othering which results in dangerous visibilisation. In African communitarianism the recognition of human diversity provided ‘face-saving’ practices to restore social stability (Epprecht 2013), hence facilitated a blending in. Historical exigencies have resulted in contemporary queers in Africa having to adopt global queer identities from the metropole to struggle for recognition using the human rights framework, where recognition by default involves visibilisation.

The globalising influences of LGBTI-Q rights struggles in the metropole have also led to southern queers adopting the terms of identification—for example, ‘lesbian’

and 'gay' and visibilisation through 'coming out' (see Gosine, 2006). Yet, these terms and identification processes sit uneasily on the shoulders of African queers (Matebeni, 2011; Reid, 2013; Li, 2009; Gunkel, 2010). In countries which have anti-homosexuality legislation (like Uganda, Nigeria and Malawi who have constitutions affirming human rights) visibilisation can be life-threatening. So too in South Africa despite constitutional protection.

### **Multiplex Identities**

Following Jasbir Puar (2012) I move away from intersectionality as a fixed 'grid' for a range of imbricated identities. However, people 'wear' the labels that circumscribe identities in performances of the self-in-action, thereby negotiating the boundaries of their positioning in disciplinary regimes. Identifications arise out of boundaries between 'us' and 'them' and are delineated through discourses of difference and power—how different people and groups of people have access to power through social positioning. These social positionalities are complex and layered as well as contextual. A person's social locality is influenced by intersections of, inter alia, sex–gender–sexuality, class, Africanness, blackness, whiteness, culture, tradition, religion etc. These positionalities impact belonging through material and embodied relations between people, and physical as well as symbolic spaces. People present the complexity of their identity in a particular context through 'owning' and foregrounding various identity labels. For example, by the way participants introduced themselves, they positioned themselves through multiple discourses of identity, usually age, sexual identity, nationality and particularly among black participants also race.

There were five participants from Europe—The Netherlands, United Kingdom, Macedonia and two from Germany—and one from Lesotho who all claimed their nationalities. Ten South Africans identified through their nationality, while the rest did not claim nationality. Fifteen participants claimed their religion as part of their identities and five said explicitly they weren't religious. Through these identifications, the participants prioritised and positioned themselves within certain boundaries of belonging. I won't repeat the introductory quotes here, as I used most of their descriptions of themselves in the biographical sketches of the couples at the top of this chapter. However, I quote other stories here that show more nuanced relations of belonging.

*Sarah: You know, when I was an Afrikaner, I was estranged from that, partly by marrying an Englishman and all that kind of thing. When I was training for a political activist against the system, I was estranged from my entire family, and when I was at school, my clothes were so bloody eccentric that I was estranged from my social life at school. I didn't belong to the norm ... When I was married to W and had kids, I was probably the closest ... but I was estranged there too, because we went to live in a very, very conservative community school for nine years, and it was at the height of Sharpeville and all those things in the early*

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sixties which reverberated in my being as a young woman, a 20 year-old, intelligent young woman and all around me, people said, “You’re silly, you’re crazy, we work with these people all day on the mines. They’re animals, they need to be contained.” So I was estranged even there from my society in which I found myself of young, married couples, having kids (02).

Some lesbians—Brenda, Neo—linked their racial and lesbians identities. Zethu politicised her identity as a black lesbian, and Funeka is the founder of a black lesbian organisation recognising the intersectionality between being black and lesbian. Mostly whiteness is taken for granted while ‘race’ will be made visible for others, but some white participants identified themselves as such—Agnes and Sarah, and Paul and Rodney.

Brian: *Do you think you are more advantaged as a white couple than other racial groupings.*

Paul: *Economically and socially, yes. I mean I think I am grateful that I am a white gay male in my late thirties rather than a young black lesbian in a township environment. There is not exactly equality in our gay community (13).*

Out of the seven coloured participants five identified themselves as ‘coloured’. Three were coloured–white (inter-racial) couples: Gill and Pat (06) didn’t mention their racial identities at all. When asked about it, Rodney and Andy (14) glossed over it while Dominic and Robert (08) spoke more about them being a gay couple than a mixed race couple.

Andy: *Where I come from my colour didn’t matter at all. My mom was working for white people and I met a lot of black people and I only knew white people and coloured people, and when I came to Cape Town ... there are a lot of colour-conscious people here. So colour for me is not an issue. We are all unique in our own way and colour is not an issue (14).*

Dominic: *I grew up in a mixed family, my parents being white and coloured respectively. It was never really an issue for me. We never talked about colour in anything we did. There was no colour in love, no colour in family, no colour in community and no colour in anything. When we met we did not see racial issues in our relationship because two people loving each other is basically what it should be. We should not say that I could only love a coloured person or only a South African person. So I am a very open-minded person when it comes to love, and I think some German people are too.*

Robert: *If you come out of Germany you don’t have race issue in terms of colour. German people are also very narrow-minded and discriminatory against other people, but not on colour—it’s about where you come from and more about culture and personality ... [When] I moved to South Africa I moved in with Dominic in Athlone where the family lives in a typical coloured community. The family included the grandparents, mother, Dominic, his sister and brother who share the same mother, and I moving in as well, and then the grandmother’s brother moved in as well. So we had a typical set-up and everyone was into everybody’s business. And you know when you live on your own you can leave things where you want, but with such a large family it was very difficult. There were culture constraints that I never understood because they were never mentioned to me, and I had to learn on my own. What was funny was that we slept in the same bed and everybody knew what was*

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*happening. It took probably more than half a year, us staying there. The grandmother never complained and we lived like that (o8).*

Only three participants explicitly claimed to be working class, and nine mentioned being middle class while most of them did not claim a class position. While the major identities mentioned seem to be about a politics of recognition, the participants are also very concretely situated in a matrix of material conditions which may have a major impact on their belonging *as queers*. For instance, how is life different for a middle class lesbian couple living in the township as opposed to the suburbs? Or, how different is belonging for a black lesbian couple who live in a house they own, compared to those who, due to financial constraints, live with their family? Hence, even within socially marginalised groupings, differences among people may exclude some more than others.

Coming from a privileged background, Jon expresses his coming out and navigation around gay identities through his sense of belonging.

*Mikki: What I want to know is, what is your concept of belonging? What does that mean for you?*

*Jon: I suppose it is in contrast to what I experienced as a child you know, because my mom and dad and that family life ... I didn't really feel as though I belonged. In fact I found them quite difficult to live with ... there was a lack of a sense of belonging if anything at all. And you know you can't put your finger on it as an adolescent child growing up, because things are still like mapping themselves out in your mind. But when I moved out of home at about 19 and into a commune, I guess that's where I felt my first sense of belonging, as part of some kind of unit or other.*

*Part of the reason, I didn't say that at the time, was obviously to explore an alternative lifestyle ... to kind of come out in my own way, and start meddling around with gay sexuality and relationships. So it wasn't a wham bam on the 4th of October in 19— that it happened. It was a gradual process of mingling more and more with gay people and learning more about alternative lifestyles ... and also realising that it's not a uniformity. If I was a gay man and that was my choice of sexuality, then what does it say anything more than being sexually attracted to men? What did it mean, what did it say about my values, about my beliefs about who I wanted to live with and how I wanted to live? Nothing more than just that I was sexually attracted to men. And maybe that was that. That didn't necessarily say something about me, and what I wanted and needed in terms of daily stuff or anything like that. I realised that they needed to be separated out, and through that separation it made it clearer to me ... the huge irony for me was that when I was a little gay boy at school going through all this stuff, I felt isolated and separated from the rest of society, and then I felt the same thing amongst the gay male community who the mainstream ... the thought processes that existed in that community were as difficult for me to navigate as those in the heterosexual community in which I'd spent most of my life. So that was quite a realisation and it was also quite a road to navigate to find similarly minded gay folk that I could have a sense of community with, that shared my values (o3).*

Identities and social locations are about navigating the boundaries between self and others, and finding a sense of community and shared values. Coming out is a key

process for queers as they deal with questions of authenticity, alienation, ostracism and belonging. For many, finding a life partner is part of that search.

Andy: *In the beginning I was closer to my friends, then I realised that friends are always there, but there is someone whom you must say belongs to you entirely (14).*

Sarah: *I think one can be attracted to different people, but it's the people that need to come and help you to be the person that you want to be, that you actually move for, and I think she came, that young woman came to help me to be a lesbian ... but Agnes came to help me to be myself. My husband and my first woman lover wanted me to be what they wanted me to be. Agnes was the first person in a relationship that wanted me, and allowed me to be myself (02).*

Jon: *For me I guess moving into a relationship with Dean was a further extension of that [belonging in a gay community], in that I had a sense of a little family, a little unit—a relationship that could last, where I could play out the values and belief systems that I wanted to as opposed to those that I'd been taught. Embrace them with another person and kind of soldier forth into life (03).*

### **Written on the Body**

Apparatuses of power have an immediate and direct relation with 'the body'. The reiteration of identities through actions are simultaneously a process of materialisation through the body, and a process of participating in the discursive structuring of difference—for example, 'white like me', or 'black like them'. But these signifying practices which are mediated through the body "produce the imaginary effect of an internal racial core or essence ... through the specific mechanisms of identification and recognition that are produced in the intimate interaction of performer and crowd [observer]" (Gilroy, 1993 cited in Fortier 1999: 43). These performances of difference between self and others' identities invoke boundaries, where performances uphold or challenge dominant hegemony such as gender conformity and heteronormativity.

But some signifiers of difference, e.g. homosexuality, are not visible on the body, and the subject is subsumed into 'normality'—all people are presumed heterosexual until proven otherwise. It is within heteronormativity that the coercive power of sexual identities lies: where identities are invisible, we require narratives to tell what the body does not show (M Fraser 1999: 113)—hence coming out stories. Identities based on visible differences also make the body complicit in presumed 'truths' of self—where an invisible identity, such as unmarked race or homosexual identities may be called into question—"how do you know ... (you're a lesbian)?" For example the assumptions about racial visibility and the significance of 'knowing' in South Africa was related by Rodney (14), where he tells of being mistaken for a coloured person, while insisting that he is white.

In this gap of ‘epistemic blindness’ we also recognise how the participants strategically managed their identities: for example Bongani says “only those who know that I am gay knows” (05) and Thando (11) says because of her femme appearance, she is not out at the office. When queers do not want to recognise themselves as the categories of identification that are available to them Mariam Fraser (1999: 124) calls it a desire for legitimation, through supporting and maintaining “the very discourses which contribute to the production of the identities which they seek to reject.” These identities for ‘passing’ are contrived out of complex performances and caring for their bodies through dress, style, body language and speech, hence ‘writing’ their identities on the surface of the body—these performances are mobilised also for making ‘invisible’ identities visible (see also Matebeni 2011: 199).

In the same conversation where Thando confessed to being in the closet at work, Funeka (11) joked that she was invisible because she didn’t wear “the T-shirt”—the iconic visibilisation of one’s values or alliance expressed through dress and style. The importance of *black lesbian* visibility in South Africa is asserted by Zethu (K3) and Funeka (11, K1) as well as by Puleng and Anna (07), Maru and Neo (15) and Brenda and Sue (16). Gugu and Tete (09) and Sue (16) also used the term ‘African’ to describe themselves, while Neo preferred the word ‘stabane’ to ‘lesbian’. Thus they reference multiple identities which draw on race and sexuality as significant differences. Though Puar (2013) critiques the use of intersectionality as a tool for understanding multiplex identities, she acknowledges how it has found resonance in lgbti-q struggles for recognition. Xavier Livermon (2012) explains how important it is to destabilise queer South African identities where homosexuality is simultaneously perceived as representative of a constitutional democracy working, as well as a threat to African ‘tradition’, unChristian and unAfrican. However he argues that these apparently contradictory notions “rest on the racialisation of the queer body as white, and the sexualisation of the black body as straight” (302). Hence black queers have to labour intensively to make queer black bodies visible, in order to access their rights in the Constitution, and to queer black cultural belonging within communities. But however much the making visible of black queer bodies can be a source of power for transformation, it can also spell danger for black queers.

It is well-documented that rights claims to citizenships are shaped by social locations of privilege, where people’s identities position them within differentiated discourses and systems of power—hence their claims to rights and protections. Identifying herself through postcolonial political talk as a “white settler,” Sarah (02) asserts her knowledge about her privileged racial position, but Ronnie and Eve (04) who are coloured, recognise their middle class position as a bolster for their sense of safety, in contrast to the dangers they perceive for black lesbians living in the

townships. Paul (13) is also aware of his privileged status as white, male and living in the city. Thus classed and raced hierarchies of human value compound the devaluation of black working class bodies, and shape the activism of black lesbians Gugu (09), Zethu (K3) and Funeka (K1). Liesl's (K5) transgender activism is motivated by a marginalised community under the lgbti-q umbrella. These intersectionalities of privilege remind us to pay attention to boundaries of belonging within the peripheries. Ironically the marginalisation of black lesbian bodies also forges a sense of belonging as Zethu (K3) harks the call to solidarity when a black lesbian is assaulted, and Funeka (K1) devotes her time to an organisation challenging homophobia in her community.

Though the visibilisation of queer black bodies is a struggle for recognition, it is also a call for redistribution—access to the rights promised in the Constitution—thus confirming Nancy Fraser's (1998) argument that separating them is creating a false dichotomy. In the context of two women's movements in South Africa, Amanda Gouws (2014) shows how without recognition, redistribution is not possible. Funeka's (K1) coming out in the ANCYL, and her 'visibility' through radio interviews and on TV showcases the 'black lesbian body' in defiance of cultural taboos about black queer bodies (see also Livermon 2012). This makes the argument for why identity formation and cultural representation, though analytically distinct from the injustices of maldistribution, cannot be separated from issues of social and economic injustices; it also shows how class positionalities are imbricated in symbolic or cultural formations as well as in the particularities of everyday life.

Key sites demonstrating differentiated citizenship is through the geopoliticisation of gay spaces, where the context for queer belonging can be read through the spatialisation of Cape Town as the 'queer capital of Africa' (Visser 2003). William Leap (2005) showed how the queer cityscape of Cape Town was still divided racially according to apartheid geographical population distributions, with the CBD as a business centre dominated by whiteness. Men's 'gay' spaces emerged strongly in the gay participants' stories: two 'international' couples, Paul (SA) and Tomas (German) (13) and Dominic (SA) and Robert (German) (08) met their partners in gay clubs in 'the village'. Other gay participants mentioned other forms of exclusive gay spaces—Walter and Gerald (01) used to frequent the 'men only' (read 'gay') beach, where they met and also interacted with white gay men during apartheid (see also Gevisser 1995: 27). Andy and Rodney (14) first met each other at a gay festival, the Pink Festival which is a celebration of gay 'freedom', but also of consumer 'freedom'. Part of the lifestyle Jon and Dean (03) wanted to leave behind when they moved to Sedgefield was related to the club scene where they had got into what they considered an 'unhealthy' pattern of socialising. Hence several gay couples in the study made reference to the gay clubs as part of their social environment, and thus a space of belonging for them.

The ‘gay village’ which emerged on the periphery of the CBD, in an area known as “De Waterkant” developed as a “homomale space” primarily for wealthy, white gay men (Tucker 2009; Visser 2003: 136). Therefore ‘safe’ lgbti-q spaces are gendered, raced and classed, and tied into wider economic relations where globalised patterns of consumerism are followed, reproducing discourses of a particular brand of gay whiteness / white gayness in cultural forms which may be perceived as ‘unAfrican’, and where most young black men enter this space either as workers or as visitors (Williams, 2008).

Some of the lesbians recognised the boundaries of belonging in the queer community: Gugu (09) said “I don’t see myself running to Cape Town to live there, I want to enjoy my gayness here in the township,” demarcating not only a physical boundary between the townships and Cape Town, but also a psychological one, which separates spatial belonging along distinctly racial lines. Lumka (10) on the other hand felt safer in ‘town’ than in the townships. Likewise, Robert (08) and Paul (13) expressed their fear of negotiating the townships. Puleng (07) suggested that for lesbians in the township to be safe, they needed exclusive queer spaces.

Discourses which endorse hierarchies of human value also write those values on the body, thereby marginalising and excluding certain identities from belonging to the polity. But another hierarchy of subjectivities arises from those differences which are signified by visible signifiers, such as darker skin or feminine bodies, and those which are invisible, like sexuality (until encoded onto the surface of the body). But female masculinities, such as butch performances from black lesbians which apparently ‘mock’ gender heteronormativities, also mark them as targets for hate crimes (Lynch & Van Zyl 2013; Mkhize et al. 2010). The interpretation of visible differences lends a ‘truth’ and essentialism to those differences—“identity is situated in space: the body is the *site*, or place, where the ‘truth’ of an identity is revealed” (M Fraser 1999: 109, emphasis in original), whereas those which are invisible create an ‘epistemological blind spot’—but which is open to inscription.

Thus, fighting against discourses which deny the queerness of black bodies, lgbti-q in South Africa work to make black queer bodies visible; through struggles for recognition activists are engaged in struggles for belonging both within discourses of human rights as well as in African communities. Several authors have suggested that white queers in South Africa have benefited more from the legislative provisions than black queers (Judge 2014; Livermon 2012), which resonates with Liesl’s (K5) question about who has benefited and who has paid the price for queer ‘freedom’. This points to crucial fractures in the sexual politics of queer South African belonging: there is a differentiated citizenship for queers based on a hierarchy of value for different bodies—hence we cannot use the same lenses when perceiving butch lesbians, femme

lesbians, *ladies* or *gents*, white ‘settler’ or feminists. This recalls Butler’s formulation of ‘liveable lives’, and the recognition that some lives are deemed of more ‘worth’ than others. These values are embedded in the regulatory regimes which delineate the boundaries of belonging.

### **The Politics of Visibilisation**

Since being ‘out’ was a precondition of participating in the study, all the participants were out to varying degrees—but some were more out than others. One of the struggles in coming out is related to admitting to one’s family of origin that one is queer, often by attaching a signifying identity label, for example, being ‘gay’ or ‘lesbian’. Most of the participants were out to their families, or some members of their families, but for a number of them it took a while for their families to accept them. Eight couples—three lesbian and five gay (01, 03, 04, 06, 07, 08, 12, 14) and three key informants (K2, K3 and K5) were (re)integrated into their families of origin, whereas eight couples had differential acceptance (02, 09, 10, 11, 13, 15, 16, 17), for example where one partner’s family was more accepting than the other’s, or only one of the partners was out to their family. Bongani (05) said he was not out to his family of origin, though he did have contact with his brother’s children. Several could only come out once they had moved away from ‘home’ (02, 12, 14, 16, 17) or when they had met their partner (04, 06, 09, 11, 13). Moving away from home to be ‘gay’ was a theme of belonging mentioned by Jon (03) as well as Bongani (05), but for others moving away facilitated their coming out, such as Funeka (11), Tomas (13) and Perry and Lutz (12). This indicates that finding an ‘authentic’ queer self is easier outside a ‘care community’ founded on compulsory heterosexuality. Besides Dean (03) and Lumka (10), all the participants described coming out as gradual and a process of finding communities of belonging.

Coming out is a risky business: once you have revealed your ‘true’ identity, it is not easy to hop back into the closet. But since identities are fluid, coming out can encompass shifting identities. For example Liesl (K5) found it difficult to label herself because of her relationships with transgender men, and came out to her family in different ways. One way of controlling the process of coming out is through strategic management of identities; it means people disclose to selected people in particular sites at particular times. Bongani (05) allows default assumptions about his heterosexuality to stand, and is out only to “those who know.” At work Thando (11) hides her otherwise out lesbian identity behind femme performances. Kenny (10) is still in the closet to her parents—“I was scared of rejection”. Therefore though participants had crossed the boundaries into gay identities for themselves, they were still engaged in the boundary work of conforming to the norms of others’ expectations, and also for fear of ostracism.

Most of the white and coloured couples were more 'out' than black participants who struggled for acceptance as queers. This confirms the suggestion by Livermon (2012) that in South Africa black bodies cannot be queer, hence feeding into the discourse that 'homosexuality is unAfrican'. It also resonates with Judith Butler's (1999: 227) question about outness: "For whom is outness a historically available and affordable option? ... For whom does the term present an impossible conflict between racial, ethnic, or religious affiliation and sexual politics?" For the black participants, some of these conflicts were manifest—Bongani's (05) religious values clashing with his gay identity, and Funeka's (11) alienation from her mother—but Funeka and the other black lesbians asserted their sexual identities, and engaged in struggles for inclusion, bolstered by the Constitutional provisions and a 'right' to be queer.

Besides adopting global queer identifications—for example, 'lesbian' and 'gay'—African queers have also become visible through 'coming out', yet African queers wear these processes uneasily. In countries with anti-homosexuality legislation (like Uganda, Nigeria and Malawi, that nonetheless have constitutions affirming human rights) visibility can be life-threatening.

Coming out is a ritual of visibilisation, related to self-identity. It is a process of self-disclosure which plays across the boundaries of who I think I am, versus who I think society wants me to be. Jon (03) expressed it clearly as a yearning for belonging when he moved out of his parents' house into a commune where he could experiment with his gay identity. Coming out is a process of ongoing 'management' of one's sexual identity (Orne 2011) across contexts, with different people. The supposed outcome for the coming out process is an apparently stable sexual identity. Yet Tracey Lee McCormick (2013) argues that while coming out is associated with positive discourses of authenticity, health and progress, fixing identities also reinscribes the homosexual / heterosexual binary which reinforces the gender binaries that uphold heteronormativity. Yet, by not coming out, the person may feel that they are not living an authentic life (Hattingh 2005; Riggle et al. 2008), that they will only be accepted by their community through conforming to heterosexual norms. A yearning for authenticity—way of being that is true to oneself and honest with others—indicates that coming out is a longing to be part of something of one's own, of an 'us' larger than oneself, to be part of a 'we' community (see Taylor 1997). Therefore longing to belong delineates the boundaries between 'us' and 'them', and coming out is positioning oneself within certain boundaries of identification, identifications which are constantly being negotiated in physical and social spaces.

But in as much as queers need to come out for their own sakes, if they remain closeted, there will be no community of queers. It is important for queers to draw visible boundaries around themselves, based on their commonalities. Inevitably this

will require a smoothing over of differences, but it is a basis for creating solidarity in order to withstand onslaughts from heteropatriarchy. Globalised identity labels such as 'lesbian' and 'gay' have provided a platform for rights claims as lgbti-q. Forming a community through identities is a process of *power-to* which translates into *power-with* (Allen 1998b). But from within the community, differences will need to be negotiated. Therefore belonging is never complete, but always contingent, and the stories we tell ourselves and others about who we are, are fluid and constantly changing, yet clustered around some hegemonic constructions of boundaries between ourselves and others, and closely related to political processes such as citizenship struggles (Benhabib 1997).

## Conclusion: Being Queer

Cultural differences in the expression of their queer identities between the black and other participants in the study show how apartheid cleavages still persist. Liesl (K5) and Gugu (09) questioned the identity labels from the global North, while Puleng called herself a 'man' (see also Henderson et al. 2011). Graeme Reid (2013) found that the labels did not fit: a man could have sex with men, but if he was masculine-identified, he would be seen as 'straight' even if he never dated women; gay men were effeminate or 'ladies'. A number of other authors also note how the terminology of global queer identities, though in currency, has been problematised or localised (Donham 1998; J Lewis & Loots 1995; Li 2009; Livermon 2012; Matebeni 2011). Thus, though the northern labels have been taken up, they are being mixed up with local terms and given a new 'spin'—they have become sliding signifiers. The northern labels for queer South African identities have been bolstered in their hegemonic dominance through amplification in rights talk generated through the Constitution. Through their identity labels, they are recognised and all the participants in one way or another have staked their sense of entitlement to their rights in the Constitution—i.e. it forms a foundation for performances of belonging based on recognition. But the extent to which the Civil Union Act is central to their sense of belonging varies from couple to couple. Nonetheless, through their identities as queers the participants have found spaces for belonging, and are engaging in ongoing struggles of recognition to carve out spaces of belonging for a future.

## chapter six

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# Contexts of Care

In the last chapter I addressed participants' identities as queer South Africans, and examined the processes and consequences of making those identities visible. In this chapter I enter the intimacy of their lives, from their relations to each other, their children, families of origin, kinsfolk, friends and community.

Contexts of care are about people's emotional attachments. Emerging from the interviews are concerns about care: how did the participants relate to their natal families as 'different', who could they trust with their 'secret' realisation of what their Otherness meant in relation to gendered norms and heteronormativities. The relationships they forged with partners went far beyond sex, they were about their own psychological and social well-being—yearning for a liveable life.

Their relationships with families of origin, their friendships, their own relationships and making their own families with or without children is about their emotional and intimate relationships with significant others, and drawing themselves inside a boundary of care, the making of a charmed circle called 'us'. They also speak about their experiences of being in long-term relationships and their decisions about whether to marry or not, and why. There are also conversations about community, safety and activism, all meandering along the borders of belonging. Finally I address the cultural and political values that underlie the boundaries of queer belonging in society.

## Kinship and Family

At the core of a queer politics for belonging lie myriad questions about care related to one's psychological and social well-being: how do I fit into my family of origin as Other; what social relationships do I form with peers; who are they; who are my lifetime friends and lovers; how will I live in a family; will I have children or not; what will I do and where will I work; who will I care for, and who will care for me when I need it; how will I change the world? Nira Yuval-Davis (2011: 45) proposes a feminist ethics of care as an alternative model of social and political relationship to the neoliberal discourse of self-interest. In a care paradigm, belonging is not focused on boundaries, but on the praxis of everyday life—how should people relate to each other? In the drive for human intimacy, people reach out to be with another human being, but social regulatory discourses entrench hierarchies of human value which ripple out from the most intimate and personal to the globally public. Therefore, what happens when care becomes compromised through exclusionary regimes which exile certain individuals to outside the 'home'?

In this section I look at the role of 'significant others' in the lives of the participants. First I problematise the notion of kinship through looking at the variety of forms of 'kinship' relationships that emerged from the study. Then I look at families of origin, and the bonds of care and responsibility towards kinsfolk, after which I show how participants established their own households and families to create a place called 'home'. I conclude by recognising the impact of a denial of care, and the importance of friends and allies in a world that is often hostile to one's love.

### Families of Origin

As evident from the coming out processes, many participants struggled from an early age with not fitting into particularly the gender and hetero norms and expectations in their families of origin. They bore fears about coming out to their families: they were usually more scared of the males than females—they told sisters and mothers, and aunts and cousins before telling their fathers and brothers. Some participants were rejected by their families, but many others were accepted, if not on disclosure then eventually—unless they passed away and it was too late.

Funeka first came out to her comrades, and after a radio interview thought she had better tell her family.

*Funeka: I couldn't tell my father; I told my mother's sister who lately really was the pillar of my strength. I told my mum later. That was the last time I had a good relationship with my mum, all the nineties ... It was the end of the relationship with my mum. I never spoke with her ... until 2002, just before she passed away.*

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Mikki: How do you feel about that?

Funeka: But it was great before [she died], because when she became sick, in August 2001 ... she came to visit. It was firstly a surprise, she was in my place, and [I had] the first discussion with her, and then she just told me she was sorry. She couldn't understand ... and it was a shock, because I was her only child. And through the whole thing, she never stopped loving me, but she was upset and expecting that this is going to go away. But she sees that it is not going to go away. But she is cool with it. And then in November she moved to my place for two weeks for a holiday. Then she became sick and slept in Tygerberg [hospital]. I went there to visit her. When I asked what was wrong with her, then she says she was just tired. And then when I arrived she was sleeping and I took the folder and read, and I found out that she was dying of cancer. I didn't tell her that I knew what was happening. ... And then she became really really ill and then she passed away in June, which means when she died she knew exactly what was going on. But the trick is my father. I don't know. Maybe, because I mean I'm on radio, TV all the time, maybe he reads the stuff there, but I don't talk to my father about it. I remember one day when he asked me, and I was like "Now I have nothing to do with being lesbian." Because my worry for him, my worry for me is he is diabetic, so he is sick, so I don't want to contribute to his sickness. So I'm not sure if he knows, or if he doesn't know.

Mikki: Does it matter?

Funeka: It really matters, because my father ... he has five boys, I'm the only girl. And really he loves me because I'm 'his little girl'. It will be nice to know how does he feel about the whole thing. But just because of this situation there's nothing that I can do.

Puleng: At first our families had a problem with our relationship especially my mother; I guess she did not expect her daughter to have a same sex relationship ... I needed to show them that this is what I want and I cannot change. I need to marry another girl. My sisters and brothers were very supportive (07).

Nkuli: I came out early in 2000. I first told my father. My sisters and brothers already knew and my neighbour suspected it. At first my father had a problem with my sexuality, he was very angry and did not speak to me for more than two months, but afterwards I guess he was fine because we spoke again.

Pamella's mother has a problem with our relationship, she does not accept her daughter as a lesbian and me as her partner ... she just has anger inside her. I think she has misconceptions about lesbians because she is calling us names—saying that we are witches (17).

Sue: I am out, fully out everywhere I go. It was difficult. I first told my sister and she did not accept it, but I told myself that I don't care. I was just giving her the respect she deserved. Then I told my brother; he was so understanding, although sometimes he wants my girlfriends but he is not homophobic at all.

Brenda: I've never been in a closet cause I never thought there was something wrong with me. They knew that time I was straight but I never told them, and I felt the same when I started to date Sue. I never wanted it to be a big deal so no one talks about my gay life, but

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they know Sue and they accept her, and I came from a black and traditional family so we don't often talk about our love life regardless of your sexual orientation (16).

Brian: Does your family know that you are gay?

Bongani: I can say that they don't know; whether they know they have never asked about my sexuality, probably because of my predominantly so-called straight activities that I do within the community. I am an individual who has a life of his own; probably they do not have the guts to ask me (05).

For Paul his mother had suspected he was gay after overhearing a phone conversation.

Paul: I am out to my family, and my mother is very supportive and she is very fond of my partner also, and my whole family as well. My mother's first reaction when I came fully out to her was immediate support and in a sense relief because it was an issue that had not been spoken between us. I know that she suspected probably ten years back, before I came out. My mother had overheard a conversation ... that was gay related. The year that I think my mother discovered that I was gay would have been 1988 or '89, but when I came out to her at the time that I simultaneously introduced her to my current partner, that may be in 2003 or so.

Tomas: I have never told my family that I am gay ... everyone that I know in Cape Town knows that I am gay. My mother is still in Macedonia; my father died a few years ago. He knew that I was gay—somebody told him (13).

Maru: I am out of the closet. It just happened. I don't know how they came to knowing that I am a lesbian. At first I denied it but after my mother's death I decided to tell the truth 'cause my mother died without knowing that I am gay. My father was so hurt and angry he didn't want to speak with me for a long time, but I cared less 'cause that was my life we are talking about and I was happy. My father died after my mom but he was starting to get it into his head that I will never change.

Neo: I am out of the closet. It was hard really, the same with me, I never told my family. I don't know who did, but my mother was so angry, shouting but I don't care at all. It's my life. She is living her life happily. Even today, she is still like that and I just don't care. It is like that in the township; news flies. You will never know who told them (15).

Sarah: I remember when I told my mom, she said that ... it's not an accepted lifestyle in my family. My brother refused to speak to me again until he died. Other members in my family were kind of polite. I think that it made my children feel uncomfortable. Perceptually, they may have accepted it, although the degrees of acceptance are different and there's aggressive openness about it in front of their children.

Agnes: I've got two older brothers. The eldest brother whose girlfriend was friends with us, she told him. He's always been supportive. But the other brother ...

Sarah: We don't like him ...

Agnes: He's thoroughly polite. He always dismisses you. He's always good to my mother and I think he once said to my mother that what would sort me out, was if I had children; if I had a child, that would sort me out [raucous laughter] (02).

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Brian: What was your family's views of you being gay?

Andy: They respect me for what I am, but they were a little bit disappointed because you know, as a male child you are expected to get married and all that stuff. My mother did not reject me at all. She was there for me when I needed her support (14).

Brian: Something I got from you guys about mothers. Do mothers play a big part in someone coming out?

Dominic: I think for me it's a little bit different than with Robert. My mother, when I told her, she said that she already knew, but she tried to pretend that it was not the case. I think mothers always know the sinful stuff rather than a father figure ... I think mothers are a lot more understanding when it comes to that stuff you know.

Robert: I think my mother knew somehow. I don't think it was a problem for her. She is one those people who are like, "if you are happy, I am happy." But she said that it did not come as a surprise for her so I had a feeling when I talked to her at that time, it didn't hit her very much, because she might have gone through some kind of thought processes before (08).

Mikki: How did they take it?

Pat: Oh, you know. Very English. Mind you, by then being gay was not such a big thing any more. They muttered a few of the right things, like 'as long as you're happy' and since then we've never mentioned it again. When we talk they will ask after Gill and then change the subject (06).

Eve: I told Mammie I was moving out, and she wanted to know where and how was I going to support myself. So when I said I was moving in with Ronnie, she hit the roof. I mean the strange thing is she got on very well with Ronnie. But when I told her we were having a relationship she begged me not to go. She said it was just a phase and it would pass, and she could see Ronnie was a good friend to me. It was Ronnie who made me finish my matric. She used to sit with me and ask me questions for Geography and History ... so my mom knew this. But she begged me not to move away. In the end she gave in. And now she's okay. She's even getting excited, because we are talking about adopting a baby.

Mikki: About being a granny?

Eve: Ja. My other sister had three babies, so she just loves being a granny. But her [sister's] husband is not good to her ... we're sure he's cheating on her, so my mom is happy with us, because she can see that we love each other a lot.

Mikki: And what about you Ronnie? What do your parents think of your relationship.

Ronnie: No. They're cool. I explained it in terms of political rights you know ... something they understand. So it took a while to get used to, but it helps that they really love Evie. They think of her as their daughter-in-law. My brother turned out a misfit. He's been in tjoek [gaol] a few times, so they're not happy bunnies about that. No, not happy at all. So they're only pleased for me that I have a good job, and a nice house and our dogs. They come over for braais on Sundays (04).

Mikki: *How are your family relationships?*

Muhsin: *Well both my parents have passed on, so I had a good relationship with both my parents. In fact my father passed away before I came out, my mother struggled a bit with it, but eventually towards the last few years of her life, we had a very close relationship, and she understood and supported me. And I've got 8 more siblings, and it is only with my eldest brother that I have a bit of a strained relationship, because he is old school. But other than that I have a good relationship with all my siblings. In fact they all came to my wedding. Like I told them "If you're not coming I'm going to ostracise you" [laugh] (K6).*

Walter: *We were lucky that from both sides of the family our families accepted us. The kids that grew up within the families were taught what it means to be in a relationship and the importance of families as far as gay relationships are concerned. We were never sort of shunned or something as everyone accepted us, even my sister that we stayed with. And her friends respected us as a couple, so we did not have such a difficult time coming out (01).*

Lutz: *We had such a nice experience, because my father gave us his and my mother's wedding rings. We are now wearing the possibility that they have finally accepted us as we are (12).*

Participants found different degrees of acceptance from members in their families of origin: mothers were generally more accepting than fathers, and sisters more than brothers. But eventually their lesbian and gay identities were accepted by most of their families. But not only did they want acceptance for themselves, they also wanted recognition of their partners, and support for their relationship. This was sometimes difficult as two sets of families had to be negotiated, and while one partner's family might approve, the other's might not. Acceptance by their partner's family was sometimes a factor in participants choosing to marry or not. For others it was seen as a private decision.

In the next section I look at their relationships, having their own families and households, and their decisions regarding marriage.

## **Own Homes**

All the couples set up their own homes where they could care for one another, and others in their household such as children—or pets. I present how they met and set up households together, and their caring relationships with others in the household.

## **Love Story—Meetings**

All the couples told stories about how they met. Four couples made use of the legislation on immigration to have their partners live with them in South Africa. Since the relationships of participants in this study dated to before the passing of the Civil Union Act, they had to register a 'lifelong partnership' to reap the benefits of the

immigration provisions. It involved some partners having to uproot themselves and move countries for them to be together. They also usually had to move in together.

*Tomas: I came here from Macedonia and we met just 12 days before I had to go back to work in Dubai. I went to the Bronx<sup>8</sup> and saw him ... I walked over to him and we started talking and that is it. There was nothing sexual ... we were there for like three hours—talking and no touching or kissing or what we were going to do for the night. It was just a normal conversation.*

*Paul: Yes, It was just like an instant attraction and it was the way that we met seems to me to be to be a very unlikely situation. I am quite a shy person and I am not the kind of person who would pick someone up from a bar or a club. It was quite unusual for me but what I can say? From the start, just like a little holiday romance and it was never meant to go like this. He had to go back and the day that he had to go back, I think we both realised that there was something caring that we owe to ourselves to explore more and let's see what we can do, and we can say 'the rest is history'.*

*Brian: Tomas did that make you to come to South Africa?*

*Tomas: It was him ... When I went to the airport then I realised that he and I wanna spend more time with each other. All the way to the airport it was like 'I am so happy to go'. It was like I had 75 days here, and I was bored and it was raining and I couldn't wait to go back to Dubai. It was winter here. But when we were at the airport, when we hugged and said our goodbyes that was when something happened. I went back to Dubai and I phoned him and said "Should I come back? Should we continue? Should I leave my job?" And then I went home for twenty days. We always communicated through the internet and I was just exploring the possibility of not having a job and what will the relationship be like. We can't just believe that everything will be okay, so I still had a little bit of reservations. After two months, he might decide he doesn't want me any more. Because I was leaving my job for him. It was very hard for me, like it was a big risk.*

*Paul: It was a big chance, a very big leap of faith for both of us, which sort of put us up in an instant partnership when he came back. Suddenly we were in a situation ... basically permanent. We were living together and it was like those 12 days was our courtship and from when he came back it was like an instant marriage I suppose (13).*

*Brian: How did you meet each other and when was that?*

*Robert: It's quite interesting, I was on a holiday here in South Africa, I used to travel a lot and I met him in Cape Town in a bar and we chatted a little bit and all of a sudden an exchange of telephone numbers and promising each other some calls and if he wanted to do something in the evening. And I called him and the phone did not work so there was another drama. I then went to Long Street to this club Zone 69 and we met up again and that was it.*

*Dominic: It was a very unexpected meeting ... when we met on Friday it was just staring at each other in the bar; when he was looking at me I'd look away and when I looked at him he looks away, that sort of a thing. Also I had just broken up with my partner the day before so it was a very unexpected entry to a new relationship. So even on the day when I met Robert, I was with my partner so he was not very happy because he thought I had left him*

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8. A gay club in the Gay Village in Green Point.

## 6. Contexts of Care

because of Robert, which was not true because I had met him as he had arrived in South Africa. But it was such an exciting journey. We met the next day and we went to movies, and we had lunch and we met the next day, and sat up the whole evening until the next morning when he had to leave for his tour to Namibia and the rest of Southern Africa. And because I work in the travel industry, I used to call and find out where they will be sleeping ... in Botswana there was a campsite outside the farm, thus I had to call the farmer to fetch Robert in the bush. At the end of the tour we eventually decided that he should come back to Cape Town for another week and we will take it from there. One thing led to another and ten years later here we are.

Brian: Robert what made you to come to Cape Town? Was it because of love?

Robert: Me moving to South Africa was basically love, and I would not have moved here if it was not for Dominic (08).

Puleng: The engagement started when I was in Cape Town. She was still staying in Lesotho. The first time I saw her was when I was 9 years old. She was wearing white clothes ... That is where I first saw my future wife at the age of 9. I wanted to write to her. I had a piece of paper, but no pen or pencil, so I used a piece of charcoal from the fire to write her a love letter: 'I love you'.

There are other examples of partners making sacrifices or changes to be together in the name of 'love'. These emerge in the stories about meeting each other and deciding to live together.

Maru: We met each other in Jo'burg. It was a conference and she was with her partner. We were looking at each other and then we clicked. I followed her to the toilets, then I introduced myself to her. That time Neo was living in Jozi and I only went there for a conference. She asked me a lot of questions. We exchanged numbers and we dated for two years, but I had to come back to Cape Town, then we lost contact.

After a few months I was working at Score supermarket and ... I was called to my manager's office, then was told there is someone on the line. When I heard the voice I knew it was her, but I could not believe it because we lost contact and she was living in Jo'burg. She told me to meet her somewhere then I agreed. I was shocked but I was with my partner, but I told her Neo is my friend. Then she gave us space ... till today. We've lived together now for eight years and I love her every day.

Neo: I love her too (15).

Four of the gay couples met at 'gay spaces': gay clubs, nude bathing spots and gay festivals were some of the spaces where participants met each other.

Walter: We have been together for 52 years ... We got to know each other nine months before we became a couple, we were just friends. We used to go to the beach which was called Bachelor's Cove; it was a men only beach and we used to go there often. Of course then it was the time of apartheid. We saw each other on the beach you know, and he was with a group of friends and then we sort of started chatting and eventually one night he was baby sitting with his friend, and I said I was going to invite him to my home one night.

Gerald: It was a 'for whites only' beach, so of course we had to go. We used to go there regularly sort of every weekend and to check some cute guys you know. So that was our

introduction, and basically me and Walter started to hang together and that was the beginning (01).

Like Neo and Maru, others were also still with previous lovers when they met their partners.

Bongani: *I never expected that to happen ... I met my previous boyfriend a week before I met Thabani, so when I saw him I, it just came to mind 'why did I not see Thabani first?' ... But anyway at that time he was not so keen that we are going to stay together so long. Even myself, I was not so sure because lots of things happen, like a lot of friends come around and in the gay circles a lot of things can happen between friends, so I was not sure we would be together for so long (05).*

Sarah: *I applied for a job in a Language School at which Agnes was the Director and got it, I was totally enchanted ... she obviously fancied me at some level, probably intellectually, but that's how we met. I was still with my first woman lover and Agnes was in her lesbian domesticated relationship and I worked for a year ... and then only really towards the end of that professional relationship, when I asked Agnes to write a reference for me, I found myself attracted to her ... and then I told her and from there on, it was uphill all the way ... ja, it was complicated. We did tell them ... the complications ...*

Agnes: *And then basically both of our relationships that we were in, were disintegrating. Sarah, I know, had asked her person, her partner for space. She said she needed space and mine was, mine was really not ... ja, so we had already agreed that ours wasn't working. But there was still people's hurt feelings and whatever. It was complicated, because I had had the language school and she had come into the language school and the language school had gone insolvent and our work connection and our relationship was all sort of upside-down. She had decided she's got to get out, and she was going to go overseas and then said to me, when I told her about Sarah, she said, "Please don't do anything until I go", which was about three months. So we didn't see each other for three months, but then when she went, we got together and then really, within six months, came down to Cape Town (02).*

Clearly at the time of meeting each other, the partners didn't know how long their relationship was going to last, and for some even they were surprised at its endurance. One of the questions that we probed was the couples' attitudes to having children.

## Children

Because same-sex partnerships are deemed not to be primarily 'procreative' units, children usually came into the household from lesbians' previous liaisons—like Pule and Anna, Pamella and Nkuli, and Brenda and Sue. Besides Lumka and Kenny, among the black lesbian couples at least one partner had had a child. Most of the children were staying with their maternal grandparent(s). Sarah was the only white lesbian with children from her previous marriage, while Ronnie and Eve are planning to adopt, as are Lumka and Kenny. Some of the gay men considered having children, but didn't, while Jon and Dean have a child together with a lesbian couple. Bongani had fathered

a child before he came to live in Cape Town. Perry and Lutz run a children's home, and see those as their children, and some couples regarded their dogs as their 'children'.

In Xhosa culture, it used to be when a woman had a child out of wedlock the child would belong to the woman's mother who will raise it as her own.

*Gugu: Her name is junior Gugulethu, she is 15 and she lives with my mother. As a black woman it is not allowed for a single woman to have a child. If you do then it is going to be known as an 'accident', then your parents are going to take the child as theirs. So culturally Gugu is not my daughter but biologically she is mine. She always asks if this is my girlfriend or a friend, but if she has a problem with butch lesbians then she would tell me that she doesn't want me to be like that. She does get teased in school and she would ask me to wear a skirt when I am going to her school, but she is gay friendly and she is straight and I'm glad. They are being taught at school about these issues.*

*Tete: I have two from my marriage and they are living with my parents. I don't see a problem as long as you give them love. I don't want to adopt (09).*

However, with the erosion of tradition, other factors come into play.

*Thando: I spent about 3 months with him. My mother was here, because I was working in a call centre. So it's a bit of an excuse for me to let my mother take the baby ... but it really wasn't for me, I didn't want a baby, whoah, that was out of the picture. I couldn't imagine myself raising a child so it was better for me. Although I love him, I like to see him, but [he's living with my mother].*

*Mikki: Does it have anything to do also with culture where an unmarried woman's child belongs to the mother's family?*

*Thando: Yes. But not so much in our generation. For us it's like, with our working conditions we are forced to ... otherwise ... I would have to hire someone to look after my baby.*

*Mikki: So now your mother gets the money?*

*Thando: Ja, because I send money for all of them. Now I don't want him to stay there because of education. He won't get a good education that side. Otherwise family stuff, I think he's fine. He's going to get a good life. Unlike if he was living here in CT, and I'm not around and he's going to get into gangster stuff.*

When I asked Puleng why her children were living with them she said in Basotho culture women keep their own children.

*Puleng: We have five children. I had two boys, twins who are 17 years old and my wife Anna has twins, two girls 14 years old and the younger one is a girl of 9 years old. I believe a lesbian couple can raise kids well, just the same as other people and even in our community they have accepted us. They also go to 'white' schools and their teachers don't have a problem if I go to the meeting and represent them as their father (07).*

Now that Anna has passed away, Puleng is fighting to get South African Identity Documents for Anna's twins.

*Puleng: You know, I don't want to lose those kids. The time when me and my wife got married we did promise that if I die, she's gonna raise these kids, and I also said to myself,*

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*I'm gonna raise the kids. And that's what I'm doing. My sister-in-law, my wife's sister, wanted to take the little one when her mum passed away. But I didn't want to, I said to her "I promised my wife that I'm gonna look after these kids". So you can't take one child away, they have to grow up together and look after each other. Because if we take one from four of them, how are those four going to feel and how's that one gonna feel?*

*Pamella: We have two children, one boy, 9 years and a girl 15 years. The girl stays with us at Cape Town and the boy stays with my family in the Eastern Cape. We don't experience any problems raising them.*

*Sue: Yes I do, she is a female 15 years old, living with my mother because she has been with her since she was a toddler because I am working as a police [officer]. My mother never approved of her living with me. I don't want to adopt because I have a daughter and Brenda has two children. In terms of children being teased by others, it's a common thing but just because her mother is a lesbian cop I never had an incident like that.*

*Brenda: I have two children whom I love so much. The one is 14 and the youngest is 6—actually that one is my late sister's son, but I adopted him since he was 6 months old. He knows me as his mother and I would like it to be like that till I die. My daughter lives with her father. She chose that long before I was even gay, and my lovable son lives with my mother. We are in the same street so I see him every second day. I would love to adopt another child just to give a child a home (16).*

For various reasons, Sarah and Agnes had always lived close to each other but in separate spaces. At one period they lived in the same house because Sarah's children were coming to live with them.

*Agnes: But it's interesting, we lived together in the same house. It was kind of circumstantial, because of the flats. There was a house coming available and both of us had given notice on the flats, but also because Sarah's children ... G had come back from the Navy and K had come back from England and K said, "Ag, come on", because we said, "Oh, no, no" but it was always like we agreed to stay together in the same house, because it would indicate for them that we were together.*

*Sarah: They wanted us to.*

*Agnes: They wanted us to, yes. So it was quite interesting.*

*Mikki: So they actually, did they actually express that, that they wanted you to?*

*Agnes: Mm, mm.*

*Sarah: They said, "Oh, come on, you two." You know, "Why do you have to stay in separate places? Let's get this house. Let's all stay in the same house." ... And I think it has been a bit problematic—not problematic, confusing for my children ... dislodging that I haven't lived with Agnes. They found it much easier, she just took their father's place, basically, and I think the grandchildren, it's also difficult for them (02).*

Most of the gay couples had spoken about having children but concluded that children would be too demanding.

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Paul: *We thought once to adopt my friend's child and they agreed to, but then we got scared, children are a parcel.*

Brian: *'Children are a parcel', can you explain that?*

Tomas: *It is because a child is a big responsibility and we have to put that child first, and as I said we don't have that kind of social life, for example going out to a pool party or anything associated with children's activities. I guess it's a responsibility taking somebody else's child and promising the mother that we are going to provide, and ... if something happens, I cannot explain but it's not any easy thing. A child is not like a pet.*

Bongani had fathered a child, but had no relationship with the child, as is likely in Xhosa culture.

Bongani: *When I was at school I remember the girl I was involved with got pregnant and then the family did not want me to see the baby. Now I don't have that desire to have children. I don't think there is a reason why we can't have children. I probably think it might be too late ... I am not afraid about what the people might say. I am so good with my brother's children, and they even trust me with their children, and I guess they are my children too, and I have a soft spot for children.*

Eve and Ronnie are talking about adopting a baby.

Mikki: *You said earlier you were thinking of adopting ... any further thoughts on that?*

Ronnie: *We haven't decided for certain. We're still talking.*

Eve: *I'd love a baby. But we're not rich enough for insemination, and we don't want anyone else involved ... thinking it's their baby.*

Ronnie: *It's just with adoption you don't know what you're getting.*

Eve: *But they veto everything, you can decide what you want and don't want.*

Ronnie: *We're still talking about it, but yes, we are thinking about it (04).*

Perry and Lutz run a home in the township for children affected by HIV and AIDS.

Perry: *I adore children and we have even talked about it. When Lutz came up with the idea to open a children's home in a township community for children affected by HIV/AIDS I agreed. We were consulting and planning it very carefully. If ever we would be forced to leave the country we would miss our twenty children. I care for them so much and they are constantly in our minds. Even in a previous relationship my then mother-in-law said I would be a perfect parent. I adore kids.*

Lutz: *I became a teacher for children with special needs which means children with disabilities or children who have certain psychological problems. I always enjoyed to be with young people and I also write books for young readers. So it is so fascinating to see children grow up and young people growing up. One of the really horrible things of accepting to be gay at that time when I was 18 or 20, I felt it's nice to be gay, but I also felt a big challenge to accept at that time that I would not have kids. Fortunately this has changed and Perry and I made good by building a children's home for kids who are in need. The kids are looked after with a team of child care workers from the township, so they can grow up in their environment in the townships, and all the care workers are from the*

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townships. However if we were 20 we would have thought of adopting or having kids with lesbian friends (12).

Dean had always wanted a child, so they tried (and failed) with surrogacy and he finally fathered a child, Luke, with a lesbian, Kate. Kate and Jules live in a separate dwelling on Dean and Jon's farm, where Luke has the benefit (or not) of four parents.

*Jon: And then furthermore he's always wanted a child and it's a thing which we explored and put our finger into the water. We had a surrogate mom about 6 or 7 years ago who carried almost to term, got to within a month of term and then had to abort because of foetal abnormalities. It was a difficult choice to make at the time but ...*

*M: To actually let go?*

*Jon: Ja. But you know the thing is, having said that, I've seen a number of situations where a lot of friends who had kids where there are syndromes of various sorts and they flippin' battle. They battle and they battle, so it's not something that I would wish on anybody. It was the right decision for us to make, and you know what, I don't think I was actually ready for it at all, it was surreal. It was so removed having someone else being pregnant and carrying a child whom you saw occasionally ... that would just suddenly have arrived. It would have been a very odd kind of experience.*

*So to kind of carry on with the belonging theme. As you know we have had a little boy with Kate and Jules, a lesbian couple and we all live on one property, so in a certain sense we are a family and Luke has got four parents that he will definitely see as his family. So there is a different belonging now, because I belong to him, and I also belong to them, and my parents have also moved from Cape Town, so there's a bit of a belonging thing going on there too. Whether I like them or not.*

*Mikki: Ok. Now, The baby saga.*

*Dean: Ja-a-a?*

*Mikki: Has Luke given you a greater sense of belonging? I know you always wanted a child?*

*Dean: Oh absolutely. I don't know if the word is 'belonging', I don't know if that's the thing ... it's not necessarily a sense of belonging because I've always felt that sense of belonging. So he provides something that's just unbelievable. I don't really know how to describe it.*

*Mikki: Caring, provoking a caring response from you?*

*Dean: To answer your question, where I feel that greater sense of belonging, in the context of for example, there seems to be a sensation which could come from my head or it might be something that actually happens ... for example if Jon and I are out with Luke, there's definitely a sense of acceptance of two fifty-year old gay men together ... yeah ... it's a more inclusiveness if you've got a little Luke hanging around. People engage you, so there's not the thing of being two gay men, it's two fathers.*

*Mikki: So is that a sense of conformity? I mean do they know that you're both fathers, or do they think that you're just pals or brothers or something ...*

*Dean: No, I definitely think they know that we're fathers (03).*

They are currently trying for a sibling for Luke with Jon and Kate as biological parents.

## Dogs

Brian: *Have you ever thought about having children?*

Rodney: *We have those two dogs, that's our children.*

Andy: *My sister's children are there, and they are quite enough, and I don't want any children (14).*

Brian: *Have you ever thought of having children of your own?*

Dominic: *We have two children, a boy and a girl, our two dogs (08).*

Mikki: *What about you Pat, did you ever think of having children?*

Pat: *No. Definitely not. In any case, by the time we got together neither of us wanted any. Our dogs are our children. Our pets take the place of children (06).*

Being a same-sex couple gives rise to many different arrangements with children, which fits into the South African landscape where there is a very diverse range of family forms inspired by different cultures and changing material conditions. However, the ideology of the (western) 'nuclear' family is still strong and embedded in most marital legislation. One of the arguments against same-sex marriages has been that they are not 'procreative' (see argument against same-sex marriage in *Minister of Home Affairs and Another v Fourie and Another*).<sup>9</sup>

## 'Home'

Belonging is also about desire: a longing for connection through love, with family and community. Most participants found this sense of belonging with their partners, in their commitment and love for each other. A few participants knew they were queer when they were still living with their natal families (Walter, 01; Agnes, 02; Dean, 03; Gill, 06; Puleng, 07; Robert, 08; Funeka, 11; Paul, 13; Liesl, K5), while others knew they were 'different' but only identified as gay once they had moved away from their families of origin. After meeting their partners, they set up homes together, and only afterwards addressed the issue of marriage.

The equality provisions in the South African Constitution allowed lovers to become 'life partners' through immigration legislation, therefore Robert (08) and Tomas (13) came into almost instant 'marriages' as they needed to pledge support to each other and live together. German national Lutz (12) got a foreigner's working visa, and Dutch Perry could accompany him as his life partner. Anna (07) was a Mosotho

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9. Fourie and Bonthuys argued that the law excluded them from showing their love for each other through marriage. One of the arguments against same-sex marriage was that the partners could not procreate.

and died while she was in the process of getting her South African citizenship after she and Puleng got married under the Civil Union Act. Without the formal basis for these inclusions, none of the couples could have stayed together in South Africa. I never asked Pat about her status as a British citizen, but she arrived during the upheavals of the early nineties, and as a wealthy white elderly woman who didn't need to work, she was not only allowed to stay in the country, but to own property. Compared with the smooth wheels of bureaucracy that rolled for the white participants, Puleng spent many hours chasing bureaucratic demands with little success, confirming that those in positions of privilege—sexual or racial—seem to enjoy their 'freedom' first (Livermon 2012). These examples are also indicative of the deep racism still prevalent in South African society, whether perpetrated by blacks or whites. It reminds us of Philomena Essed's (1990, 1991) concept of 'everyday racism' and how mechanisms of oppression and Othering (Van Zyl 1988; Young 2009) are invoked in the recuperation of power in regulatory systems.

The same-sex couples emerged from heteronormative families that most likely reflected dominant gender norms, and heteronormative assumptions about family forms. Even though people grew up in alternative families, like single-parent families, the global ideology of the northern nuclear family with 'man as head of household' is still very powerful with heteropatriarchal values deeply embedded in discourses that circulate in society. Yet across the world and across time, societies have included 'family' forms and kinship systems that accommodated same-sex sexual relationships, thus tracing the limits of northern constructions of 'the family' (Adam 2004: 267).

Barry Adam (2004) argues that, like for their heterosexual counterparts, the financial autonomy provided by wage labour (or class privilege) enabled queers to "partake of rising ideals of voluntary mateship, romantic attachment, companionate marriage and neolocal household formation" (268). These relationships flourished first among men in Europe, and later included women. Mark Gevisser (1995) and Andrew Tucker (2009) show that these also applied to white South Africans. But these relationships were excluded from state-legitimated definitions of family. Following a period of intense repression of queers through pathologisation, demonisation and criminalisation, the feminist and gay liberation movements emerged in the last quarter of the twentieth century to challenge heterosexist and gender ideologies. However, unlike heterosexuality which has a widely circulated non-sexual public face—"[s]ame-sex courtship, romance, partnership, home-building, mutual support and communication through the arts are not always allowed the same public manifestation, but rather are often subjected to the linguistic 'squeeze' of the 'sexuality' category and thus consigned to the private" (270).

Neoliberal dismantling of welfare states, and new discourses concerning care among gays arose from the AIDS epidemic, with different forms of intimate connections emerging. Jon (03) speaks about recreating a community of close friends (family) after they moved from Cape Town to Sedgefield. ‘Family’, ‘sister’ and ‘brother’ are also words used by lesbians and gays to identify other queers, thus ‘family’ is a reclaimed term familiar for understanding queer relationships and affinities. With legal recognition of their relationships, queers are facing assimilation into heteronormative frameworks for their relationships and families, while for many a call for rights is also focused on entitlements for their children.

South African law recognises the family as the basis of society, and lists a wide range of family forms, including same-sex families (see White Paper on Families in South Africa 2012). But Ekanem Okon (2012) argues that it should be a fluid definition based on needs rather than structure. He argues that the provisions contained in the Children’s Act (No. 38 of 2005) are centred on the rights of the child, where the aim is to not deprive children of their families. However, the criteria for the care of children presumes enduring relationships, where children must belong in the family. He argues that the non-recognition of relationships is not in the interests of child-centred definitions of family. “Children’s rights, particularly their familial rights, depend on the existence of family and the recognition, respect and promotion of the rights of its members” (Okon 2012: 393).

In spite of lesbians and gays participating in numerous innovative and alternative families, partly due to social exclusions, the legitimisation of same-sex marriage has resulted in a narrow definition of marriage as an enduring dyadic relationship, while ‘the family’ is still conceptualised as a procreative unit. Only two couples lived in culturally unconventional arrangements: Agnes and Sarah (02) live in separate houses which caused Sarah’s children some confusion about whether they were ‘together’; Jon and Dean (03) are living together, on the same premises but in different dwellings, with the two lesbian mothers of their son. All the other couples live together in properties they share.

This begs the question about how much their relationships subvert heteronormative values attached to marriage. Besides having two people of the same sex as partners, Puleng and Anna (07) mimicked the gendered roles and division of labour in their family. Most of the couples (01, 03, 04, 06, 09) said though there was a division of labour in their households, some tasks were gendered, but it was not hierarchical. Some of the participants’ gender identities conformed to hegemonic masculinities and femininities—Thando (11) describing herself as femme and Dean (03) and Bongani (05) claiming conventional masculine identities. Therefore one could argue that the couples’ belonging was structured through heteronormativity and that

their performances were homonormative, reinstating dominant gender norms—but tweaked just a little bit queerly.

## Being Married

Unlike many heterosexual marriages where the couple gets married as a gateway to setting up a ‘family home’, all the participants set up homes together before deciding to get married (if they did), and marriage was often deliberately instrumental to material benefits. Hence few focused on the cultural dimensions of marriage as a rite of passage, as is often true for heterosexual marriages. This may be partly attributable to the fact that same-sex marriages do not have the same social, cultural or even legal status as heterosexual marriages. This positioning outside the regulatory mechanisms of culture, has given rise to the participants having small and often private ceremonies for their marriages.

However, as younger lesbian and gay couples get married the confluence of consumer culture with gender conformism in wedding styles is becoming visible in the media as same-sex marriages become ‘celebrated’ as news and reach the popular media. These often reflect heteronormative gendered values, where one partner is in more masculine attire and the other more feminine. However, there is also a concomitant visibilisation of black queers.

Many of the couples in this study said they got married to protect themselves against abuses from their families against their partners if they become ill or died. They therefore make explicit the link between marriage and property. Though getting married did have symbolic value for their relationships, many felt that it did not alter their relationship significantly in terms of their commitment to each other or their lifestyle. All expressed a connection between marriage and commitment, though some of those who did not want to get married expressed fear at it somehow changing their relationship. Others explained their desire to get married as an expression of their love for each other.

## Don't Want to get Married

Bongani said unequivocally that he and Thabani did not want to get married.

*Bongani: I understand that there are the rights, but for me I don't see a reason why gay people demand to get married like a man and a woman, because I can only say for me, we are not married but we stay together, and I don't see a reason why we should demand that we must get married. We stay together and share things together like a married couple.*

*Brian: If you were a straight person would have got married?*

*Bongani: Yes, I will, because the marriage between straight relationships ... it's never something that you have to include in the Constitution because it has always been there. At the same time the marriage is not an issue. The best reason is to love each other.*

6. Contexts of Care

Brian: Are you married to Thabani?

Bongani: Not like in the court. I would not want to get married to him, not now. Because in the 15 years we have been together everything has been fine and I think probably marriage will spoil everything.

Brian: Do you have any other reason why you are not married?

Bongani: No for me there is no problem for those who might want to get married; for me it's love only, so why bother with marriage when what we do now it's almost as if we are already married (05).

Lumka and Kenny argue about marriage.

Lumka: We are not married, we always fight when I speak about the marriage. Kenny does not want to get married.

Kenny: I do not want to get married because I am scared about what my will father say. I think when I finally decide to marry my girlfriend, I will tell my mother first (10).

Brenda does not want to get married because she first wants to be accepted by Sue's family.

Sue: Ooh yes. I do want to get married 'cause I love Brenda so much.

Brenda: No. If I get married I would love to be free; if my partner is going home I go with her. As much as I know that I love Sue, but I just cannot marry her. Her sister is so homophobic, and I don't want to take her away from her family and I believe that it's unfair, the fact that she can go to my home freely and I am not accepted into her home, so I just don't want to get married, finish.

Sue: I just don't care about my family and it's only my sister, and I am going to marry you, not my family. Even in heterosexual marriages not all of them are liked by their in-laws, but they do get married anyway. And I fully agree that they are my family; at the end of the road we do need them, but they cannot stop me from getting married. I will do what is right for me because it's only my sister who has a problem.

Brenda: Sue, that is your family, and don't you think I will get hurt when you go and visit your family alone, and when I go to my family I always go with you. We all need our family at the end off the day, that is way I am saying I am not getting married (16).

Paul and Tomas have a 'lifetime partnership' registration, so they haven't thought much about getting married.

Paul: My feeling is that I am not aware that there are any benefits for us to get married. I feel that we are recognised by all my family and relatives, and anyone who matters to us and we don't need a civil partnership for us to feel like we belong, or for our circle of friends or family and our colleagues. However, there are certain circumstances which may make it useful, but it's not useful for us in a way to get married; but if one has a job with medical aid that employers contribute towards, and if we have an opportunity to put our partner on a medical aid, that would be the biggest motivating factor and I think we would do a thing about it (13).

Nkuli also does not want to get married, but Pamella does.

## 6. Contexts of Care

Nkuli: *We are not married but we do talk about it. I personally don't want to get married for now, I prefer a life partner. With a life partner, you only commit between yourselves, whereas in a marriage you have to sign a marriage certificate which is binding, and when you break up you have to go through a divorce ... Even if you want to buy a house or a car together, you can do so if you are in a life partner relationship.*

Pamella: *I do want to get married (17).*

The reasons why people chose not to marry varied, with the black lesbians being scared of their own family's reaction, or wanting recognition by their partner's family, while the gay men believed their relationship was already like a marriage.

### Still Thinking about It

Dominic and Robert did a 'lifetime partnership' agreement for Robert's residence in South Africa.

Dominic: *We are not married ... however when we did the immigration for Robert we had to apply for a partnership with Home Affairs. So in that way we have a registered partnership with Home affairs. However with marriage that would take a lot more discussion because before it became legalised I also wanted to get married, and Robert did not. When it became legalised, now Robert is the one who wants to get married and I am not keen. Our concepts of marriage are a bit different, because it goes down to our traditional upbringings and traditional experiences of marriages. For Robert it would just be go to Home Affairs, get married and rush to the bar and have a drink with friends—that is marriage for him. But with me where I grew up, it is that you go to church, get married, you have a reception with 200 people and you party the night away with them. So I think that's the way we differ and clash a bit, because we have to do a lot of compromising around that before we decide to get married. But then again we have been together for ten years; we really need to ask ourselves if we want to go for it—what is official about getting married and what is unofficial of being in a partnership. We are kind of joined already: we have a joint medical aid and stuff and all that has never been a problem to us. If you look at most people they get married today, even though they have been together for a long time, they get married and then a month later they get divorced. It's something that we might consider later but now I don't think it's on the cards.*

Robert: *When we applied for the immigration we had to sign an affidavit for Home Affairs which shows that we pledge each other mutual support, so that was one of the conditions. For example if one of us has a problem there is an obligation of supporting one another and also we had our relationship blessed at church which was very important to us. It was not a marriage vow as such but it was like a commitment between each other and love we gave each other. It's like something we have as a base (08).*

Andy and Rodney feel they are engaged and do not need to get married now.

Rodney: *When I went up to the Northern Cape I bought I ring for him ... That was sort of an engagement I suppose, not a marriage. We are engaged but not married. The ring was like a commitment ring and I went to fetch him from his mom's place ... One of the main things is that we are not legally married, and if anything happens property would probably go to the wrong people and this is my concern. We were going to get married on his birthday when he turned thirty last year. We had a big party instead but we didn't get married. I just thought that to go that far and the cost and also we need to know if we were both right to*

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*make such a decision. I think it was not proper to be in such a hurry to do something like that. Thus we wanted to be sure about what we are doing and knowing what marriage actually entails. It's not a thing that you can do for the sake of doing it. There needs to be commitment, sharing, honesty, caring and from a financial point of view ... Basically Andy did not understand the basics of finance as regards to how it works, and his ability to deal with it, should anything happen to me, because he would be left with not knowing. So I thought he needs to understand those things before we went the extra mile and all those things that goes with the marriage.*

Brian: *Andy what is your say on marriage?*

Andy: *It's too early to get married.*

Rodney: *He never talks about it. That is another thing why I sort of hold back because it's always me who talks about it, not him. If he wants to get married he needs to talk about it as well. But he said it once that he has to ask me to get married.*

Brian: *Andy what's your feeling on this?*

Andy: *I don't want to talk about it.*

Rodney: *I think what he is saying is he does not want to get married (14).*

Gerald and Walter have been together for 52 years, and for them marriage seems superfluous.

Gerald: *Look we have been together this long and we have been happy together, so what came into my mind personally was what does the Civil Union got to do with us now? Would it be better for us? In which way? And then of course at this stage there are people who think that we should go to the altar because there are certain benefits that go with marriage, the benefits of being a legal partnership. For example if you have a company pension that will go to your partner when you die ... neither of us has ever been married to a woman, so at this stage no, I don't think we are going to get married. We are going to settle for a Civil Union and the blessing that goes with it. The Anglican Dean thinks that we should do it even before he has been given approval from the church to marry a gay couple.*

Walter: *[Our friends] have been pushing us; they want us to be an example to the younger ones as some role models, and probably us getting married would encourage other younger gay couples to stay together. The first time when it was allowed for gay people to get married, they were getting married with fabulous frocks and within six months it was over, but it's changing over the years and a lot of gay couples are getting married. We have friends who are getting married next week. So as I was saying they want us to get married as an example. We are also involved in the Desmond Tutu's Anglican Church petition to legalise gay marriages in the church (01).*

Gugu and Tete are planning to get married (they married a year later).

Gugu: *Yes, I love Tete so much; because we have been living together for eight years and been together for more than ten years. A marriage is the union of two people, so we want to get married next year—we will definitely get married.*

Tete: *Yes, because Gugu and I, we are so in love and she spoils me a lot. I am working in the hospital and I am working long hours, but when I get home I feel welcomed (09).*

## Married

Some couples had a 'lifetime partnership' agreement for immigration purposes, but Lutz and Perry got married too later on. They also saw their 'lifetime partnership' agreement as a ceremony. They went to a police station to register their lifetime partnership for immigration purposes.

*Perry: It was a special experience because when we went to register it was at the police station in Rondebosch. It was so that Lutz would get a work permit in South Africa and I also needed a resident's permit ... it was called a 'lifetime partnership'. One of our friends also persuaded us to get married [have a ceremony]. Our friend made me a corsage of flowers and I refused it and preferred a branch of olive leaves. A strong black policeman attended to us and registering was much easier than anticipated. The policeman was very helpful and friendly. However, it was a good experience and such a positive response from a black police officer in an African country on gay marriage. Our friends, a heterosexual couple, had prepared a wedding dinner for us.*

*Lutz: We had to have another marriage in the Netherlands two years ago because the Dutch Laws did not recognise our South African lifetime partnership. A marriage is a marriage and there should be no difference between a gay marriage and a heterosexual marriage, and also people of all sexual orientations who want to form a partnership, it must be recognised and supported (12).*

Gill and Pat got married in the British Consulate under the British Civil Partnership Act with their witnesses, and had a small celebration with close friends afterwards.

*Mikki: So do you think the Civil Union Act has given you a greater sense of belonging?*

*Gill: Not so much as the Constitution.*

*Pat: It has. I feel much more secure ... not with Gill, that has been a constant, but with everyone around you. It's strange being so old and finally getting into this marriage thing. Getting older also means getting frailer, and chances of going to hospital and so on ... you don't want to have any problems with Gill not being able to visit and so on ...*

*Gill: You're as healthy as a horse ... with my smoking I'll probably end up in hospital first, and you'll be the one visiting!*

*Pat: Oh, stop it Gill! I'm just saying I feel more secure now that we're married, even though the marriage has made no difference to the way we relate to each other ... I don't feel more or less committed to Gill than before the marriage. And like Gill, I think the real difference came with the Constitution ... the equality clause (06).*

Funeka and Thando feel more protected in their relationship with the Civil Union Act. They got married at the Home Affairs office.

*Mikki: Do you think the marriage changed your sense of belonging in any way?*

*Thando: I think yes and no. Yes in the sense that I can claim that I'm someone's wife which is good. For other people to recognise it as well, that it is okay marriage in the gay community existing ... but for me things are still the same. We are still living the way we used to live, just that now there's security and something to protect me in the future.*

*Mikki (to Funeka): So did it give you a greater sense of belonging?*

## 6. Contexts of Care

Funeka: *Ja. A very very great sense of belonging. And I think sometimes, specially for me, it's nice for Thando because I become a little bit selfish because ... I don't like to show my feelings. When she's not around, like sometimes she has to go to the family during the holidays, she will spend some time with her family. Sometimes I become so lonely as if she doesn't really ... I'm not one of her priorities any more, because she still has a family, a big family that's really close to her. But for me, my closest people in my family was my mum, and my mother's sister, so when they passed away, for me Thando became my family, and my sister and everything. So sometimes I become a little bit selfish [pretending to cry] 'No, I'm not important any more' (11).*

It took Dean and Jon a few days from making the decision to getting married. They asked the marriage officer to perform the ritual on their farm, and invited a few local friends to a 'bring and braai'<sup>10</sup> party.

Mikki: *Tell me, in terms of your marriage, do you think it's given you a greater sense of belonging?*

Jon: *Ja I suppose it does. I don't know whether it's that, or that we've been together for a really long time and we've worked through a lot of shit. Maybe it was just another step towards greater belonging, and I mean it's never been the core of whether we would stay together or love each other unconditionally. Dean always wanted it more than I did, so the thing is I couldn't find any reason not to do it, given where I was at.*

Dean: *It's great living in a country with a constitution where you do feel supported and in having the Constitution, the law behind you, although it might not be carried out like that (03).*

Ronnie and Eve got married two years after the enactment of the Civil Union Act.

Mikki: *Why did you get married?*

Ronnie: *Well as you know I've always been involved in politics, from when I was little, with my parents and all. So with the new Constitution I was so proud, and then we talked about it when all the marriage campaigning was going on. So we decided then that we would get married. But it took us a while to get things together.*

Eve: *Obviously we wanted to show the world how much we love each other. And that we wanted to be together forever. But Ronnie also has this house and she wanted me to get it, she didn't want her brother to take it if anything happened to her God forbid.*

Ronnie: *It was romantic, but also practical. And my parents loved the party. They like to show off to their friends, seeing how successful I am with my own practice and my house and so on. So my mom and Eve's mom got together and planned the whole thing with us.*

Mikki: *What did you do?*

Eve: *We got this woman minister to marry us ... She was great. Such a simple ceremony. We had it here at the house, and we had a big marquee up in the back. But the weather was lovely. And then we exchanged vows that we had written ourselves. All our friends came, and everyone was very laid back. It was a really good party (04).*

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10. South African version of a 'brown-bag' meal, including a barbeque (braai).

After they witnessed problems with a friend who passed away in hospital, Agnes and Sarah decided they wanted a very quiet marriage.

*Sarah: We wanted to find a way to celebrate our 25<sup>th</sup> Anniversary of being together ... and then of course, once we got to a lawyer, things started just happening. I couldn't believe that we were contemplating not doing it, because it was said to us that ... in terms of rights and stuff, when gays were not allowed to get married, and now that they were, certain things were changed. It's not easy to treat people as though they were married, because they were not married and they could have been married. So one has to accept that they chose not to be married and therefore "Don't come with your legal demands that they should be treated as if they were married," because they weren't. And then we realised that actually, intuitively, instinctively, we had made the right choice. Because apart from formalising in a way, our wills were pretty clear. But formalising our material relationship through an Ante nuptial Contract, we also then formalised our relationship so that nobody can make this up (02).*

Puleng and Anna got married twice: first they did a traditional African marriage with lobola (bridewealth), and then followed up with a Civil Union marriage.

*Puleng: We decided to get married in 2003 in a traditional way and in 2008 we decided to legalise our marriage at Home Affairs.*

*Our families performed a traditional wedding so that my wife can be accepted in the family by the ancestors, and she was given a maiden name which is 'Mahlompo'. My mother finally accepted her as a daughter in law and treated her with respect.*

*Her family didn't like me, they wanted that a man prefers her, a new married woman. Only if I'm with her, I gave her the name. In my culture, if you take a wife, it is from parents to the other parents ... you pay lobola. Your family talks to the girl's parents "I want my child with 6 cattle". Early in the morning, all the cattle, you take them out. You take them to graze, but you come back when the girl's parents answer. And it must be a proper answer. The proper answer is "I want my child with 6 cattle". That's a proper answer. Then they agree. If they don't agree, then it didn't happen.*

*Mikki: And then when you get the answer, what happens then?*

*Puleng: Then they will say, "We send the answer home". You're still in the veld waiting with the cattle grazing. Then when you get the answer, then you come back home and have a shower and you can start eating. I fetched her at night. You bring the cattle close to the house, and 2-3 girls go and fetch her.*

*Then they [Puleng's family] are going to slaughter the sheep for her and give her the name, and undress her from the clothes she came with, and put the new clothes. From that time she's gonna wear the lady's clothes. Because in our culture the dressing is different. The girls are wearing short skirts and the ladies are wearing ... the dresses must be under the knee, and they must have the scarf on their head every day, and then also around the waist they must wear a towel or whatever but it must be something on the waist.*

After this ritual has been completed they are married. They returned to Cape Town, struggling for Anna to get South African citizenship.

*Puleng: We struggled for a long time to get married, a couple of times we were rejected by Home Affairs. After battling and fighting we finally got married after the Civil Union Act was passed. We finally tied the knot (07).*

The couples had structured contexts of care for themselves through committing to each other, and some consolidated their relationship by getting married. Unlike is usual for heterosexual marriages, none of the couples had huge receptions; mostly they had small ceremonies with close friends, and only a few involved their families of origin in their marriage rituals. Moreover, most of the couples who got married gave practical considerations as the main reason for getting married. All of them expressed a feeling of greater belonging as a result of getting married, but for many marriage was not a significant boundary of belonging. Those who got married did it mostly for material reasons—kinship and property recognition, while those who did it for ‘love’, already had the love and commitment before the marriage (conforming to an ideology of permanent monogamy in marriage). Some who did not want to get married felt their love and commitment to each other was enough belonging.

## Marriage

Marriage is the symbolic ritual which bridges the private and the public by putting the private under the power of the public. But how can same-sex marriage be transformed into a caring institution if there is no public recognition of non-heteronormative marriages? Same-sex marriage as a project of belonging provides a lens for understanding the relationships between the emotional, the normative and the political. As an enabling tool the CUA has opened up not only contestations of marriage (see Bilchitz & Judge 2008), but also spaces for queer belonging. But performances of rituals for same-sex committed relationships take many forms: beyond legal recognition, cultural marriage rituals, which encompass belief systems, are embedded deeply in societies’ celebrations (and regulation) of marriage. Transforming these marriage recognitions to include same-sex marriages—as many cultures have done—have the potential to reshape existing meanings and symbols in marriage relationships, and contribute to the politicisation of marriage forms. On the other hand, homonormativity may dilute its transformative possibilities. But same-sex marriage also provides a platform where dominant perceptions of gender difference and its organisation into relationships of hierarchical complementarity may be challenged. Gender and queer activists concerned with marriage as a site of heteronormative oppression need to find avenues for living their politics in everyday life—they need to strategise how to walk the tightrope between the personal and political to achieve emancipatory feminist and queer politics.

Butler (2002: 23) suggests that marriage is publicly mediated ‘sex’, and therefore through recognition allows same-sex partners to tap into the material benefits and privileges of marriage promised by law and culture.

The state can become the site for the recirculation of religious desires, for redemption, for belonging, for eternity, and we might well ask what happens to sexuality when it runs through this particular circuit of fantasy: is it alleviated of its guilt, its deviance, its discontinuity, its asociality, its spectrality? And if it is alleviated of all of that, where precisely do these negativities go? Do they not tend to be projected onto those who have not or will not enter this hallowed domain? And does the projection take the form of judging others morally, of enacting a social abjection and hence becoming the occasion to institute a new hierarchy of legitimate and illegitimate sexual arrangement? (Butler 2002: 23).

### **Legal Marriage**

Situated squarely within global discourses of human rights, the Civil Union Act (CUA) (No. 17 of 2006) makes no concession to the diversity of historical or current same-sex relationships and family practices of queer people in South Africa. Nicola Barker (2011) argues that in spite of South Africa's stated commitment to substantive equality in marriage, customary marriages and same-sex marriages are subordinate to civil marriages contracted through the Marriage Act (25 of 1961). She also remarks that civil marriages are presented as 'empty' of cultural context, while it is largely based on Christian premises of value.

Elsje Bonthuys (2007; 2008b) focuses on the "state's normative and civilising power" (2007: 526). She argues that because the CUA mirrors (northern) civil marriages it is constrained by the simplistic notion of monogamous intimate partnerships, and fails to account for the complexity of family relationships extant in South Africa. It draws on global gay and lesbian identities that are fixed, and does not cater to the complexity and fluidity of gendered identities in Africa arising from same-sex relations. Moreover, same-sex marriages are excluded from customary regimes, despite historical evidence showing a variety of forms of traditional African same-sex marriages.

Our hierarchy of family forms has at its apex the institution of civil marriage, associated with monogamy and procreation and accorded full legal recognition and protection, while at the lowest level it fails to recognise and attach legal consequences not only to unmarried heterosexual and same-sex relationships, but also to Muslim marriages. Somewhere between these poles lie customary marriages, which have had full legal status since 2000 [sic], but which still have a lower status than civil marriage (Bonthuys 2007: 527).

By casting the CUA in the mould of civil marriages, same-sex marriage has been excluded from other forms of marriage, like African customary marriages, which historically accommodated a range of same-sex relationships. It also relies on queer South Africans conforming to global sexual identities such as 'lesbian' and 'gay', based in the final instance on the sex-gender binaries of male-female. Same-sex marriage has been located outside the ambit of African identities, and the exclusion of same-sex

marriage in customary law implicitly reinforces the notion of homosexuality being 'unAfrican'. Hence, the CUA defines boundaries of belonging in marriage through: those who do, against those who don't get married; racialisation; gender performances and family forms and arrangements. She therefore concludes that the Civil Union Act which is formulated along the lines of (patriarchal) civil marriages, recognises only certain types of people and relationships for legitimation, and as in the Marriage Act, "fails to address the inadequacy of marriage law to protect the interest of vulnerable family members" (Bonthuys 2007: 542). This helps us to understand why Puleng and Anna (07) married twice: first by tradition, and then by Civil Union.

Other provisions in the Act emphasise that it is a 'separate but not equal' law in many other ways: for example one exception is that it allows state marriage officers to exercise personal choice of refusal to marry people of the same sex, while they may not refuse people of opposite sexes on grounds of 'conscience'—imagine the case of a racist marriage officer refusing to marry an interracial couple! Further it makes it much more difficult for religious officers who are prepared to conduct same-sex marriages to register as civil marriage officers (Bonthuys 2008a). Thus while the CUA grants privileges on the one hand, on the other hand it institutionalises same-sex discrimination.

With the enactment of the CUA, certain lesbians and gays in SA are also formally included in *one significant dimension* of citizenship through marriage, yet substantively it's not quite the same level of inclusion as for heterosexuals who get married. Lesbians and gays are still getting married under a 'separate but equal' (apartheid?) law—therefore one could see it as a 'second-class' marriage. The solution for non-exclusion on the basis of marital status is to have no marriage law at all beyond a law of contracts; however, marriage is so deeply institutionalised in the juridical system, that equality for lesbians and gays requires the same marital regime for everyone. Nonetheless having same-sex marriage laws / rights for lesbians and gays has redrawn the lines of marital inclusions | exclusions—for example, any same-sex couple (as previously for heterosexual couples), who can, but do not, get married. (A similar argument could be made for (polygynous) marriages under the Customary Marriages Act as well as the proposed Muslim Marriages Bill.)

Using Nancy Fraser's distinction between 'affirmative' or 'transformative' recognition, Barker (2011: 459) suggests that the CUA was affirmative by allowing outsiders entry into existing structures for marital relationships, but did not transform marriage and particularly the regimes of care as gendered and private. She argues that symbolic recognition without transformative politics cannot address the racial, gendered and economic hierarchies of distribution written into the Act, thereby leading to misrecognition—being rendered invisible by authoritative practices of one's

culture (Fraser 1997 cited in Barker 2011: 459)—and material disadvantages (maldistribution) for some. Amanda Gouws (2014) shows that recognition is implicit in struggles against maldistribution. Therefore when black lesbian activists like Funeka (K1) and Zethu (K3) are struggling against hate crimes against black lesbians, they are simultaneously fighting for recognition of the existence of African lesbians, as well as recognition that their humanity is being violated. Moreover, the violence against them is exacerbated through lack of resource allocation by government to address their plight—for example police training, special courts, shelters or hate crime legislation (see Lynch & Van Zyl 2013).

The Constitution and the CUA have issued an invitation to South African queers to come out, to make themselves visible—which they need to do to receive the privileges proffered by the law. All the couples who were married (02, 03, 04, 06, 07, 11, 12) explicitly stated symbolic as well as material benefits—official recognition of their relationship, property, inheritance, custody, legal authority etc.—as reasons for getting married, if not the only reason. Those who were considering marriage also mentioned them as persuasive arguments for getting married (01, 13), while Gugu and Tete (09) wanted to marry for love—and did, a year later. Thus the recognition of the rights of LGBTI-q also gives them access to distribution. Rodney and Andy's (14) discussion about marriage also involved talk of property and inheritance. Most couples focused on the material benefits of marriage, confirming Butler's (2002) observation that kinship is deeply linked with property relations—hence through the establishment of kinship through marriage, the couples also secured property relations with one another.

As many authors remark (Judge 2014; Livermon 2012; McCormick 2013; J Scott 2013; Sonnekus & Van Eeden 2009) the price for 'freedom' is being paid by black queers, especially lesbians. However, this does not mean that black queers do not feel a greater sense of belonging as a result of the visibilisation engendered by the legislation, particularly the equality clause. But one wonders whether, if the Marriage Act had been amended (rather than the introduction of the CUA), queers would have felt differently about same-sex marriage? And would society have seen same-sex marriages as somehow more legitimate? The Civil Union Act was appreciated for the choice it gave LGBTI-q, but what participants wanted most of all, was better implementation of the Constitutional provisions, so that formal equality could turn into substantive equality, thus enhancing their belonging. This concurs with their definitions of belonging which related to respect, dignity and equality as constituents of belonging.

## **Culture**

Martin Sökefeld (1999: 427) shows how identities are mobilised within culture where culture is understood as discourses constituted by systems of shared meanings and patterns of behaviour which have the power to shape people's social realities. With Judith Butler's notion of performativity we can understand how culture is made up of patterned performances of numerous selves in repeated interaction (Sökefeld 1999: 431). Marriage as cultural ritual without the sanction of legal back-up, cannot promise the same material benefits as legal marriage, but Katherine Hull (2006: 2) argues that even without legal rights and benefits "marriage is an extremely powerful cultural model of relationship." Many same-sex couples in her study (USA) used cultural practices to celebrate their relationships, or used other legal contracts to provide the economic and social safety nets usually built into marriage contracts. She acknowledges that cultural enactments of marriage must be seen in the light of denials of legal marriage, which is not the case in South Africa. However, many same-sex marriages in South Africa also follow the heterosexual model of marriage by combining their legal ceremony with cultural rituals.

## **Gender identities**

After getting married, partners in heterosexual marriages undergo a significant change in identity and social standing. For women in particular, staying single is still a stigmatised identity in most cultures, despite enormous shifts in recent times. The definition of womanhood is strongly linked to heterosexual attachment to a man, usually in marriage (Byrne 2003). Women who are not attached to men, i.e. not married, are defined negatively as not being 'real' women (Wittig 1993), therefore lesbians by default fall outside the category 'woman', an identity recognised by Funeka (11) as needing affirmation. Woman-woman marriages therefore queer hegemonic femininities by discarding the central subject, the man. Mostly, wedding ceremonies are perceived to be the bride's day—an initiation into a new identity—where dominant expectations dictate that she takes her husband's name, and changes her title to 'Mrs' to symbolise and advertise her connection (belonging?) to him. Men who get married do not go through the same ritual of changing their identity. Except for Puleng and Anna, none of the women who got married followed the heteronormative rituals related to 'women as property'.

## **Traditions**

Throughout the world, heterosexual marriage ceremonies are overlaid with gendering which positions women as property exchange. This is symbolised in northern traditions by the ritual of a father 'giving his daughter away' to the bridegroom. It is also customary that the bride's natal family pays for the wedding celebrations as she leaves

her natal home to go away and live with her husband. This usually involves taking his name, therefore situating her in his kinship line (patriline). In African marriages incorporating bridewealth, it is usual for the bridegroom's family to pay *lobola* to the bride's family, thereby securing political ties, the wife's labour and her body for procreation in the husband's family and kinship. Thus kinships are established through 'woman exchange'—same-sex marriages expose these gendered relations at a fundamental level. Zethu (K3) remarks on the impossibility of same-sex couples reproducing those relations. Hull (2006: 3) argues that the law is a powerful cultural instrument, as was evidenced by the heated public hearings (by heterosexuals) around the Civil Union Bill, but it somehow failed to have the same impact on the couples in this study—whether married or not. Having been together for several years before marriage was available, were they already culturally centred in their relationships?

Though the South African media regularly feature gay and lesbian weddings, usually with (northern) traditional regalia of (white) wedding dresses and tuxedos, and lavish wedding receptions, no one in this study did that. Puleng and Anna (07) had a full customary ritual with both their families involved. Eve and Ronnie (04) were married by a religious minister and then had their families and friends around for "a party." Muhsin (K6) had his family in attendance for the celebration of his marriage. Pat and Gill (06) married at the British Consulate, followed by a celebration with intimate friends, while Sarah and Agnes (02) did it quietly with only their witnesses. Jon and Dean (03) had theirs on the farm at short notice, attended by friends at a 'bring and braai'. Funeka and Thando (11) also had a small celebration but Thando is still holding out until she can afford a big wedding. Perry and Lutz (12) celebrated dinner with friends after they had signed their life partnership agreement at the police station. I know of only Ronnie and Eve who ritually celebrate their anniversary, though Funeka and Thando, and Gill and Pat sometimes remember to celebrate too. Jon can hardly remember the date.

Thus the participants in this study were not as invested in the cultural dimensions of marriage as in the legal and material benefits, as borne out by their reasons for marrying. Significantly, unlike most heterosexual wedding celebrations, few had their natal families in attendance. As far as I could establish, besides Puleng's (07) family paying *lobola* as the husband's family, all the couples, together with their friends, had paid for their own wedding celebrations, nor did it seem as if they expected anything else. Besides Anna who took a clan name from Puleng, none of the couples took their partners' surnames. There was also no ritual of 'giving the bride away' which is a major break with heteronormative marriages and is a powerful way of undermining gender hegemonies—even if the partners should be heterosexual. Positioning their marriages outside heteronormative sense-making, also risks devaluing same-sex marriages, by

making them invisible. That is why Funeka (K1) feels it is important for people to know she is married, and that it is possible for lesbians and gays to get married. I would also argue that the couples were more invested in establishing kinship relations with their partners, and enjoying the concomitant material benefits of property and mutual care.

Commitment lies at the heart of most same-sex marriage rituals, and may be private or public. Some cultural practices may potentially reshape existing meanings, but many confront issues that any couples face. For example, what to call one another in the presence of others could be a delicate issue. Other concerns are around public displays of affection, or marital symbols such as rings worn on ring fingers. Another challenge for lesbians and gay men is whether to have a public ceremony to celebrate one's commitment. Often people who belong to a faith would opt for participating in the solemn rites of their religion, even if they cannot get formal recognition. Hull (2006: 41) found that typical rituals involved readings of poetry, playing music, dancing, getting blessings or saying prayers, speeches, and exchanges of vows and rings. All the married couples in the study exchanged rings. Depending on people's identities, they will incorporate elements of their own culture into their rituals, and through these performances a myriad tropes of belonging are invoked to consolidate the couple's position socially.

Anne-Marie Fortier (1999: 42) links the way in which group identities are "woven through the formation of particular subjects"—for example how LGBTI-q 'belong' in a queer community, and how that belonging is made concrete through ritual performances that cultivate the 'signs' of belonging, such as wedding rings. Hence symbols become terrains of belonging through "cultural practices that mark out spatial and cultural boundaries" (Fortier 1999: 42). Performances of culture as the 'preserve' of certain communities can also reify cultural practices as ethnically 'absolute'—you can't be queer if you're African. Did the traditional marriage ceremony of Puleng and Anna (07) queer simultaneous performances of gender and culture, while evoking the historic presence of precolonial same-sex marriages? Through these 'invocations' of convention, actions derive their binding power potentially to transform traditional marriage as well as same-sex marriage rituals. A few traditional African same-sex weddings have been reported in the media, and through repetition people can begin to 'know' of an enduring presence of African(ised) queers, thus we begin slowly to shift the norms around marriage, and create new social categories of cultural belonging.

Whatever one's critique of marriage as an institution, it is a powerful status with high cultural and social recognition through which participants access a range of psychological, social and material benefits for themselves and their families. Marriage does not only provide legal and cultural recognition for spouses, but also status to any

children who form part of the household. It creates a context of care through legal, economic and psychosocial acceptance (Pawelski et al. 2006). In the absence of legal same-sex marriage provisions, queer partners have sought belonging—with ‘each other’ as well as with significant others such as family and friends—through cultural rituals (Hull 2006). Throughout the world marriage provides the cultural template for intimate relationships, and through marriage a committed intimate relationship transcends the boundary between private and public.

The cultural enactment of same-sex marriage through rituals and other practices clearly reflects and reproduces existing cultural meaning systems ... [where] same-sex couples use cultural practices to frame their relationships as marriages ... [and] invoke dominant discourses of love and commitment to explain their own cultural practices [reinforcing] marriage as an important life-course marker (Hull 2006: 14).

For Puleng and Anna (07) their marriage was a significant cultural marker, but for most of the other married couples in this study, it was an important marker of formal belonging in citizenship, but less significant as a cultural marker. The emotional rhythm of their relationship had been established long before they got married. Undoubtedly it will be different for the younger generation of queers who now have the option to follow their heterosexual peers through the gateway of marriage into family and kinships.

### **Religion**

The majority of South Africans are religious, and for most religious people, their faith is the basis of their morals and values. People need acceptance in their faith communities for belonging. For the faithful, the deep feelings of spirituality accompanying one’s love for a partner, awakes a yearning for belonging among fellow believers. But many LGBTI-Q are forced to leave their religious communities, if not lose their faith altogether, as a result of ostracism and homophobia from their faith communities (Wagner et al. 1994). Paul Germond and Steve de Gruchy (1997: 4) argue that heterosexism is “opposed to the inclusive message of Christ ... [and] we need to name heterosexism as a sin and any theological justification of heterosexism as a heresy.” The issue of faith and homosexuality has become much debated in many denominations and faiths. There are strong movements within mainstream churches like the Anglican church to oppose ‘orthodox’ views of homosexuality (Valentine et al. 2013), and even the conservative Dutch Reformed Church has opened a debate on it (Vosloo 2005), while Ecclesia (K4) explained how the Methodist Church sits on the fence. Muhsin (K6) explained how *The Inner Circle* is attempting to influence Islamic discourses on homosexuality and *JewishOutlook* is doing the same for orthodox Jewish communities. These and various independent churches like GHMCC, including some African ones, perform religious same-sex marriage ceremonies. Would these debates and initiatives

have taken place without the legal enactment of same-sex marriage? Thus, the interconnectedness between culture and law is testament also to overlapping circles of belonging and the struggles of belonging associated with them.

Bongani (05) is closeted because he anticipates rejection from his church. Pat (06) and Walter and Gerald (01) all attend the Anglican church at St George's Cathedral in Cape Town, where Walter and Gerald are active on Desmond Tutu's same-sex marriage campaign. Dominic and Robert (08) are active in the Good Hope Metropolitan Community Church and had their union blessed in the church. Ten other participants and four key participants said they were religious, with several taking on religious identities in their introductions. Anna's (07) funeral was conducted by a female minister in Crossroads who acknowledged their relationship, while Ecclesia mentioned how Eudy Simelane's minister changed his convictions after Eudy's murder. Many participants attend church regularly with some only going occasionally, but only Eve and Ronnie (04) had a minister conduct their marriage ceremony, and Dominic and Robert (08) had their (unmarried) union blessed by a minister.

The emulation of religious rituals in commitment ceremonies demonstrates a deep yearning for acceptance in people's spiritual homes. Yet religious institutions have been a source of great pain to queers, where one of the bloodiest battle lines of belonging has been drawn around acceptance of same-sex marriages. Germond and De Gruchy (1997) lament the damage caused to LGBTI-q by the church's rejection of who they are. Religious institutions cast same-sex relationships within discourses of moral value (Olson, Cadge & Harrison 2006), where fundamentalists—whether from Christianity, Judaism or Islam—imprecate gender equality and sexual diversity through patriarchal discourses centred around heteronormativity and gender essentialism. Disregarding how marriage forms and regimes change, religious institutions have appropriated marriage and its privileges exclusively for heterosexuals. Around the world, discourses about legalising same-sex marriage have been fraught with religious institutions wrangling for dominion over marriage with the state.

Organisations like *The Inner Circle* (K6), *JewishOutlook* (K2) and *Inclusive and Affirming Ministries* (IAM) (K4) are developing new doctrines from within their faiths to affirm the values of human dignity and equality, through incorporating rights and diversity into their teachings. These remind us also of the important role liberation theology played in autocratic regimes, including apartheid South Africa, for introducing understanding based on situating human value and dignity within concrete historical contexts (Mudimbe 1988). Finding open support for LGBTI-q identities, and the blessing of same-sex marriages in their religions, opens up possibilities for spiritual belonging in their faith communities for LGBTI-q. What is particularly important is being able to create a consensus of interpretations of religious teachings from within.

**'Global gay'**

The globalisation of queer culture has given labels to homosexual identities, which are used in conjunction with indigenous terms mentioned by Gugu (09) like *moffie*, *stabane*, *amaivi*, *tomboys* (see also J Lewis & Loots 1995). In conjunction with the freedoms opened up through the Constitution, neoliberalism has expanded to encompass 'pink' businesses, venues, services, and spaces. Andrew Tucker (2009) and Gustav Visser (2003) show how the 'gay village' in Cape Town has created homoerotic spaces for men, and William Leap (2005) contextualises them within the greater (apartheid) geography of Cape Town. Some spaces are exclusive, reinforcing the hetero | homo binary, but Natalie Oswin (2007a; 2007b; 2008) argues that queers are also penetrating heteronormative spaces in middle-class fabrics. Zethu (K3) described a 'lesbian village' where young families are forming a queer community in the Northern Suburbs. As for the participants, they live in their raced and classed communities, without mentioning any hostility from the neighbours; Ronnie and Eve (04) 'babysit' for the neighbours, Bongani (05) looks after his brother's children, Walter and Gerald (01) were integrated into their extended families and for six months Dominic and Robert (08) lived with Dominic's grandmother; Jon and Dean (03) have integrated into a diverse community in Sedgefield. So the participants seem to have melted into their neighbourhoods as 'normal' human beings.

Another more public manifestation of a 'global gay' culture in Cape Town is through Pride festivals, parades, parties or marches that have both drawn people together and drawn attention to the intersections of privilege, race and political values in 'the' South African queer community. (I discuss these in more length under 'A Politics of Belonging' below.)

**Marriage and Family**

The countries that have legalised same-sex marriages or similar arrangements, usually base their arguments on the global discourse of human rights. It is generally conceived as a voluntary contract between two individuals, and heavily under the influence of northern neoliberal ideologies and symbols which imbue intimate relationships with narratives of falling in love, romance, making a home and having children. This is an important discursive shift away from the focus on sex connoted meanings of the 'sexual citizen' or 'sexual rights' (Adam 2004). In the interviews 'sex' was a minor part of the discussion touched on usually only for explaining and identifying same-sex attraction. Because marriage is such a culturally entrenched ritual, it affects many significant others beyond the dyad of the spouses. Where participants were alienated from their families of origin, or were living far away, they invited close friends often consisting of queer 'family' to share the celebration with them on the day of their

marriage. Same-sex marriages are happening all the time, and these repeated and amplified performances of a cultural ritual hitherto reserved for heterosexuals will expose families, neighbourhoods and the public to a queer form of marriage, and ultimately queer kinship. For example in Zethu's (K3) example of the christening of an IVF baby of two lesbians, the families were happy about their daughters' marriage, their technology-facilitated grandchild, and had traversed both raced, ethnicised and cultural boundaries in their recognition of kinship in this affective circle of belonging.

Many critical insights point to the dangers of legitimisation, and the limits and constraints it puts on other intimate relationships. But in the face of the profound institutionalisation of marriage as a regulation of intimate relationships, how does one achieve principles for equality for intimate relations that fall outside the narrow prescriptions of models for civil heterosexual marriage? Pierre de Vos (2004) is concerned that this model of marriage does not protect its most vulnerable members—women and children. Bonthuys (2008b) has similar concerns, and argues that same-sex couples may have equality *with* heterosexuals, but what is needed is to ensure equality *within* the relationships of people inside the marriage. Within the relationships of participants in the study, some were subverting gender hierarchies, because household labour was seen less as gendered. Though most of the men were still distanced from children, reflecting gendered relations of childcare, many of them are involved in children's lives. On the other hand, many lesbian participants had children, though not many children lived with them (any longer). Jon and Dean (03) are fathers, meaning that a different gender regime of childcare is being enacted with two fathers and two mothers. Puleng and Anna's (07) homonormative relationship and household consolidated the gender division of labour, but was more fluid about who was gendered how. For many of the couples, new patterns of household responsibilities and kinships are being formed, arising out of doing things differently.

Now that marriage is an option, life partnerships based on different principles are unlikely to receive legal support, as Agnes and Sarah (02) found out when they saw a lawyer after they had decided to get married. As the lawyer told them, once marriage is an option, it is unlikely that previously recognised informal arrangements would still be recognised, since there was an available option that had not been taken. As Butler (2002: 29) warns, legitimisation is a double-edged sword: while it is important that we claim political recognition, at the same time we need to remain critical to the norms that regulate the transformative potential of alliances and kinships. Legitimacy has granted homosexuals very real benefits through legislation—same-sex parents have the same rights to reproductive technologies, acknowledgement of parent status, and adoption as heterosexuals. But a range of other relationships are still excluded, and will be stigmatised as less worthy, Othered; less powerful members of partnerships

will have less protection because they fall outside the available regimes. The CUA has already resulted in new ‘sexual’ hierarchies, where we have effectively restricted “the domain of what [is] recognisable as legitimate sexual arrangements” (Butler 2002: 26).

Ellen Riggle, Sharon Rostosky and Sharon Horne (2010: 84) found that lesbians and gays in the USA who had “legal relationship status reported significantly lower levels stress, depressive symptoms, and internalised homophobia, and higher presence of meaning in life.” In my study, some participants weren’t invested in marriage, but all the married participants said that formal recognition of their relationship gave them a greater sense of belonging—yet none of their marriages was accompanied by the ‘pomp and circumstance’ usually associated with heterosexual weddings. Everyone who expressed an interest in getting married foregrounded the distributive aspects of formal access to privileges, rather than cultural recognition. The responses to marriage of the couples in this study therefore suggest marriage as belonging through the power of creating kinship and its attendant material benefits and commitments to care.

Jessica Scott (2013) argues that the legalisation of same-sex marriage is not only a mechanism through which heteronormativity is consolidated, but is also a tool of racialisation, with which Livermon (2012) concurs. Melanie Judge (2014: 67) suggests that the potential of subversive subjectivities through marriage, threatens hegemonic masculinities and femininities which can lead to “murderous abjection”. While there is no doubt that same-sex marriage is perceived as threatening to the (African) gender order (Reid 2008)—after all, it seriously undermines the ways in which traditional marriages symbolically confirm women as men’s property and subordinate to men—South Africa has also long been dubbed the ‘rape capital’ of the world (Jewkes et al. 2014). Therefore the (re)assertion of African heteropatriarchal norms (vs northern ‘white’ norms) need to be analysed in more nuanced terms than black lesbians ‘paying the price’ for the Civil Union Act. Black lesbians themselves are strategising how to engage struggles against hate crimes. Funeka (K1) is a feminist activist who has suffered the fallout of this virulent heteronormativity on her own body, but she is proudly married, and sees it as a political act to let people know that she is here to stay. Taking the critiques on board, activists walking with their feet in the struggle for queer belonging know its dangers, and know that it takes one step at a time to change the world, and moreover, you can’t do it from a closet, nor alone.

## **Diverse families**

The first place of belonging is one’s natal home. South Africa has a rich history of culturally diverse families ranging from same-sex, to single-parent to extended families and including nuclear families. These arise out of different cultural contexts and belief

systems, and how these have been adapted to cope with social change like urbanisation, globalisation and the AIDS pandemic. Participants weren't asked to speak about their natal families, but when they were mentioned, most participants indicated that they had grown up within their own kinship system.

According to Judith Butler (2002: 15) kinship is a “set of practices that institutes relationships of various kinds which negotiate the reproduction of life and the demands of death ... kinship practices will be those that emerge to address fundamental forms of human dependency, which may include birth, child-rearing, relations of emotional dependency and support, generations ties, illness, dying and death (to name a few)” (Butler 2002: 15). She also argues that kinship is not the same as friendship or community, and is inevitably linked to property relations. Feminists have long perceived heterosexual marriage as exchanges of ‘women as property’, but in cultures with rites of bridewealth this relationship is more overt. Kinship is also deeply tied into the accumulation and distribution of property, therefore implicated in establishing symbolic ‘bloodlines’ of privilege and status. The recognition of same-sex marriages therefore challenges the established norms and rights bound into kinships. It also calls into question (northocentric?) norms of the status between parents and children, and regulatory discourses about ‘what is good for the child’.

Funeka (11) was raised by her maternal grandmother, and Eve (04), Gill (06), Lumka (10), Paul (13) and Andy (14) by single mothers. Most of the others grew up with both parents in the home. Many only came out after they had moved out of ‘home’, and therefore did not face the ejection from ‘home’ that other youngsters experience. Kenny was the youngest participant, and had been with Lumka since she was 12. We did not ask why she left her home in the Eastern Cape. In a study of lesbian youth Danielle Kowen and Jo Davis (2006) found that young women were evicted from home, or had left home as a result of homophobia in the family, school and broader community. But many of the young lesbians found supportive friendships with older lesbians who helped them gain self-esteem and develop positive lesbian identities. The complete acceptance into their families by the oldest participants, Walter and Gerald (01), and of Robert into Dominic’s family (08) confirmed the historical integration of gay cultures into coloured communities (see for example, Gevisser 1995; Tucker 2009). Many other participants too were also brought (back?) into the kinship fold—Eve and Ronnie (04), Puleng and Anna (07), Dominic and Robert (08), Perry and Lutz (12), Paul (13), Brenda (but not Sue) (16), Liesl (K5), Zethu (K3) and Muhsin (K6). Some participants weren't out to their families (05, 10), while the rest engaged in a ‘strategic management’ of their identities: Funeka and Thando (11), Tomas (13) Nkuli (17).

The black couples placed more stress on acceptance within their kinships, so for Brenda and Sue (16) and Pamella and Nkuli (17), the condemnation of their relationship

by one of their families caused friction in their relationship. Both partners who felt excluded (misrecognised) by their partners' families understood the importance of kinship relations in African culture, even putting them above their own relationship. In contrast, the middle-class couples living in the suburbs and town had greater choice in distancing themselves from family members who did not accept them (Agnes and Sarah, 02; Bongani, 05; Tomas, 13). Thus heteronormativity was a powerful regulatory mechanism invoked in expulsion from the kinship: first by not acknowledging their child or sibling's queer identity, and secondly by not recognising their relationship with a loved one, nor the loved one. In contrast, Lutz's father giving him and Perry (12) their wedding rings was a powerful symbolic gesture of inclusion in the kinship.

The notion of a charmed circle consisting of an ordinary 'us' arising from 'flesh and blood', thus becomes disrupted by alternative family forms that are, for example, not 'biological'—like adoptive children. A number of the participants had children: according to Xhosa custom, a child born to an unmarried mother, in clan terms will become the child of her mother (Gugu, 09; Thando, 11). In Basotho custom, the biological mother retains custody of her child (Puleng, 07). In Xhosa custom, a man who is not married to the mother of his child will not have responsibilities towards the child (Bongani, 05). In white society the biological mother is the default option for custody (Sarah, 02). Jon and Dean (03) first tried surrogacy before they had a biological child with a lesbian couple, thus Luke has four parents. Zethu (K3) told of a lesbian couple who had a child using IVF (*in vitro* fertilisation). Ronnie and Eve (04), and Kenny and Lumka (10) plan to adopt; Brenda (16) adopted her late sister's son and she and Sue want to adopt another. Perry and Lutz (12) run a children's home and see the kids as their 'children'. The other gay men did not have children. Therefore, for many of the participants children are an integral part of their caring environments—thus creating new 'kinship' systems and contexts of care. But involvement with children also gives queers potential 'legitimacy' as parents and deflects from identities overly-inflected by sex—an avenue to move away from the stigmatising discourses of paedophilia experienced by Perry and Lutz (12). This stands in contrast to the fears expressed by the National House of Traditional Leaders during the public hearings process on the same-sex marriage Bill, about queers not procreating (see Reid 2008).

In South Africa, kinship is encoded in numerous laws, but with the equality clause, strong cases can be made for the state to recognise a range of relationships arising out of same-sex partnerships. For example, same-sex partners have the same rights to reproductive technologies, adoptions and parent status as heterosexuals (see Reddy 2006; Van Zyl 2009), but they still need the back-up of bureaucracies to ensure that the 'well-being of children' is not couched in heteronormative values and homophobic handling. Since Anna died, Puleng (07) has been struggling to get South

African citizenship for two of her children who were born in Lesotho. Hence we need to take account of the state's legitimising power (Butler 2002) regarding kinship. In an age of adoptions across borders, surrogacies, and other reproductive technologies, 'bloodline' is becoming increasingly arbitrary as a signifier in kinships. Therefore we need new conceptions of kinship which recognise its fluidity and that it is in a process of continual generation. Same-sex families are one example of relationships that can provide impetus to its transformation, and in South Africa, a recognition of the links between kinship, Ubuntu and care (Gouws & Van Zyl 2015 forthcoming) can lead to a relational and qualitative reconceptualisation of kinship. David Bilchitz and Melanie Judge (2008) argue that the Civil Union Act opens up the possibilities for different types of families and kinship. 'Love' and 'happiness' were the trade words of acceptance in families where the boundary of belonging and recognition was inclusive—'one of us'.

In the next section I look at how the couples related to friends and their community.

## Friends and Community

In their definitions of belonging, participants emphasised the importance of being part of a community. Four of the couples in this study (02, 03, 06, 11) are part of my own friendship circle, while two other couples (04, 07) were friends of these friends. When we entered her house to do the interview, Puleng (07) made a point of asking me whether I was a lesbian, saying she would not talk to someone who was not a lesbian. Montserrat Guibernau (2013: 11) puts identification with a community or group at the centre of belonging, and a place from which "human beings are able to transcend their limited existence by sharing some common interest, objectives and characteristics with fellow members." Our identities are also shaped by the values prevalent in the communities we belong to—in order to be considered part of a community, people are expected to be loyal to the group, and to follow its rules. But the 'rules' by which the dominant norms of homophobia, sexism and racism in South Africa operate, mostly represent everyday mechanisms of oppression for queers—stereotyping, invisibilisation and marginalisations (Essed 1990; Van Zyl 1988; Young 2009). Therefore, being queer involves careful management of one's identity, even in apparently accepting environments.

Participants did not speak much about their social environments, but in some conversations stories about their relationships with the people around them emerged. Several of them spoke about places as being interwoven with these relationships, and

significant for their sense of belonging. In these relationships boundaries that are maintained or dissolved are between ‘them’ and ‘us’, therefore dominant discourses of Othering are often drawn into these relationships. The participants expressed their interpretation of these well-known scripts of Othering. The link between gay men and paedophilia is a pernicious one.

*Lutz: I remember there was a friendly lady who always said that I should give regards to my brother Perry, and I finally decided to tell the lady that he was not my brother but my husband. She then refused any contact with us. We met her much later again at a parents’ evening at the local Primary School when she said: “Oh, you have come for your boys!”, although we also had girls at the school. In other word she meant we were sexually involved with the kids (12).*

*Ntando: What do people call you around the place you live?*

*Lumka: Moffies, Stabane, Black witch (10).*

*Rodney: I think the heterosexual community don’t interact with gay people ... because for them gay means you are a moffie,<sup>11</sup> you are not straight, so anything else you follow they don’t accept. They do not know what gay people or being gay is all about.*

*Andy: They think that gay people just want to take people to bed (14).*

Due to her activism Funeka travels a lot and often has to share a bedroom with other women.

*Funeka: It was so that women have to be together in a room, we have to be two or three. But unfortunately for me, I struggled to get a partner in my room. Because women were not comfortable to share the room with me.*

*Mikki: Because they thought you were going to jump on them?*

*Funeka: [laughs] They thought that I would jump on them. So it became easy that I share with a woman from Khayelitsha, especially the older ones in Khayelitsha because they would understand, they would joke about the whole thing. Ja they don’t want to share the room with you because they think in the evening you may jump on them. So I was a little bit troubled, but until later, when there were some people who you become so familiar with. So then it was not so difficult for women to share (11).*

*Pamella: Sometimes we aren’t recognised as a couple. People take you as sisters, especially my partner’s brothers. I feel that I don’t get the same respect and dignity as straight people do. For example Nkuli’s brothers take me seriously as her partner only if there is a problem, or if I did something wrong where they have to tell her (17).*

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11. South African terms for gay, usually feminised, but not always used pejoratively. Many gays have reclaimed the word.

6. Contexts of Care

Muhsin: *Because I do know among queer Muslims, because of their relationship towards the Muslim community, that most of them are not completely out (K6).*

Thando's family is divided about her marriage.

Thando: *The thing about my marriage is at home my mother knows ... but it's a no-go area. They don't recognise it. We haven't spoken about it.*

Mikki: *She knows you're married?*

Thando: *Yes because my sister told them. But they haven't confirmed with me.*

Funeka: *It was nice. Her sister was there after Home Affairs.*

Mikki: *So she was one of your witnesses?*

Thando: *No she came to meet us (11).*

Tomas and Paul do not experience any overt hostility in their community.

Tomas: *We have been invited to different places, and I have never experienced sexual discrimination. I do not shout on top of my voice that I am gay, but when I meet someone I never present myself as straight, because for me I don't think about it, it's just I am gay.*

Paul: *Definitely I am gay, and at work if people ask me if I am married I just tell them I am gay. We have a lot of acquaintances, so many people and some we know slightly but they all know us as a couple that we are gay. We have never experienced any discrimination as a couple in a social context. We are not the activist type, so we are private people, but when it comes to sexuality we have such wide support in the community we feel, and there is no point in trying to disguise what we have, and if people don't like the situation they don't need us and we don't need them (13).*

Other participants found acceptance. Ronnie and Eve are on good terms with their neighbours.

Mikki: *And the neighbours?*

Ronnie: *They know us, and we all get on well. If they want to go out sometimes, they ask us to babysit.*

Eve: *First we used to go their house, but now the kids come here, and we play games and watch videos (04).*

Jules, Jon and Dean were all welcomed at the hospital when Kate gave birth to Luke.

Jon: *So basically we would go there around ovulation time and do the procedure and then eventually in June of 2012 it took. And then thereafter we were supportive of the pregnancy process as in going to scans together and spending a bit of time together. ... and then on birth we were all at the birth scene together. They had meticulously planned the whole process because Kate was very aware of what happens inside hospitals, that doctors often take decisions for you without consulting you and often decide that it's better to do xy and z when in actual fact you might not have wanted any of that. So it was very controlled, no vaccinations immediately when the child was born, no this, no that, nothing without their absolute consent and agreement and it was quite a nice experience, because we did it all at the Plett maternity ... Plett Private hospital and they were ... it's a very quiet hospital, and their gynaecologist is also a lesbian woman who they know really well. So basically we had*

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the whole ward, a couch, so we could hang out together ... so it was very ... I mean the labour process went on for about 7-8 hours so we could take turns being awake, holding Kate's hand, so it was quite nice like that, quite a good experience (03).

Jon also speaks about their farm as a place of belonging.

Jon: I mean I think in my and Dean's particular story we obviously are now living here on the farm in Ruigtevlei, and that decision was made about 11 years ago, and I think we'd run ourselves dry, really. We didn't articulate it like that at the time. It was a bit of a dead end in life, where things weren't moving on, we were just doing the same things over and over again and yearned for something a little more deeper and more meaningful, you know you can't put your finger on it, but we found the farm, and carried on with very much the same of type of lifestyle we'd been having in Cape Town, we transferred it from one place to another, but eventually over the 10 years we've been here, it's allowed us to move into the different zone that we were wanting. And again in terms of belonging we found a place that we belonged to, and that has changed our relationship. We also made an entirely new family of friends which is not always an easy thing to do, or a thing that necessarily happens when one moves from one place to another (03).

Zethu told me about a 'lesbian village' in the Northern Suburbs.

Mikki: Can you give me an example of how you see the different ways of belonging?

Zethu: ... let's talk about concrete examples, for example, now people say those who claim Cape Town around Table View, now people are calling it the lesbian village.

Mikki: Oh. I didn't know that.

Zethu: Yes. Parklands.

Mikki: Ooh! I know about Parklands. I never knew it was called that.

Zethu: Yes. Ja so Parklands is the lesbian village and the people who are talking about that, they are doing it purposely ... you know they are all occupying that space as married couples, or they just got engaged, they're raising families and they all live in the same area, to support each other etc. And for them it's important to claim that space. And they're claiming it. You know, if you're a new lesbian, you're arriving in Cape Town, everyone is saying "You have to go and live in the lesbian village". And you know prior to the Constitution you could never imagine just talking about this, just saying it. So this is one way of ... [long pause]

Mikki: ... building solidarity?

Zethu: Ja. And they do things together. They have baby showers and like very heteronormative, but people are using it. Ja, this is our area (K3).

Some participants experienced stigmatisation through 'hyper-sexualising' their identities. But discourses regarding lgbti-q relations to children can also lead to both ostracism as well as acceptance: they may be ostracised as 'paedophiles' or 'normalised' through having families and children.

## Conclusion: Contexts of Care

Belonging as a concept was used by Nira Yuval-Davis (2006a) as a concept which enables us to understand the ‘privatised’ and affective dimensions of citizenship, shaped by contexts of care and interpersonal intimacy. Here we can perceive the reach of rights in citizenship through people’s experiences of everyday life. It is also here where the pain of Othering is felt most keenly, and disciplinary regimes of gender and heteronormativity weigh at their heaviest. In families the faultlines of everyday oppression are concentrated on gender and sexualities—where love may be used as a weapon to make their members conform. Queers who refuse to play by the rules may have to pay an enormous psychological and social price as they face rejection, ostracism and possible violence.

Coming out to families may elicit a violent event-space, especially where men are involved (see also Puar 2012). Patriarchal families are structured through disciplinary regimes of gendered hierarchy and the paramountcy of heterosexuality. Using an analysis by Massumi of ‘Superbowl Sunday’ Puar (2012: 60-61) shows how the focused energies of an event-space can transform into a situation of violence.<sup>12</sup> Children coming out to their parents can sense how the gendered dynamics of ‘threatened’ hegemonic masculinities can be transformed into violence. They understand how the perceived threats posed by gender non-conformity can devolve into family feuds, forcing other members to take sides. The ‘dangers’ of coming out were described mostly by the black lesbians, though most of the participants face difficult decisions in revealing their queer identities to their kinsfolk. Many only felt safe to disclose their identities after they had left ‘home’, and many had become economically independent. For a few their identities remained unspoken, though they knew that their families knew. For most of the participants, they were eventually accepted by at least some members of their natal families, particularly their mothers. Yet they did not fully trust this acceptance recognising that their Other status put them in jeopardy of the cultural ‘rules’ of kinship.

All the lesbian couples who were married (02, 04, 06, 07, 11) were explicit about legally protecting their joint property rights, and preventing intrusion into their lives at times of vulnerability by their families as motivation for getting married. Puleng and Anna’s (07) traditional marriage oiled the wheels of culture, because Anna’s family accepted Puleng as the children’s father, even though Puleng had to argue for her ‘rights’ with her in-laws. By contrast the gay men who were married did not stress the importance of property, though Rodney (14) acknowledged it as a motive if he and

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12. A chapter by Artz (2009) entitled “The Weather Watchers” describes the sense of these situations in the context of intimate partner violence.

Andy should marry. This emphasises the understanding of marriage as gendered property relations, and that women who put themselves outside the gendered hierarchy of marriage by marrying each other are not considered ‘real’ women. Hence same-sex marriages do not signify in the same way for lesbians and gay men.

The participants moved into social circles and among communities that would accept them for who they are, and find places and spaces for meeting their mates. They even regard these communities as ‘family’. Here they met their partners, and subsequently set up their own homes and families—environments of love and care, and psychological, social and economic security for a future.

All the couples asserted that the Constitution had given them a greater sense of belonging; it affirmed Igbti-q as citizen-subjects. The CUA gave formal recognition to their intimate relationships, but their sense of belonging derived from the commitment to each other in their relationships, rather than through the CUA. Nonetheless for those who got married they perceived the CUA as giving them a ‘greater’ sense of belonging. Contexts of care—the loci for affective and ‘privatised’ relations of love and intimacy—are politicised because they are spaces where lesbian and gay citizens can potentially experience equality and dignity in their everyday lives. Yet, these contexts of care can also encompass the deepest relations Othering and discrimination.

In contrast to many heterosexual marriage ceremonies where natal families, extended kinship and circles of friends are invited to witness the betrothal, the participants in this study who got married had small and intimate ceremonies with only their ‘nearest’ and ‘dearest’ present indicating that for these couples same-sex marriages did not have the same public significance. The convention of a wife taking her husband’s name was exercised only by Anna, who was given a *makhoti* name by Puleng’s family. Therefore some same-sex marriages are homonormative and reflect the (re)institutionalisation of heteronormative and genderised norms, but most, to varying degrees, subvert the relations of subordinated gender complementarity. It is in the transformation of everyday relations of care that the subversive potential of same-sex marriages resides.

In the next chapter I turn to the dominant values in social and political discourses.

## chapter seven

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# Ethical and Political Values

One of the most important facets of belonging relates to the multiple and often conflicting values in circulation in different contexts. Values inform our belief systems—for instance whether people are equal or not, and values underlie our actions. Nira Yuval-Davis (2006a: 203) describes ethical political values as one of the facets of belonging, together with identities and social locations. She defines them as the way “individual and collective identities and attachments ... are valued and judged”. They demarcate the boundaries of belonging. Values pervade all discourses, but the boundaries of belonging may vary from discourse to discourse, and they may be permeable in different ways. I examine five key discourses where heteronormative disciplinary power circulates, all of which have a major impact on belonging for LGBTI-q: neoliberalism and globalisation, rights, religion, ‘culture’ and safety.

Beyond being affirmed for who they were (identities), what the participants all longed for was ‘belonging’ to another person, and for that person to be accepted and valued by the ones they love. But they also sought belonging in wider circles of care like families and friends, where some experienced acceptance while others felt rejected and ostracised. Many echoed the values of dignity and equality contained in the Constitution, with some claiming their ‘right’ to live their lives as lesbians and gays, even at a cost. Religious values cost some deep pain, while others found succour in their churches’ spiritual support of their relationships. Cultural values also emerged through talk of gay culture, ‘traditional’ culture, and feminism. But threaded through these values, are the ways in which neoliberalism and a culture of consumption

informs and shapes the lives of the participants. For many their post-apartheid ‘freedom’ is also aligned with their ‘right’ to consume (see Posel 2010).

These, sometimes contradictory, positionings in relation to values condense down to ontological questions of human value—who is entitled to a liveable life? The overarching discourse of ‘homosexuality is unAfrican’ is particularly pernicious as it pervades other discourses of human value. I look specifically at the value of lesbian and gay lives: are they ‘equal’ as citizens or is there a boundary by which they are differentiated from heterosexuals?; also, how are internal boundaries of value drawn within the lgbti-q community? In this section I discuss how ‘politicised’ value systems impact belonging in the context of same-sex relationships.

## Neoliberalism

With democratisation shortly after the fall of the Berlin Wall, and the discreditation of Marxism, South Africa’s full re-entry into the global world economy started a new era of globalisation and consumerism. Deborah Posel (2010) argues that in South Africa the power to consume was always deeply racialised. Together with Christianity, consumerism was part of the ‘civilising mission’ during colonialism (see Epprecht 2000). Access to power was gained through adopting the values and ‘clothes’ of the oppressors—the apparel and performances of whites. For example, Posel (2010: 163) shows how clothing became the ‘skin’ for the performance of Christianity through covering the (abject) naked African body—a road to ‘respectability’. But during formal apartheid the racial boundaries hardened, and through the exploitative intersections of race and class black people were excluded from the symbolic logic of material acquisition. They were deprived of the opportunities for material acquisitions, for example through inferior education and being denied access to private property.

In contrast, white culture was always about consumerism, and reflected in the apartheid era white gay and lesbian organisations (Gevisser 1995). Hence for black people in South Africa, the ‘freedom’ of democratisation also became a ‘freedom’ to consume (Posel 2010). For black queers the protection of their rights in the Constitution meant they were ‘free’ to develop their own styles in consumption—particularly in clothes and music (see Matebeni 2011; Reid 2013), but most importantly in modern technologies of communication. White queers reaped the added benefit of ‘freedom’ to their already entrenched privileges of race and class. Hence consumerism in the queer ‘community’ is still rift by racialisation, gender and class, emerging in the ‘internal’ struggles around gay pride (see discussion later in this chapter).

Typifying consumption as a critical site of power, Posel (2010: 161) defines consumption as a “regulatory regime and the agency that this enables and constrains.” It consists not only of the consumption of commodities within market

relations, but also the valorisation of consumption as economically, socially and psychologically valuable. Consumption is deeply ingrained in the making of identities and self, and the marking of boundaries of belonging. We are all ineluctably drawn into modes of consumption for our survival, and the values people attach to consumption can be liberating or repressive. For example the acquisition of ‘things’ can be motivated by greed, but can also be an expression of care and love for others. The consumption of gadgets for modern communication technologies have been a “powerful vector for global connectedness, both materially and in the imagination” (162). For queers this connectivity has been extremely useful for the mobilisation of queers across the world, and particularly in homophobic Africa where they have provided essential lines of support and solidarity for LGBTI-q, and facilitated calls to action.

Different groups of people follow different patterns of consumption, therefore we see how a global white gay culture underpins the gay club scenes, where many of the gay participants in this study met their partners (see Tucker 2009; Visser 2003). Many of the men in this study frequented the clubs and bars typical of ‘global gay’ culture. Even during apartheid gay men had appropriated public spaces for themselves. Gerald and Walter explain how they experienced gay culture during apartheid.

*Gerald: The coloured people were not so out, there were a lot of gays, but they were like a stereotyped group that you did not want to mix with.*

*Walter: It was that moment in time when they started functions such as beauty contests, and other similar events, but we did not want to be involved. We did not have anything against the events though, and as I said before we were lucky that we had [white] friends that we would visit, mainly because apartheid did not accept us because we couldn’t go anywhere, so at our friends’ we were never questioned, so we were lucky. They did not suspect our friends and we could also go anywhere where we wanted, we were very lucky. So I could say that apartheid was not really the issue.*

*Gerald: During that time it was illegal to mix with blacks, we were also not exposed to black culture.*

*Walter: In our time, we lived separately from them in other locations. The only people we saw were the milkman or chefs who worked in hotels. Only white and coloured could mix ... However with the black gays we used to join them in the GHMCC church in town, that’s where we used to see a few gays from the black community and socialising with them, but afterwards because of apartheid we had to change churches and go to a coloured only church ... but the most stupid thing is we accepted [gay] culture, yet we did not accept that gay people existed in the black community (01).*

*Bongani: I can say gay people are more promiscuous because of more social clubs and houses like the Adult World and other gay entertainment areas; they end up doing things*

*for example even kissing on the dance floor and only the Lord knows what happens as soon as they are outside the door or in the toilets (05).*

The commodification of sex and sexuality in pornography has been another dimension of consumerism aimed at men, both straight and gay, which has exploded in South Africa since democratisation. The profit incentive in consumerism has led to the creation of a bar and club culture exclusively for lesbians too. (Straight women had always participated in it as the appendages of men). Therefore new gender and racial boundaries are being drawn in styles and modes of consumption.

## **Rights—Formal Belonging**

One of the other influences of globalisation in South Africa has been the adoption of northern concepts of democracy and the universalisation of the human rights framework. In South Africa the Constitution was based on the Freedom Charter which in its turn was based on the Universal Declaration of Human Rights. The anti-apartheid struggle thus had deep roots in discourses of human rights, which have been incorporated into everyday discourse through ‘rights talk’. The South African Constitution (Act 108 of 1996) is hailed as one of the most progressive in the world, and was the first to protect the rights of people on the basis of sexual orientation in its Bill of Rights. On the basis of the Constitution, numerous laws that were leftovers from colonial and apartheid administrations were struck down (Van Zyl 2005b). Thus the idealised values of equality and dignity underpin formal ‘belonging’ for queer citizens through a judicial system based on the human rights framework. All the participants lauded the Constitution—the enactment of the Constitution symbolically drew a boundary of exclusion for hierarchies in human value. In particular, the Constitution consolidated belonging through people’s queer identities.

*Mikki: OK. So let’s go to the Constitution, how important do you think the Constitution is for people in terms of their belonging, lesbian and gay people? From your experience and people that you’ve met and so on ... and particularly as a black lesbian?*

*Zethu: I think for people who understand what the Constitution is, and who use it, I think it’s very important. And then there are those who take the world for granted, or who take the Constitution for granted and who don’t really understand what it means. But I’ll talk about the groups of people who know what it means, and who understand it and use it. I think if you use that as a tool for belonging, it can go really far. Actually ... it not only forms belonging, but it forms different ways of belonging. And that’s the great thing about it, the great thing about the Constitution, and it doesn’t closet you if you understand what it allows you to do (K3).*

## **The Constitution and Civil Union Act**

The Constitution is the foundation for the Civil Union Act (CUA), since the Constitutional Court ruling in *Fourie* (2005) ordered government to create equality in

marriage for lesbians and gays within a year. However, most participants are aware that the CUA does not offer the same equality as the Marriage Act (No. 25 of 1961). While they all supported the Constitution, a few questioned the implementation of the Civil Union Act. However, those who got married felt it gave them a greater sense of belonging.

*Nkuli: My perception about it, I have a problem and a doubt because heterosexual people have more rights than us. When they are married they can go anywhere in any country, but our marriage is different. There are certain countries where same-sex marriage is not recognised.*

*People are saying we wanted to get married but now we are not getting married, it's not that we all want marriage just like them, we want our full rights; we want to know that we can get married any day we want to (17).*

*Sue: I do understand it 'cause I am a police woman, I personally believe that the Constitution is helpful, although some people take it for granted and break the law, but all I know is if you break the law you pay. That's why I say according to our Constitution this [discrimination] is not legally accepted, so I say it is helpful. At least we can say now, "I will take you to court." But with marriage, for me it's like they are doing us favours. We don't want that, we want to be recognised everywhere we go, just like heterosexual marriages we want equal rights.*

*Brenda: I feel the same as Sue, equal rights for all (16).*

*Maru: I think they take us for fools because we want real marriage, not something like it. We want to go everywhere knowing that we will be recognised as a married couple.*

*Neo: This is like saying "shut up and accept a half" and why do we have to fight about it anyway. I want real marriage like my mother and father not some 'close your mouth' thing.*

*Pam: Would you guys say people recognise these rights?*

*Maru: Not at all. People don't know how this Civil Union Act works (15).*

*Mikki: And the Civil Union Act, how do feel about that?*

*Thando: For me, it gives us rights so that we can say "Ok, I'm also married." And I can have the certificate, but jaa.*

*Mikki: But why is it important?*

*Thando: For me it is a need to respect that it's there, and it does exist, because when you hear people talking and saying you can't be married, you are another woman ... so in our culture we don't recognise that; that's not a marriage. But it's there, though they don't recognise it—the community—the law recognises it. For me I take it that as long as I know for me it is existing, and it's working for me, I don't care what they think.*

*Funeka: I think for me the issues with the Civil Union Act ... remember before it was signed there were interviews [public hearings] that happened in the country ... and that was the biggest mistake that we allowed our government to make, because you can't get a view*

from other people for your own marriage ... I think it was the biggest mistake done, and also the interviews with the government before, and the ANC itself, so the CUA was a compromise. So the South African population knows that. The CUA was a compromise. And again if you talk about equality, why do you have a CUA and you have a Marriage Act? So that is why it will never be acknowledged [recognised] by the South African population (11).

Paul: In my opinion, yes, I think [the Civil Union Act] is benefiting the community, primarily because it offers them more choice. I think it's something which has more to offer maybe to younger gay people. What I can say amongst our white circle of friends, we have been to two weddings, a lesbian couple and a gay couple, and there are a few other same-sex couples but not many. My experience is that people have not flocked out and made use of this opportunity, and because we had to find our own way before that. It's a very useful thing for some people. I don't think it's the end of road on the Act. Possibly it's limiting in the sense that it's something that lacks the traditional marriage and seen as less important. So there may be some issues around that, and in an ideal world it would be nice to say that it should not be necessary to have a Civil Union Act, because marriage should be an institution for every adult (13).

Robert recognised the principle of the 'indivisibility' of rights.

Brian: What should be done to make lgbtqi belong?

Robert: I think it's not an lgbtqi issue, to me it falls down to the society. There is no government, there are no rules which can make the society. All the lgbtqi do not belong together. They have completely different ends and needs. It's about solidarity, it's about realising that the moment I devalue somebody's rights I have devalued mine. If I deny people access to services, whether they might be straight or on whatever grounds, I cannot expect the majority to uphold my rights in terms of my sexual identity and poor standards. The society must come to an understanding that when something is wrong it is wrong, or if there is abuse it must be seen as not right, this goes against our rights as a community. For me as a gay male, women's rights are as important to my own rights as other rights, because if one of them is abused, it all falls apart (08).

Having formal equality under the law has given lesbians and gay, especially younger ones, a greater sense of entitlement to rights. Yet Funeka (11) and Paul (13) recognise that having separate laws for straight and gay marriages, reduces the cultural credibility and acceptability of same-sex marriage. Hence by not being included in the Marriage Act, lesbians and gays have a less socially valued marriage. Also, or perhaps because of being a different law, there is still a huge gap between the letter of the law, and the access to rights defined by it. There is still much discrimination against lesbians and gay who get married by bureaucrats in the processes of its implementation.

### **Implementation**

Between the word of law, and the compliance with it, lies a boundary that distinguishes the different values that can include, limit, exclude or destroy belonging. To echo what Robert has said, the law cannot *make* people accept you. However if properly implemented, laws can ensure that people can claim their negative rights—

i.e. they are protected, and have access to the laws. They can also limit or exclude by being suffocated under the sheer weight of heteronormativity, for example the ‘conscientious objection’ clause in the CUA whereby state employees can refuse to marry same-sex couples (see Bonthuys 2008a). They can even fuel discourses of value which incite hate speech and hate crimes against queers, such as happened during the badly managed process of public hearings before the enactment of the CUA.

*Gugu: In terms of the Constitution I would love to challenge government, because I feel like it's just a piece of paper that cannot stop anyone from hurting you. When it comes to the Civil Union Act I am one of those people that was running around fighting for this marriage. They are saying we can get married and you will find out there are certain things that we are not allowed to do as compared to heterosexual people. So for example ... there are hassles; then you go to a heterosexual couple, even if they are still dating they are allowed to buy a bond house. That is why I fail to understand this Constitution. It is failing to protect the rights of the gay community. From my own understanding, again I still remember Nelson Mandela, the first interview he had ... it was with gay people, he addressed such issues as gay marriage and it is our right to get respect from people. I am having a problem with that. Actually it is there on paper but practically there are some hassles when it comes to addressing you as a married person, as a gay person (09).*

Puleng had some good and bad experiences. She had problems registering Anna for permanent residence after they had completed a customary marriage—a customary marriage which could not be legally registered because there is no provision for customary same-sex marriages in the Recognition of Customary Marriages Act (No. 120 of 1998) (see also Bonthuys 2008b). They got married under the CUA with no apparent problems, but then struggled to get South African citizenship for her wife. Since Anna died Puleng has had endless problems trying to get South African identity documents for her two daughters who were born in Lesotho.

*Puleng: I believe we have the same legal rights as heterosexual people and I did not experience any problems of discrimination when I went to make the appointment to get married. I expected to get married the same day but at Home Affairs they explained to us that we have to wait three months to get a date, and that we have to follow the same procedure as other people. I went to witness the wedding of heterosexuals and it was performed the same way as ours. We got a date and got married and issued with our marriage certificate.*

*But ... I think the Home Office was playing games [with citizenship]. Because first they say I have to apply for three months temporary residence. Then I applied for it. Then after that, they tell me I have to apply for permanent residence. Which for permanent residence they need a lot of documents. I have to write that she's my wife, no matter that I produce the marriage certificate, because they want me to have a certificate. But they want that, I wrote that. The proof of that we are staying together for plus-minus five years. I withdraw the medical history, because the medical aid wanted me to write the affidavit that they must include her as she's my wife. Then I withdraw that, then I give that to Home Affairs, but until my wife died she could not even get that.*

*Mikki: So you're saying she never got it [citizenship]?*

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Puleng: She never got it, until today I'm still struggling with these two girls. I'm still struggling. You see the time when I went there, they didn't make fun of it, they were just talking like normal, but their actions, I think ... their action is talking more than words. Because one of the officials, she said to me if I was a male she was gonna say I must come down here and make a birth certificate for these kids so that they can get an ID. So their actions tells me exactly that they are still discriminating against us. Whereas we get marriage certificates from them, but they are still discriminating.

Mikki: So do you think the difficulty that you're having from them is basically homophobia?

Puleng: It's obvious. Because I'm gay then they can't treat me like everyone, because if I wasn't a lesbian, they said and they mentioned it to me, that if I wasn't a lesbian, if I was a man, I was going to go downstairs with them now and get a birth certificate (07).

Brenda: According to me it [Constitution] is helpful, but not really, because you can't really force a person to respect you just because a piece of paper says so. I just think that we as the Igbti-q community, we wanted to hear what government has to say about the whole issue (16).

Funeka: You see in South Africa I think that it's only the ... really there's nothing that's put in because we talk about this Employment Equity Act (EEA), because there's a budget for that to make sure it is implemented, but unfortunately not the sexual orientation, not the Civil Union Act. There's no budget that's there for every department that they have to teach, I mean continue to talk about, so that's why it's a very no-go area. Even if you raise the issue, you know it's always one person that is going to comment, everybody is so quiet. SA is ... I can't say that SA is ready for the sexual orientation or the Civil Union Act. People are not prepared (11).

Liesl was Zanele Muholi's partner for a number of years. Zanele is a famous lesbian photographer and took the photos for Funeka and Thando's wedding.

Liesl: Zanele was the photographer ... and when she arrived in the person's office [Home Affairs Marriage Officer] she was hastily drinking tea. "You're going to have to be quick with the photos because there's not going to be time for this. I have more work to do." That is the treatment this couple got versus the other [heterosexual] couple: "Here's a mural with a palm tree ..." (K5).

The public hearings around the Civil Union Act became venues for homophobic attacks and hate speech against Igbti-q through a badly managed process by government.

Mikki: What about the public hearings that preceded the enactment of the Bill? What is your opinion about those public hearings? A lot of people's interpretation is that they were asking people who had no interest in the issue to comment, rather than people who did have an interest in the issue to comment.

Daniel: I'm not sure that it is a correct understanding of how public participation is meant to work. Everyone has an option to comment in participation hearings. The problem with that was, it's a complex issue. You know they have to be structured very carefully, public participation hearings, and it has to be clear what they're about. And the people who are running them have to direct the questions and make sure that they don't become harmfully discriminatory and that kind of thing. My understanding of the hearings themselves, I

*didn't attend any myself, but Fikile Vilakazi went to almost all of them ... and my understanding was that they just became opportunities to bash gay people. Therefore gay voices were actually excluded, because people felt too threatened to speak up ... found it too difficult to be there. So unfortunately the participation hearings were not conducted properly, and I think that some of the parliamentarians also seemed to share some of these negative attitudes and therefore they unfortunately didn't conduct them properly. They almost became a focus on 'What do you think of homosexuality?' rather than should same-sex marriage be allowed in law. They were not framed very carefully as law, and as to what the choices were ... the constitutional choices were not very wide. There had to be some form of recognition. So ultimately I think they were not conducted very well and the government has to think very clearly about the hype. I think what has been very clear to me about the way hearings were conducted around a very sensitive question, is how they are structured and how they are managed (K2).*

In the end, Jon, Dean, Kate and Jules opted for less paper and more trust in their complex relationships with each other and Luke.

*Jon: Ja and in terms of the four of us, it was difficult to pull off. We have a lot of friends, lawyer friends telling us we need a structured arrangement, an agreement, a parenting plan, a this and a that, and we thrashed this out amongst ourselves with many conflictual moments of arguments and disagreements. But essentially we all realised that it didn't matter what we'd written on paper, the Child Care Act would supersede that anyway, and that any parenting plan would show an intent on our part, but actually the law would always apply. So actually we had to have faith and trust and confidence within each other to make this work, and even though a lot of it is a kind of blind faith, in a certain respect that really was the only basis on which we could do something in this vein, quite differently and move forward (03).*

The experiences of Puleng remind us of how everyday discrimination (Essed 1990, 1991; Van Zyl 1988; Young 2009) works to erode citizens' rights. These discriminatory actions against Puleng could have been underscored by any of the normative discourses circulating on homophobia, racism, sexism or Afro-xenophobia.<sup>13</sup> When compared with the experiences of Perry and Lutz (12) it also shows up the differentiated citizenship among LGBTI-Q.

While the Constitution and other laws supporting LGBTI-Q rights have given people a sense of entitlement to equality, the widespread homophobia in the country, and also in the rest of Africa, creates a sense of discomfort and distrust that they will be respected. In addition, the racialisation of queers in South Africa, through for example discourses like 'homosexuality is unAfrican' (Livermon 2012), means that the black queer bodies are stigmatised while the sexual rights of white queers are more secure.

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.13. I use the term Afro-xenophobia since the waves of xenophobia experienced in South Africa recently were directed at other Africans, and not at northern foreigners.

## Religion

Religious discourses are extremely powerful in demarcating boundaries of belonging through people's faiths.

Bongani is religious, but closeted due to his church.

*Bongani: Because of the church, let me put it that way, I am forced to get married. But for me to say that I am out, I don't want to lie, I pretend that I am not gay ... my church is such a stereotypical kind of church so if they point fingers to me ... as long as I am not fighting and not doing bad things, they must not point fingers to me. I don't think I would like to be discriminated in the church because of my sexuality.*

*Brian: You have been in a relationship for more than 15 years, do you think it's a sin to be gay?*

*Bongani: No, I don't think it's a sin to be gay because what I experience ... is all about love, and if there is love there is no problem, compared with fighting, prostitution and a lot of bad things happening, so if there is love and you understand each other, it's not a sin (05).*

*Brian: What are your ideas on religion and homosexuality?*

*Paul: Ok this is what I feel about it. I feel that being gay is something inherent in me or something that is so part of me that I can only feel that it comes to me from the highest source, so as far as I am concerned it is a gift from God. If I was religious ... I have to say I thought that way from the earliest age, and I identified hypocrisy in the society from a very young age, especially of religion which caused me to do a lot of searching and a lot of reading about all different cultures and religions and I was looking for answers on these issues. So as far as I am concerned religion, in so far as it does not support the whole gay thing, that to me is a very damaging thing, and I feel it's people who use religion to demonise gay people and many other aspects are misguided, and are missing out, and are missing out what is really there, that is my view (13).*

Walter and Gerald were ostracised by the Baptist church for being homosexual, then went to the gay-friendly Metropolitan Community Church where they felt discriminated against for their age, before finally going to St George's Cathedral (Anglican church).<sup>14</sup>

*Walter: The greatest thing is your religion and to believe. We love the church, both of us, and so there is a big thing that plays a very important role in our relationship. We used to go to the Baptist church but we were ostracised from the church, but we have been there for long you know, but we were stronger in our beliefs (01).*

They then joined the Good Hope Metropolitan Community Church (GHMCC).

*Walter: As 74 year olds we should get respect, the issue of respect is why we left the church—GHMCC.*

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14. St. George's Cathedral in central Cape Town has historical roots with the anti-apartheid struggle, and is also where Archbishop Emeritus Desmond Tutu was posted for many years.

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Gerald: *I said to Walter when we started to going to that church, I can't understand this church, if people reach a certain age they are not considered as being worthwhile any more because you are ignored if you reach 50. It's that you don't exist. They look past you, if you could be young and still going to the clubs they can accept you.*

Walter: *That is when the gay thing really falls apart. However being gay and just being regarded as a human being is the respect we would aim for ... We go to the Cathedral now; we somehow get the respect we deserve (01).*

Rodney: *Yes, it's a church [GHMCC] with people that have been cast out from their churches because they are openly gay or lesbians, and they are no longer welcome in their church. It has its roots in America, being founded there forty years ago. The majority of the people that worship there are from the lgbti community and it's open to everybody that chooses to worship there. I think one of the highlights of our church is that we serve communion because its God's Temple and we both worship every time we are together. And always with Andy, because he works shift hours and very seldom accompanies me to church, because he only has one weekend off a month, but whenever we are together we go to church together (14).*

Liesl came out of a deep depression from being in the closet through attending the MCC church.

Liesl: *I stayed in Betty's Bay, and once a month ... I had somehow discovered the MCC church, and once a month when the last Sunday lunch customers left the restaurant ... I had Mondays off ... I would hurry to make the 6 o'clock service ... I would sleep over at my sister's in Sea Point and on the Monday, I also went to the lesbian book club ... There I met someone whose friend wanted to transition. And it became love at first sight. So that is how I started my second trans relationship (K5).*

The Methodist Church excommunicated Ecclesia, a minister, when she married her same-sex partner.

Ecclesia: *According to me, the church wants to welcome 'all' people, but puts limitations specifically on gay relationships. For example, although the law allows gay couples to marry, they refuse to marry them—as if God does not approve. It was also a case of "please don't say that you're a lesbian and in a relationship—keep it in the dark then we don't have to deal with it." Then it also gives the impression that there are no gay people in the church. Heterosexual marriages are blessed by the church, gay marriages not.*

Mikki: *For many people marriage is a deeply spiritual experience.*

Ecclesia: *For me as a minister, the ordination process is a marriage, a marriage to God. So for me marriages have value. Your relationship is being represented in a particular way, and of course in the religious sector it is also invoking God and asking God's blessing and approval, and obviously also the congregation's blessing. And that is about belonging, because if you are accepted, then the church is a great place of belonging where you are woven into the church.*

Ecclesia felt a profound loss of belonging when she was excommunicated.

Ecclesia: *It is my calling, and suddenly I can no longer live it, because I am no longer a part of them.*

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Mikki: *It's not just that physical material kicking out, it is that deep symbolic and meaningful kicking out that does the harm. It actually does harm.*

Ecclesia: *A tearing away ... it is like a forced divorce if you look at it, they did not even give me a chance to explain myself, they just divorced me ... The church thinks it has a monopoly on marriage. And they don't. It is not a church thing. I don't know why they think they have a monopoly on marriage.*

Mikki: *It is an everyday relationship between human beings searching for intimacy, searching for care ...*

Ecclesia: *... safety, love, joy ...*

Mikki: *Those things without which we could not be decent human beings.*

Ecclesia: *And to feel, to express yourself fully né ... Strangely, married people are seen as the ultimate destiny for humans—to be single is to be 'missing the mark'. Our society favours married couples (K4).*

Muhsin explained that marriage in Islam is not perceived in the same way as in Christianity.

Mikki: *You said that in Islam marriage doesn't have the same sacrosanct status that it has in Christianity. Can you explain a little bit more to me about that?*

Muhsin: *Well, when we look at the history of Islam, seventh century Arabia when the Prophet Mohammed just started his mission. Often we find that men were not ... men might have been married to a woman, have legitimate children with them, but when they were going to war for example, they would have what they call Mut'ah, it's a temporary marriage. The Prophet would allow them to engage with the slaves, women or women of a lower status. They could marry these women for an exchange of gifts ... and it was like legalised prostitution, but it was permissible ... but the emphasis was that there needs to be a contract with the person. And then also God talks about the sacred contract that He has with His Prophets, and then He ... in the same way ... He talks about the same kind of contract that two people who are married have with one another. So it's sacred not in terms of a match made in heaven, but sacred in terms of honouring a contract. That if you've made a commitment, you follow it through with that commitment. And then also in Islam, divorce is not frowned upon, because you can divorce, you can dissolve the marriage if it doesn't work anymore.*

Mikki: *So not 'forever after'?*

Muhsin: *Not 'forever after', and you can marry four, and you can marry one and then you can leave, you know as you wish. So when you look at the principle of marriage in Islam, and you look at the principles of a business contract, it's the same. So to me it says more that the emphasis in a marriage is on the contract, and not on the institution.*

Mikki: *So it is focused on the agreement. And I mean we are led to believe that women have very little say in that. So how does that relate to the contract?*

Muhsin: *In a straight marriage?*

Mikki: *Yes. In a straight marriage.*

## 7. Ethical and Political Values

Muhsin: *Well patriarchy plays a role in how women are being perceived, but I don't think that it is in the doctrine of Islam that women are seen as lesser, or inferior than men. Although we still find that in Muslim contexts around the world, the woman has to have the permission of the father to get married.*

Mikki: *Yes. Traditional Christianity also has that.*

Muhsin: *But yet you find statements that the Prophet vehemently made saying that a marriage is not valid if the woman did not give permission. But in practice it doesn't happen.*

Mikki: *I think that is what we are dealing with all the time, in terms of interpretation of spiritual doctrines, is that first of all they are interpreted in a very static way.*

Muhsin: *And it's always men who interpret it (K6).*

Religions are disciplinary regimes which draw boundaries of inclusion | exclusion around putative moral values (Germond & De Gruchy 1997). But those boundaries operate not only around their communities of faith, but also within them. As a gay man who is not out in his congregation, Bongani (05) knows that he forms part of a sexual minority whose moral value is to be questioned. Yet he invokes 'love' to mark himself as morally superior by setting himself apart from other (sinful) sexual 'deviants' such as prostitutes. By doing this he buys into dominant discourses of sexual morality which condemn women who take control of their own sexuality for their own gain—discourses which implicitly affirm masculine control of women's bodies. Hence his own belonging excludes the belonging of sex workers.

In contrast, Paul (13) has put himself outside the exclusionary discourses of religion by believing that his gayness is an intrinsic part of his humanity. He recognises religious institutions as social and their belief systems as ideologies. Hence his yearning to belong in a faith community involved excluding himself from those communities because they did not accept him as a gay man.

In all, 14 participants (01, 04, 14, 06, 08, 09, 12, 14, 16, 17) and 4 key informants (K2, K4, K5, K6) are religious. They highlighted the internal divisions among faith communities, making visible how faith and the values attached to them are disciplinary regimes of exclusion. Rodney and Andy (14), Dominic and Robert (08) and Liesl (K5) have found a welcoming community in the GHMCC, where they share values with the other members. For example through joining the lesbian book club Liesl (K5) met her next partner. In this LGBTI-q positive church, the heteronormativity of conventional religions is deeply challenged. This highlights religious communities as contexts of care, where people who share values can come together.

But Walter and Gerry (01) highlight the ageism in that community, which was the cause of their defection to a less inclusive though queer-tolerant church, the Anglican church operating from St. George's cathedral. Pat (06) also attends that church, even though the Anglican church does not permit same-sex marriages. This demonstrates

how our many coexisting identities help us choose communities where we may feel a sense of solidarity (Guibernau 2013), even though they may be heteronormative. After all, lgbti-q are used to living in a heteronormative world.

Muhsin's (K6) explanation of the difference between conceptions of marriage in Islam and Christianity highlights that marriage is a cultural construction, and how religious communities become agents for regulating dominant norms, such as heteronormativity. For the activists fighting on the religious front for lgbti-q belonging, the 'freedom' in the Constitution needs to find expression in a religious stand against homophobia and heterosexism (Germond & De Gruchy 1997).

## Culture

The word culture is defined in myriad ways depending on one's perspective and its context of use. I understand culture to be the way in which people act and behave based on what they believe—i.e. cultural values inform people's actions and discourses. Therefore the cultural values embedded in social institutions are shaped by constellations and contestations of power. Though cultures change and transform all the time, they are often presented as unchanging, and often rely on discourses of naturalisation to bolster beliefs about gender and sexualities. Dominant groups will deploy their own norms and values through hegemonic discourses to justify their own interests and interpretations of culture (Ibhawoh 2000). In post-apartheid South Africa homosexuals have faced deep contradictions arising between rights talk and culture talk demarcating a terrain for struggles of belonging.

Where people have not been able to carve out safe homosexual or homo-friendly spaces for themselves, queers will be required to follow the heteronorms of their milieu, linked through the cultural norms of those places and spaces which have often been established through heteronormative practices. In South Africa there has also been a merging of 'modern' and traditional customs.

*Zethu: I think from my observations and discussions with people who have accessed the CUA it has been both beneficial but also problematic. I think for people who have wanted to, or who have an idea of belonging as having a family, that is two adults and children supported by other people, it has worked to some extent. Like for example, recently I went to a christening of a child, a baby of a lesbian couple who got married and both grandparents were there, and for them it was ja, they were at the christening of their children who had a homosexual marriage and it was fine. And I'm talking about a ... mixed couple, one is Zulu, and the other is a coloured woman. And both parents were like, they were in the same house, ... you know we're here for the baby and our kids love each other. And for them it worked. It's great ... everything is ... I don't want to say 'normal'. But everything was how it should be.*

Mikki: Happy?

## 7. Ethical and Political Values

Zethu: Yes. People were very happy. The grandfather already ... you know, of course these are like middle class or upper class people, but the grandfather has already bought himself a car to sit, you know a two-seater so that he can go on drives with his new grandchild. It was like ... [laughs] ... it was like whoah! everybody, everybody was like 'this is great, this is how it should be' exciting. And for the older generation, for them it was ... they were not thinking about the issues that we had because we were asking "So how does it feel to have a daughter who is lesbian?" It was "What are you talking about, I have a daughter, my daughter is married and my daughter has a child." And the child was in vitro, and all of this. And it was like fine, "Let's move on." Great. So for people like that it really makes ... I mean this couple, they're a complete family. For them they don't think twice about it.

Mikki: And they completely belong in their own family, their extended family.

Zethu: Both sets of families have combined, they're now going to KZN [KwaZulu-Natal] to have a traditional wedding, and to introduce the child to the rest of the extended family. And it wasn't like ... we were already thinking, because the child is not a biological child of the Zulu woman, maybe there's issues. And the family is saying "it's our child. These people are married." (K3).

Ronnie and Eve's parents have accepted their daughters' relationship, and they have integrated their wedding anniversary into their patterns of celebrations.

Mikki: How do you celebrate your wedding anniversary? What do you call yourselves ... 'partners'? ... 'spouses'? ... and do you call yourselves 'married'?

Eve: Ja. I say I'm married ...

Ronnie: It depends ... sometimes I'll say I'm married and leave them to guess and other times I will say I'm married to a woman. But yes. I say we're married.

Mikki:... celebration?

Ronnie: Just the same as birthdays really. If it's on a weekend then we have dinners, or if the weather is nice, a braai. Otherwise we may go out for dinner. So far we've had dinner here, and we've gone out once (04).

### **'Tradition'**

All communities have traditions, but in the face of dominant cultures which take for granted that they encompass 'everyone's' values, Othered cultures are often labelled with the word 'traditional culture'. In South Africa global and urbanised cultures with deeply ingrained values of individualism predominate but are often set against 'traditional' African values which foreground kinship and relationality.

Generally, African kinships and families are very strong, and in the face of the imposition of northern values through colonialism, apartheid and globalisation, need asserting. By adhering to the calls of 'tradition' people seek, and find, respect. Culture has also been a site of deep contestation, where those who claim the right to define and police the boundaries of culture, have set 'African' culture against modern 'rights' culture. (I discuss this in more detail at the end of this chapter).

Puleng is strongly traditional and her gender position as a ‘man’ is accepted. Hence the historical African values of gender fluidity still persist.

Mikki: So I wanted to know about that sense of belonging. What is important for you in belonging in your community? What are the important things about them, and about you?

Puleng: You see. I’ve got a good relationship, because they never judge me. Let’s say there is something here by my place, let’s say it’s a traditional ceremony, when I arrive at that ceremony they will tell you “Hey, who’s that man?” I like to wear red boots. There was a gifted man with red boots. Even when we go to his house we’re gonna drink. They call it umqombothi [African beer], then they hand me the container, zinc, with handle. They will charge me with what the other young men do. Phakamisa! Then I have to lift it up to drink. And when they give to the other men, they ask me, “What are you drinking?” Like we used to ask. We ask everybody “Are you drinking a white brandy or whatever”. Ja. They do that. Even if let’s say I’ve also got a ceremony here at my house, I do that. I don’t struggle.

Mikki: Puleng, how do lesbian identities, how do they fit into a traditional world-view ... you know as a sangoma?

Puleng: I don’t see the difference between a lesbian and a woman. Because we are a woman, the traditional thing, it’s not a fashion that you can say “I don’t socialise with these people, I don’t socialise with those people”. That is from your family, so if your family accepts you for who you are, they won’t judge you. They will discriminate, but they will accept you for who you are, for yourself. Like in my family, before, they used to have a problem. But now, let’s say if someone passed away in my family, they know I’m not going to wear a dress, they know I’m not going to cook. I don’t like cooking. I’m gonna wear clothes as a man. And in my culture, if someone passes away, where we dig the grave, one of the family members has to remove all the topsoil, the grass. And my brother was also giving me a chance, saying “Hey, you are also a man, just do this,” then you have to do it. So I don’t see anything that can differentiate you as a lesbian in the culture. Because that is your culture.

Mikki: But still ... your social role is still that of a man rather than a woman?

Puleng: Exactly. If your family accepted it that way. Also my sisters in law, they’re not calling me Sisi [address for women], they’re calling me TataMcuncu [address for men]. You see. My brothers, if there is someone passing away in the family, my brothers come. First we’ll talk, sit. They won’t exclude me like my sisters. We sit there together, we talk, talk, talk. After we talk we take decisions, where are we going now. I don’t know why, if maybe because they depend on me financially or what. But you can see, whatever they do, they will include me.

What I hated, is the time I got married. You know in our culture, our wives are the slaves of the family. So I was running from them. My heart must be here, and every time I want to go with my wife to the rural area, I really hate that. My wife must work, make coffee, make tea, make food, make whatever. She doesn’t have time for me, and by the time we’re going to sleep she’s out, she’s tired. So I was running away from there.

Ntando: But the wife they say is for the family, it’s not for you.

Puleng: Yes. The wife is for the family, it’s not mine. But my wife was only for the family if there’s something ... only if there’s a funeral, or there’s a ceremony, then after that, if there’s a funeral today, tonight I’m leaving. I make sure that tonight I’m going, because I

don't want my wife to be a slave. My wife will be a slave when they start, okay to prepare for that ceremony, or for that day. After that, I take my wife, put her in my pocket, okay I'm going. That's my wife, I'm not going to sleep while my wife is there. Mnh-mnh. My mum did notice this: "It's a township wife." "Mummy you know what, the reason why I take my wife, is because I want her for myself. So if you want me to have another wife, it's fine, I will have one." "Oh, oh, oh, pack her bags and go. Pack her bags and go." Then I have to go with my wife. ... And I couldn't take another wife, because I couldn't see any woman that would please her [mother] (07).

In contrast, Lumka's masculine dress was not acceptable to her family.

Lumka: Even in our culture, people have problems with us. If there are traditional ceremonies like funerals, my family do not expect me to dress the way I want and do not accept my sexuality (10).

Funeka did not want her family to take away their house.

Funeka: I have really a very traditional family, a very conservative family where they believe as a child, or as a woman, if you are not there, everything that you have belongs to the family. And also if you are a woman, you are not married, they can decide about your house. Your house doesn't belong to you, it's a family house. And for me, the marriage gives that dignity to my home. People know when they talk about the house, they know it's our house, it's Funeka's house. And I believe even when I'm not there, Thando is scared of them, they are not just going to do whatever [take it]. They have to know that there's someone who's there. It really gives dignity to my own home.

And politically ... I'm introducing myself to my comrades. It's just like 'I'm Funeka who is married'. It's always that I make sure that people know that I'm married, legally married. Because that's possible. There was some research ... an interview in Home Affairs in Khayelitsha, they found out whereas the Civil Union Act is there, black gay and lesbian people, they don't use it. So for me it is really important that people know, maybe they need to check why is it not happening in Khayelitsha Home Affairs. But it's happening, black gay and lesbian people they go to Home Affairs and they get married. They just have to check why it is not happening in Khayelitsha.

Thando: But my family ... I think they will accept Tafura to be the same as me. They will say okay, your place belongs here with women, you sit with the women and they won't allow her to sit with men and eat with men. They will say your place is with women. [laughter] They will discriminate.

Mikki: So is it important to keep those gender divisions going?

Thando: No I think we should be equal.

Funeka: For me in terms of culture, I don't think it can be problematic if I can go and be introduced or visit Thando's then like I'm being like forced to be put in somewhere. For me, the importance will be that people acknowledge that I'm with Thando ... that can be enough for me. I don't think to be put on the left or right will really mean any change.

Thando: The family like to talk when they want to run away from things, they will say "but the ancestors won't allow it." But they don't know if the ancestors will allow it because they are not there to say [lots of laughter].

Funeka: ... talking on behalf of the ancestors.

Thando: *If things are not going your way, they will always blame your sexuality, because you are a lesbian, 'that is why things are going wrong'. So they will use all these things* (11).

The norms of heteropatriarchy are well ensconced in what passes for 'African tradition'. Sylvia Tamale (2011) shows how African patriarchs colluded with colonial officials to transform flexible and gender inclusive customs into structures of domination. This was aptly demonstrated during the public hearings on the Civil Union Act by the National House of Traditional Leaders (Reid 2013) where the gendered rhetoric of 'real' African women and men in 'true' marriages mingled with 'homosexuality is unAfrican' as keynotes for any subsequent 'discussion'. Not surprisingly any queers present at the meetings were predictably silenced.

Outside the rhetoric, Africans queers continue to live their day to day lives. As a woman who identifies and performs as a man, Puleng (07) negotiates tradition by conforming to the gender binaries instituted by tradition. Yet, she thwarts the tradition of having a wife for her family's benefit, opting instead for a more 'modern' interpretation of marriage by keeping her wife to herself, albeit in a traditional gendered hierarchy of 'husband' and 'wife'. This indicates a shift in marital traditions influenced by urbanisation and the adoption of western 'romantic love' as the basis for marriage.

However, Lumka's masculine performance through dress was interpreted by her family in strictly biological terms—as a female she had to behave as a 'real' woman. This denial of her masculine status could also be linked to her youthfulness, as African patriarchies are also gerontocratic.

In contrast Funeka (11), who is also positioned as a man in the community, asserts her identity as a woman, and does not expect any concessions to the 'honorary' status of a man. Thando also recognises how the rhetoric of 'tradition' is deployed to enforce the rules of gender and heteronormative conformity. For Funeka and Thando their marriage is also a bastion against the onslaught of tradition, balancing the power of the modern Constitution and the rights within it, to trump the family's claims to her house. Hence their intricate negotiations of belonging are woven between inclusion in the family, and protections of rights which are deemed beyond culture.

'Cultural' and 'moral' codes are invoked to maintain dominant hegemony in apparent timelessness; i.e. naturalised and unquestionable. Religion was a key discourse of value discussed by the participants in reference to their same-sex relationships. Others referenced 'tradition' whilst simultaneously recognising how they were changing. Common to a few participants were discussions about 'gay' culture, and westernised (globalised?) wedding traditions. Two couples also referred to same-sex marriages as being 'fashionable'—the expression of rights through consumerist performances.

Thus in their quest for belonging, queers, more or less successfully, carve out their own ‘cultures’ within heteronormative spaces, negotiating the boundaries of culture by appropriating or discarding the symbolism of heterosexual relationships—or inventing new ones. Zethu identifies the complications and contradictions of copying heteronormativity.

*Zethu: So in that case [baby christening recounted above], that was just an example, and in this family it has worked. In others it has been very complicated because ... I think some people have ... [long pause] wanted to be normative, and I’m using ‘normative’. If you’re a same-sex couple aspiring towards normativity it is problematic, because normativity was already bound to exclude you. And so those people who have used the CUA to be normative, have had problems. For example, wanting to have a traditional wedding, and wanting to have a traditional wedding as if you don’t take into consideration that a traditional wedding has its own sets of rules, and now you’re wanting a traditional wedding ...*

*Mikki: ... white dress, tuxedo, lobola ... ja they’re all traditions*

*Zethu: ... but a lot of those things are very gendered. And so if you’re aspiring towards normativity, you have to play according to gendered expectations. And already by being same-sex, you are setting yourself up for failure. And of course we can say failure is great, we can argue about that, but for some people they then realise this does not work, because they fail to be full ... they fail to be heterosexual [laughs] (K3).*

### **Homosexuality is unAfrican**

One of the most pernicious discourse of value impacting queer lives in South Africa, is the pervasive ‘propaganda’ by African leaders that ‘homosexuality is unAfrican’. In the post-colonial aftermath, African leaders were tasked to build nations from diverse cultural groups that had been thrown together during colonial rule (Hoad 1998). As part of modern nation-building they projected imagined ‘authentic’ African identities. In spite of visible cultural histories to the contrary, like Mujaji the Lovedu rain queen (Amadiume 1987) or the homosexual king of the Baganda (Nannyonga-Tamusuza 2009), they ingested the colonial myth of a ‘heterosexual’ Africa (see Epprecht 2008a, 2013). In spite of South Africa’s Bill of Rights, homophobia is rife in South Africa, and particularly focused on black queers (Livermon 2012). Thus the history of racialisation continues to infuse discourses of ‘authentic’ African identities, singling out black queers as abject. Already positioned as differentiated citizens through being black, this discourse compounds the precariousness of queer black lives, and has profound consequences for their safety.

Bonny Ibhawoh (2000) frames it as a (false) contestation between ‘rights’ and ‘culture’, where rights are regarded as northern imports, but argues that there is no inimical conflict between African cultural values and rights. He suggests that rights should be integrated as part of African values in cultural discourses. However, I argue

that when rights privilege the hegemonic group, they are happily used and defended, such as the fight for indigenous rights during anti-colonial liberation struggles. However, when issues are framed as ‘private’—those rights which tend to be deeply gendered—then they are rejected because they are presented as against ‘culture’. Hence arguments for culture are frequently used to establish, maintain or recuperate power for African heteropatriarchies. For example, issues contained in the ‘culture’ box invariably concern women’s equality, girl marriages, polygyny, female genital cutting, children’s rights, gay sexuality, gay marriage etc. Thus the partisan interests of heteropatriarchy become transparent in the discourses of regulation and control centred on ‘culture’ versus ‘rights’.

## Safety

Feelings of belonging are deeply linked to feeling safe and secure (Yuval-Davis 2006a). Toxic discourses of value which abjectify<sup>15</sup> queer bodies, enervate the boundaries between safety–security and danger; they intersect with identities, places, beliefs and material conditions. Fear for one’s safety is often elicited through visibilities in performance—for example gendering in talk, body language, style and dress—which can make people stand out as gender non-conforming or queer.

*Lumka: I remember on television when they legalised the marriage of same-sex relationships. People started insulting us in the street, challenging us. They always say “Oh, now that relationship of yours is now legal, you think it’s the right thing to date each other. We are going to show you, and you need a real man to show you love.” I know a person in my area who is married to another woman (10).*

*Tete: It is just a piece of paper that has rights and it does not stop anyone from hurting you (09).*

## ‘Home’

Cape Town is still settled along racial apartheid geographies, where queers with privilege are buffered from the violence faced particularly by butch lesbians in the townships. However, the township areas are enormous with great heterogeneity, and certain sectors in the townships are more dangerous than others.

*Lumka: I think the clause in the Constitution does protect us, but not totally. And we might have the same rights, but in our communities and the workplace we are still discriminated against because of our sexualities. I don’t feel safe in the community. I only feel safe when I am inside the house. I think black people are not educated well on sexual diversity. We do not have freedom in our area. I only feel safe when I am in Town (10).*

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15. I have invented the verb ‘abjectify’ to signify a process of abjection; I also enjoy its resonance with ‘objectify’ and how the meaning of Othering is intensified.

7. Ethical and Political Values

Brian: Are you guys safe in Cape Town?

Dominic: *I don't have a problem in Cape Town. I feel as safe as I can be. I am very safe everywhere. I work basically in locations and I am always safe.*

Robert: *I am safe in the areas that I go. I am not particularly sure, because for me there is more of race attached to it, so I am not sure if it is irrational fear, but I would not go to the [black] townships if I don't have to. Probably I would easily go to coloured townships because that is where my experience is from, the cultural point of view. So I can drive in those areas in the middle of the night, because I am familiar with the areas and I am not scared. I would not go to informal areas were I don't know where the road would lead to, and also I don't speak the same language and I am very scared about that (08).*

Maru: *Some would say it's for coloureds, but I don't fully agree with that statement. Cape Town is for everyone that lives in it.*

Neo: *Cape Town is for Africans that's all I can say.*

Pam: Are you guys safe in Cape Town?

Maru: *Yes I am safe here taking into consideration the things that are happening—all the rapes and stuff, but I still say I am safe. Even in Jo'burg these things happen, so not only Cape Town is dangerous.*

Neo: *I also believe that I am safe here in Cape Town (15).*

Gugu: *I belong here. I live here. I don't see my self running to Cape Town to live there, I want to enjoy my gayness here in the township.*

Tete: *As we said before, we are not hiding ourselves. We are doing what is right for us, we are safe and we are living our normal life, we do get our dignity (09).*

Sue: *As I said before, I am safe everywhere I go, so I belong to South Africa and I feel safe in my country, because I am a woman and I never forget that, so that's why I say I belong everywhere I go.*

Brenda: *Even though I never experienced any problems in my community, but I only feel safe at home and I belong there (16).*

Unlike heterosexual couples, queers have to monitor their affectionate behaviours in public places—strategic management of identity—to ensure their safety.

Brian: Are you safe in Cape Town as a gay couple?

Paul: *Yes, but we limit ... to expose ourselves to a ... part of Cape Town ... where I don't feel comfortable. There are some places that I feel comfortable and places that I don't—places which I don't feel comfortable, not only because of my sexuality and at the same time being so reserved with strangers. However if I see my friends I greet them with a kiss and I don't feel offended and what will other people feel about it. I will do it anywhere. I am not like going to act what I feel or not.*

Tomas: *When we walk in the streets we don't do anything that might be seen as offensive by other people. It will be just like two guys walking together. For example, if I see him we always kiss. However if we are meeting like at the shopping mall, we are less inclined to show affection (13).*

### **Discrimination and danger**

Thando: *For me I know there is a law that protects us, but it is not really working, it is just on paper for defending themselves. But really, when it comes to implementing it ... because you know they will discriminate against you, not directly and sometimes you feel there is nothing you can do, because you don't have actual proof of discrimination. Even at work you can see the way they talk, they will sort of cover it, they don't want to be exposed that they are discriminating.*

Mikki: *The Employment Equity Act?*

Thando: *... they have to comply, for that case, that is why they don't want to be direct, so you can't actually physically do anything.*

Mikki: *So do you think they know that they are not allowed to discriminate?*

Thando: *They know. Because it is on the wall. It is there on the wall, and they know if they do that [discriminate] you can take them to court, then it's a bad reputation for them, and now on that day's media they will be exposed, so they kind of hide it.*

Mikki: *The discrimination that you felt, where is that coming from?*

Thando: *Maybe if there is an article about gays and lesbians, you will hear their comments. Since I'm a femme lesbian, they do not know about me, and at work there's no macho lesbian. If they are then they are in the closet like me.*

Funeka: *Oh. You are in the closet?*

Thando: *Yes. Kind of in a way, because I don't ..*

Funeka: *You don't have a T-shirt! [Laughter] (11).*

Puleng cautions lesbians to stay away from drinking places.

Puleng: *It's where the problem starts. During the daytime you're gonna go to the shebeen and sit on the bench, but later you start to be a victim. Later, you start to be the victim, because they're scared; they say we are taking 'their' women (07).*

Maru and Neo are aware of police homophobia.

Pam: *Do you think government sectors uphold your rights?*

Maru: *They know nothing about the Constitution. They need to be taught again.*

Neo: *It's better in the Health Department, but the police are so homophobic. But I have never been harassed before, like my partner (15).*

Perry identified the churches and religions as problematic.

Perry: *For me, the churches and religions are the biggest problem and they make problems out from nothing ... maybe it also differs in different communities and being gay is still a taboo in smaller communities, for example in the Eastern Cape or even in other smaller*

communities in the whole country, and in the world as well. It is known that there are gay men who are in a heterosexual marriage and cannot talk about it.

Lutz: It is even worse that there are lesbians that have been killed in Khayelitsha and other African countries. Different communities in South Africa perceive homosexuality differently and I would appreciate it if those perceptions would change and people like Archbishop Tutu get more support in fighting for the rights for the LGBTI.

The privileges we have is probably also because we came from Europe, and it is more difficult in gay black communities. Probably it will take twenty years more to have gay rights realised ... It is a process that needs time to change. However, there must be a way to balance the huge inequality in South Africa, also economically. Poverty also limits education and understanding, and it is unacceptable that this continues 15 years after the end of apartheid. It is good to see mixed couples, white and coloured and black, also among heterosexuals and gay couples (12).

Participants were aware of the differentiated rights within the LGBTI-q community.

### **Hate speech and hate crimes**

There has been an escalation of homophobic hate crimes in South Africa over the last 10 years (Lynch & Van Zyl 2013; Mkhize et al. 2010). These crimes have hit the headlines via 'corrective' rape rhetoric. Some of the white lesbians expressed the vulnerabilities they perceived for lesbians in the township.

Gill: Pat and I don't have real troubles. We are cushioned by our lifestyle and progressive friends, and don't suffer like some of the township lesbians. They have a really hard time (06).

Sarah: It's outrageous that lesbians get murdered with impunity, just because they're lesbians. And they know, I bet you, that they can't go to the Police for protection (02).

Funeka is an outspoken LGBTI-q activist.

Mikki: Tell me about the radio interview you did?

Funeka: In 1992 we went to the pride [march] in Johannesburg ... then when I got there, I was invited on the radio to talk about sexuality in an African context. They asked if we could expand the time because like everyone was listening, and people were calling in. People wanted to comment, and there was only one hour that I had to be on the radio.

Mikki: Was it a phone-in?

Funeka: It was a phone-in and everyone was screaming ... because everyone was screaming, "This is unAfrican" and "When I really really need help, I can go to the doctor if I want to be a man, and then the doctor can help me to be a man. If I want to be a man maybe there's a ritual that I have to undergo." It was so crazy, but ja, I just responded nicely and comfortably, but ja, it was bad. It was just after that interview in 1992 then in 1993 I was stabbed in Langa by guys.

Mikki: Was it because you were a lesbian?

Funeka: Ja. Because those guys were screaming, saying that I'm thinking that I'm a man. I don't even think that I'm a man. I don't even want to be a man. I just love women (K1).

## 7. Ethical and Political Values

Daniel: *I think there're a lot of issues around gender and 'corrective' rape and the whole discourse is also very hard to address. There is a huge patriarchal overhang across many many communities. You're dealing with fundamentally shifting a certain type of masculinity, and it's a big challenge. But it's something that we need to work on.*

Mikki: *You know this task team looking at rapes and so on, what are your opinions about hate crime legislation?*

Daniel: *I think there is room for hate crime legislation in SA. I think we should ... it's got symbolic value in recognising a particular form of violence, but I think also the police are not taking these things that seriously. So I think that they should get a support task team to help. The answers aren't all in legislation. So I think they must not focus only on getting a good law, they then need to get a structure of management (K2).*

Perversely, the prevalence of these hate crimes have also had some positive outcomes.

Mikki: *But I've discovered there are some peculiar relationships with violence, I'm basically talking about Khayelitsha now, and the experience of that violence in their midst, and how people are affected by the violence—not only the lesbians, but their mothers, sisters, friends and the community, and how it has been used to question people's values and beliefs. Ministers who are saying "Are you ready to judge? Is it not God's role to judge?"*

Ecclesia: *But are they still doing the judging work?*

Mikki: *No, they're not. This is one of the important discourses coming out ... where people themselves are saying "it's not my role to judge" ... so they are internalising the violence, and why such violence was used against their daughter. I have heard it a few times, and from ministers "It's not my place to judge, it's God's place."*

Ecclesia: *I think it's good that it is happening on an individual level ... but what happens back in the church context ... that mass thing that causes the pollution all over again. It's weird, almost like a split personality ... I can't explain it in any other way.*

Mikki: *Of course I don't see them in the church context. I usually see them in the context where they are mourning their daughter who has died, or has been hurt.*

Ecclesia: *That's very interesting. Because recently we met a Methodist minister from Kwa-Thema in Johannesburg, who was the minister for Eudy Simelane. He knew her because she was part of his congregation, and then she was murdered, raped, and horribly killed. And the road he walked with the family in their pain, and how it has changed him. How he confronted his church, with the same text that you mentioned about slavery, and women who may not speak in church. He brought it into his church, and now his church is an inclusive church, a gay friendly church. So that a different shift starts happening when the leaders shift. If the leaders don't shift then it is a huge battle (K4).*

Safety is shaped by values about liveable lives—whose bodies are worth protecting? In the context of some of the highest rape rates in the world, South Africa is a country where hegemonic masculinities involve an inordinate degree of misogyny and homophobia (see Epprecht 2005; Xaba 2001). Though butch lesbians are often targeted for 'corrective' rape, a woman's chance of getting raped, whether butch, femme or straight, is also extremely high. Therefore female bodies and male bodies

that are feminised are prime targets for the assertion of hegemonic masculinities. This state of incipient threats of violence and fear of violence regulate and discipline the norms that uphold control over women, and assert the ideology of ‘women as men’s property’.

## Conclusion: Ethical and Political Values

The question about who ‘deserves’ to live a liveable life is the ethical foundation for any understanding of differentiated citizenship. Ethical and political values form the foundations for a sexual politics of belonging: they underpin all the cultural and political discourses which shape the inclusions | exclusions of citizens as subjects from the polity. But in South Africa, emerging from its complex history of different cultural mixes, various discourses of value fight for dominance. Age-old fractures between church and state attend discourses about marriage, while the aftermath of apartheid has pitted northern individualist frameworks of rights against ‘traditional’ values of family and kinship. None is more pernicious than the myth of ‘homosexuality is unAfrican’ which invokes racialisation in its abjection of black queer bodies; it exacerbates the already racially differentiated citizenship of black people, but through fuelling homophobia places black queer lives in jeopardy.

Bonny Ibhawoh (2000) argues that the human rights paradigm is not necessarily inimical to African concepts of justice. Yet a preoccupation with universal individualised rights derived from the North (rather than from African cultural foundations), has been framed as a conflict between rights and culture, instead of human rights deriving their legitimacy from cultural traditions. But cultures change, and dominant groups will ‘maintain perceptions and interpretations of cultural values and norms that are supportive of their own interests, proclaiming them to be the only valid view of that culture ... [and] monopolise the interpretation of cultural norms and manipulate them to their advantage’ (Ibhawoh 2000: 849). Another danger is how imperialist discourses of religion and class elitism have become disguised as ‘traditional’ cultural discourses.

A binary opposition has been constructed between ‘the ‘African cultural fingerprint’ that emphasises group, duties, social cohesion and communal solidarity as opposed to rigid individualism’ (Ibhawoh 2000: 843). Yet these arguments have selectively targeted the ‘private’ sphere of ‘the family’ and sexuality as ‘culture’—a key terrain of struggle against gendered inequalities. Two camps have emerged: conservative groups arguing for (heteropatriarchal) ‘culture’ in the ‘private’ sphere

while progressive NGOs struggle for conflict resolution, centrality of families as diverse, and reciprocal relations of rights and responsibilities—critical of cultural claims that oppress others (Ibhawoh 2000: 850). For example, in spite of many African countries having constitutions based on human rights, cultural prejudices against gender equality, children’s rights and homosexuality are defended as attacks on ‘African’ culture, and threatening ‘the family’—hence human rights are appropriated for some inequalities but not others. This seems like a backlash against ‘new’ family forms—women-headed households, child-headed households—which threaten patriarchal power relations in ‘the family’. Yet these diverse households have emerged as bulwarks to the impoverisation caused by neoliberalism and HIV and AIDS. Constellations of power—ruling elites, the military, religious leaders and institutions, as well as neoliberalism—continue to assault gender gains that have been made so far.

Without engaging queer struggles for belonging that are strategised on values which affirm black queer existence the future belonging of all queers in South Africa will become threatened.

In the next chapter I turn to struggles in a sexual politics of belonging.

## chapter eight

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# Sexual Politics of Belonging

Sexuality is deeply politicised through gendered disciplinary regimes that impinge on people's emotional and intimate lives through normalising discourses. When these norms are challenged political struggles ensue around how power is deployed in the contested and multi-layered inclusions and exclusions effected through boundary-setting (Yuval-Davis 2006a). These struggles invoke constructions of differences, and how discursive regimes classify subjectivities; they are also about how subjects negotiate these positionings in their longing to belong. Vikki Bell (1999: 3) argues that belonging is not ontological, but is an 'achievement', which suggests that belonging is always conditional, and can never be complete. Therefore the desire to belong—the longing for belonging—is continually enacted through reiterated performances of identities which seek to cross the thresholds of non-belonging, and challenge the political and cultural values which delineate the boundaries of belonging. Thus struggles of belonging also imply agency in the ongoing contestations around boundaries between self and others, and how the self is situated in relation to communities of belonging—to what extent do they conform to norms and how do they subvert those norms? These queer struggles engage existing constellations of power and can (re)configure the values which underlie them, and consequently the social relations and how they are expressed. Reading through the complexities and contradictions in a sexual politics of belonging provides inroads to the queering of citizenship for lgbti-q.

## Politics of Belonging

A politics of belonging concerns power struggles around the boundaries of communities of belonging. Belonging is mostly taken for granted, and only when belonging is contested do struggles for belonging ensue: on the one hand it involves mobilisations for maintaining extant boundaries of exclusions and inclusions, for instance upholding dominant hegemony such as gender normativity and heteronormativity through hate crimes; on the other hand it involves challenging those self-same boundaries by groupings which have accumulated sufficient power to contest them. Struggles of belonging are also power struggles about who determines what is belonging, and the conditions of inclusion into a community about who may belong (Yuval-Davis 2006a: 205).

In a community deriving its national values from the human rights framework such as the South African Constitution, struggles for belonging are likely to be framed as rights—status and entitlements for members of that community. In struggles of belonging, such as the recognition of LGBTI-Q rights, identities and social locations are contested in struggles for recognition. It also implies some form of agency and mobilisation—agency (power-to) and solidarity (power-with) (Allen 1998b). In this section I recount the stories of LGBTI-Q activists who are involved around rights claims, contestations around religious values and the mobilisation of LGBTI-Q as a community.

Nira Yuval-Davis (2011: 18) defines a politics of belonging as the boundary maintenance in political communities of belonging; it “involves not only constructions of boundaries, but also the inclusion or exclusion of particular people, social categories and groupings within these boundaries by those who have the power to do this.” Therefore a politics of belonging concerns how regimes of power categorise communities as ‘us’ or ‘them’. She rejects Foucault’s conception of power which becomes manifest through resistance, in favour of a Bourdieusian concept of power as practice, and where subjects are both embodied as well as socially constituted (Yuval-Davis 2011: 21).

Taking on board this situatedness of people in a dialectic between context and subjects, and the importance of power as practice, I turn to Amy Allen’s (1998a; 1998b; 1999) application of Butler’s theory of performativity to a feminist understanding of power. She argues that we need to integrate feminist conceptions of power that account for *power-over* (exemplified in domination and therefore also of hegemonic formations), *power-to* (for example in empowerment and also in resistance and recognition) and *power-with* (as in solidarity for resistance) (Allen 1998b). She synthesises insights from all three to develop a practice-based theory of power from

Butler's theory of performativity, which accounts for embodiment and normalisation as well as opening possibilities for cultural subversion and resistance (Allen 1998a; 1999). Therefore she provides analytical tools to critique power (Allen 1998a) and develop an understanding of people's diverse experiences with the relational and dynamic dimensions of power, including the dialectics of social transformation found in Butler's conception of agency (Allen 1999).

I use the notion of 'imagined community' developed by Benedict Anderson (2006 [1983]) to describe the LGBTI-Q 'community of queers' in South Africa—people who don't know each other but share a common identification. An account of the politics of LGBTI-Q belonging therefore situates queers within orders of power where the hegemonies of gender and heteronormativity are being contested. But politics of belonging also involve struggles about who may be a member of a community—identities and social locations, as well as determining what is entailed in belonging. If one perceives people in 'the community' as political agents it is important to recognise that they "struggle both for the promotion of their specific projects in the construction of their collectivity and its boundaries and, at the same time, use these ideologies and projects in order to promote their own power positions within and outside the collectivity" (Yuval-Davis 2006a: 205). Mindful of these caveats, I look at various interrelated struggles for LGBTI-Q belonging in South Africa.

I start by sketching the political context for LGBTI-Q struggles before turning to the struggle for recognition which brought about the inclusion of 'sexual orientation' in the equality clause of the Bill of Rights. I briefly recap the legal struggles which culminated in the Civil Union Act (17 of 2006) (see also chapter 1). I then discuss cultural struggles which include pride marches and parades, as well as struggles over values. Finally I turn to the struggle against homophobia and hate crimes, before I conclude with a look at where we find ourselves at present.

## **Struggles for Belonging**

I focus on LGBTI-Q struggles for belonging in South Africa as cultural struggles for justice based on recognition, with a clear understanding that they encompass *both* recognition *and* distribution, in what Nancy Fraser (1998: 86) calls "perspectival dualism." Charles Taylor (1997: 25) links recognition with identity, arguing that our sense of who we are—our authenticity—is built on recognition from significant others, which accords us human dignity. Nonrecognition or misrecognition—for example inferiorising identities like 'woman' or 'black person'—can be damaging. Struggles for recognition therefore express a longing to be valued for who you are. But Yuval-Davis (2006a: 201-202) argues that struggles for recognition contain elements of construction dependent on social and linguistic milieus, therefore we need to be

careful not to essentialise relationships between identities, social locations and political values. Therefore in discussing the various strands in the struggles for belonging, we need to be sensitive to the power dynamics at play not only between ‘us’ and ‘them’, but also amongst ‘us’.

When people who share identities and values come together as activists in struggles for recognition, they are fashioning spaces of belonging in a politics of belonging. Yet they can also become places where power differences play out. Thus, the passage of Igbti-q activism in South Africa is a history of recognition which is at once one of making queers visible, but is also one of black queer misrecognition.

### **Politicised Struggles—Rights Talk**

A foundational struggle of belonging for Igbti-q activists was during the participatory process of ‘writing’ the Constitution (Barnes & De Klerk 2002; Hoad, Martin & Reid 2005) to ensure that the ‘sexual orientation’ clause was included in the Bill of Rights. This was arguably the most important boundary of belonging to negotiate—the basis for full formal inclusion in the polity.

*Mikki: What did you feel at the time of getting the sexual orientation clause in the Constitution and did you participate in any of the run-up to that?*

*Agnes: Yes, first, on the margin type approach, you know at OLGA [Organisation for Lesbian and Gay Activists] and then when it became the Gay and Lesbian Coalition. We were members of that for a while, so we, you know, we engaged. I mean we were involved, but not by any means central to anything and most of the time, agreed with what we then pushed.*

*Sarah: And very grateful, I think, on my side, anyway, with a kind of heavy supporting it, like Albie Sachs. I found that very encouraging. It wasn’t just a gay and lesbian thing, that we were just in a lonely sort of corner, racing on about our own rights, but that other people actually believed in them. And I became very aware ... it was possibly two things that Albie said, you know, when there was objection to it, that discrimination against anybody was wrong. It didn’t matter to who it was, and if once you said it was fine to discriminate against a particular group, then you had to accept that other forms of discrimination might also be okay, and I found those arguments really enlightening. I found it very exciting and very growthful to be exposed to that kind of politicised intellectual level. I found it very exciting, that movement of, in a way, connecting gay rights with other rights, with race rights and women’s rights and all.*

*Mikki: And you Agnes?*

*Agnes: Ja, no, I mean, we were very much together in all of that. So I really was surprised when it was included, very pleased, ja (02).*

After achieving Constitutional success, the Equality Project implemented a deliberate strategy to ensure Igbti-q rights through legislation (De Vos 2007), which led to the repeal of a number of laws. Finally they challenged marital exclusion, and though they did not succeed in getting absolute equality, the Civil Union Act was passed whereby

which lesbians and gays (almost, but not quite) gained legal marital equality with heterosexuals. In fact David Bilchitz and Melanie Judge (2008) argue that it has the potential to change marital legislation more generally since it accommodates civil partnerships (also for heterosexuals) as well as marriages. A Joint Working Group was established to ensure that the law reflected conditions demanded by lesbians and gays for equal marital status (see Judge et al. 2008).

The struggle for same-sex marriage was not only contesting a legal boundary, but simultaneously challenging entrenched cultural and religious precepts—significant symbolic boundaries around heteronormativity. Thus it was a profoundly politicised struggle of belonging for lesbians and gays. As their legal adviser, Daniel explains some of the activism by the Joint Working Group preceding the enactment of the Civil Union Act (No. 17 of 2006).

*Daniel: Basically the Concourt decision held that the government had to respond to the judgement [in Fourie (2005)]. Effectively it was that the rights and responsibilities of marriage had to be accorded to gay people, although it was not quite clear what. I, quite early at the meeting of the first working group in April of that year [2006], said that we needed to get a strategy together. ... OUT<sup>16</sup> was essentially mandated because it had some money to look at this. We know that the government was planning a Civil Union, the Partnership Bill it was called initially. In July that year we had a strategic meeting and although we knew we had little chance of losing, because the ANC had come out in favour of it, we decided on principled grounds that we were going to oppose it based on the values of the Constitution on dignity, equality and freedom, and show why those values meant that a full same-sex marriage needed to be recognised as marriage and not as a civil partnership. And in South African history we felt it was imperative given the apartheid system that we do not have a 'separate but unequal' kind of system. So then we went into campaign mode. We drafted a submission to parliament ... Fikile went along to the public participation hearings, that parliament had organised. We were on many talk shows, protests that were organised. It was rather small but nevertheless inclusive, and then when parliament ... you know around the middle of October, we presented our views in parliament as strongly, obviously, in favour of same-sex marriage and full marriage. That was when parliament realised there was quite a gridlock. There were sort of three main constituencies: there was the pro-gay and progressive constituency, there were the religious leaders who were to some extent divided between progressives and the very conservative Christians mostly, and then there was the African traditional constituency (K2).*

They met the minister of Home Affairs, Minister Mapisa-Nqakula, to communicate their demands.

*Daniel: Effectively the minister about two weeks later suddenly called us up and asked us for a meeting, and she met all three constituencies, and in that meeting we had a very detailed discussion ... She said to us, "Well, South Africa is not really ready for same-sex marriage, full marriage, but we want to give you rights, and the ANC is committed to equality." And then I explained in a very personal way why there was no such notion as a*

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16. A lesbian and gay rights and service organisation in Gauteng.

## 8. Sexual Politics of Belonging

civil partnership or civil union in my religion and culture. Marriage was known. And she said she was very affected by that meeting and recognised the same point applied within the African community. She also met the religious conservatives and the traditionalists, and the bottom line in the new Bill was that it used the word 'marry' and that it would be a marriage in the actual books of Home Affairs. Also straight people could be married in terms of the Civil Union Act. It then went to Senate and the National Council of Provinces. We also made a submission to them about the fact that the Act still had the conscientious objection clause. We made a submission, but it was passed as it was. The LGBTI community decided to support the Bill after those changes ... we would support the Bill, though it wasn't a perfect Bill.

Mikki: Now coming back to the conscientious objection clause, what is your opinion, given that that clause is unconstitutional ... for example if I were a state employee, being part of the government, and presumably representing practices reflecting the Constitution, if I were to object on personal grounds to marry a black and white person, there'd be outrage. They would go apoplectic.

Daniel: That's absolutely right, it's discrimination, it is unacceptable, and it will surely be challenged at some point. I don't know, I wasn't involved in the organisations much, but it was passed. The decision was not to challenge the law itself, given the compromise and that the government had basically given the lesbian and gay community a huge victory and boost and also that we would wait and see whether this was in fact a problem across South Africa with lots of marriage officers refusing to do this. As I say my sense is that substantively the law as it stands, it shouldn't be there, it's unconstitutional. I'm not sure, but I think there have been one or two examples of refusals. My understanding is that it hasn't become a massive issue where marriage officers across South Africa have refused to conduct same-sex marriages. If that were the case, you would no doubt see a major challenge, but my understanding is that it might well be a problem for people in certain rural communities. But officials who wish to refuse have to apply to the Minister and they have to get official permission, and again I haven't followed up. It would be interesting to do research and to see how many have applied formally to the executive to be exempted from this, but I don't think there is a huge number (K2).

### **Identities—Struggling for a Political Home**

Though some of their leaders understood the principle of the indivisibility of rights, sectors within the liberation movement did not necessarily agree. Organisations who relied heavily on masculinised identities such as the Youth League, were particularly suffused with sexism and homophobia (see for example, Epprecht 2005; Xaba 2001). As an anti-apartheid political activist, Funeka found difficulties in reconciling her sexual identity with the hostility in her organisation, the ANC Youth League.

Funeka: *The Youth League ... it was crazy. The group split into two. The others were like, "No you see this comrade is hijacking the movement to come out with alien tendencies of Europe" and all that stuff. But the others were like fighting to know more, to know what was happening. The pressure within, the way I've seen that the others were not really really prepared to change. And I was like, 'I think there is a gap in what I'm doing'. Become involved in the political struggle for a while and you forget to fight on your own issues that affect you directly. It was the same thing that Simon Nkoli experienced, because during the Delmas trial he had done his coming out in prison ... in front of other comrades ... who were*

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in there. But just because of that, they forget everything about the struggle, they focus now on his sexuality. These comrades are saying we are going to get bad luck because this whole thing really comes up ... it was like a little bit crazy.

Mikki: Was it male or female?

Funeka: The males they were anti, very anti. At least women were better than the men. I think even at that time, it was also the beginning of my assertiveness in fighting on taking the issue of homosexuality within the organisation. But I couldn't stand so much of that, because I think I was the only person who was out in the Youth League at that time.

Mikki: Did you know anyone in the Youth League who was there but not out?

Funeka: But most of the women who were there in the YL, they referred me to some of the gay guys ... that were not active in the ANC, but they were members of the ANC. Bongani who has passed away now, was the first gay person I was told who was gay. And later I found out about ... Zoleka, the one who was shot in 2005. I heard from the YL she is also a member of the ANC but not so active in the ANC, and then I started to become friends with her to check what's really really happening and because I wanted to listen to her, because for me the environment was really bad to participate openly as a lesbian. And that was the same thing that she says, she says "No, I couldn't stay because those people have become much too homophobic."

Mikki: What did they do?

Funeka: You see if events are organised, or something has to happen, you are going to be systematically side-lined in a way. Even if the tasks that are given to other people, you are not going to be given that task. And everything in the meeting you can feel, the environment is not working. Because even the person who assisted me in doing the coming out within the YL, Thami Maqelana, it was going to be difficult for him to be there with me all the time, so he introduced me but he have to do his own stuff. Later I just, 'I can't, I can't'. It was then that I joined Abigale<sup>17</sup> ... I left the ANCYL to be active on that and I focused on Abigale.

I remember when I was involved with Abigale, we started to have some other discussions with the ANC. I remember one day we had Jack Lewis prepare a documentary and I was also in that documentary where it was shown to the ANC on the zonal level. But even when we were discussing, you could see people were really, really uncomfortable ... but there was not even enough discussion after that. It was "Okay we've heard what you ... we welcome you," and after that we have to excuse ourselves, and my question when we left, my question was 'I wonder what the discussions were all about?' Because for them they just have to listen to what we were saying, and then they have the discussion among themselves after we had left. So we were not part of this discussion, how did they see the documentary, how do they see it fits within their programme in the ANC.

So ja, I've become more involved within Abigale because really I felt there was really a big gap that was happening. And then after Abigale I was employed by Triangle Project in 1996 ... I think the one thing for me was I participated too much on LGBTI issues, then I was struggling now to connect my lesbianism within the broader women's structures. I was struggling to make a connection with them, until 1998 I became involved in the Network of Violence against Women. And I think from then, it became clear what was happening within the women's movement and also it made it easier to see how I fit in the whole

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17. Association for Bisexuals, Gays and Lesbians.

environment. But when I started to come out in the women's network about my sexual orientation, I struggle a little bit, because when you go for leadership training, ... and women have to share rooms... so I struggled to have a partner in my room (K1).

Just as there were divisions and marginalisations inside the political organisations around heteronormativity, within the LGBTI-Q community there were also many divisions around race, class, age and gender (Schutte 2012; Stockdale 2014).

Dominic: I had a seminar on how to accept people in our LGBTI-Q community because there is a lot of discrimination among its own people; it can be race or religion or age groups. It was very interesting to see that especially among the younger gay and lesbian people they have little clue about their sexual identities altogether. They say that they are gay or lesbians without even knowing what it is being gay or lesbians. One of the things that came out from that discussion is a big need for education in terms of gender and sexual identities because people only know what they see on TV or what they get from other people, therefore they don't know where to get the information in terms of sexual identities; also as their rights, probably because of their upbringing from the communities and the families. So there is basically a lot of work which is required around the issues of sexual identities and human rights, especially among the younger groups.

We always talk about HIV/AIDS but it has been spoiled rotten [overworked]. But people are dying you know ... there must be awareness and then at the same time where is our place as the LGBTI-Q in society, and hopefully in achieving more on how to go forward. People are always expecting grants and saying that this is owed to them because we are living in 2010 where life is so easy, people do things for us. We have all these rights, which defines us and forget what it is really to be a community that stands together and fights together. If we go into the eighties and the seventies, students marched out in force—there was the need and the students took it up to march for their rights for freedom and education and things to happen. Today we have no idea what it is like to stand together as people and a community. I don't know if it is queer related or it's a lack of knowledge, but definitely there is a need to go back into the community and touch base with the basics. We have left the basics. We are so much advanced that we have forgotten what it is like to understand basics and understand where we come from and what is our space in the society (08).

### Politics of Religion

Religious outreach is crucial in a country where the majority of the population follow organised religion, and where churches have 'appropriated' marriage for themselves. Battles rage around whether marriage is about heterosexuality or about love, about procreation or about loving households: thus the boundaries of 'traditional' marriage are being 'assaulted' by same-sex marriage. This became manifest through the groupings who organised to oppose same-sex marriage.

Sarah argues that the CUA was a 'step too far'.

Sarah: I think to be a lesbian, to be gay, one can be accepted at a certain sort of level by the heterosexual world, but I think, being married for many people, is overstepping the mark ... stepping into territory which does not belong to us. And I sense that, you know, we've gone beyond the having a smooch in public ... I know it sounds really grim, but don't kiss your fellow in public and walk hand-in-hand and do all those things which belong to the

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heterosexuals. They can smooch in a park, if they want to, in public, they can kiss, they can do whatever they like, it's their right. We can be gay if we want to, you know, it's fine. They'll tolerate us. In fact, in some cases, they even think it's quite nice. You know, 'some of my best friends are gay'. But I feel a sense that in this marriage, I've crossed the boundary (02).

But for lesbians and gays who are religious or spiritual it is important to have spiritual endorsement of their commitment.

*Mikki: I think it is especially important for people who are spiritual ...*

*Daniel: Absolutely. It means a lot as a deeply spiritual experience, and a deeply connecting experience, and a meaningful one. I think that's something ... as a marriage officer, that is something I seek to do. To provide people with such an experience (K2).*

Daniel also initiated discussions about homosexuality in the Jewish community through running a film tour.

*Daniel: I was involved in running a film tour of a film called Trembling before God which deals with homosexuality in orthodox Jewish communities ... So that was a very successful event which led to a whole discussion around homosexuality in the Jewish community (K2).*

He has registered as a marriage officer and participates in the Jewish LGBTI-Q organisation JewishOutlook (JewishOutlook 2014), which provides services to LGBTI-Q and also focuses on LGBTI-Q rights.

*Daniel: I then also subsequently became a marriage officer in terms of JewishOutlook which is a Jewish LGBT organisation, and then became a marriage officer for the organisation and conducted several gay and lesbian weddings. I conducted the first Jewish lesbian wedding in SA. I am very involved in the Jewish community still (K2).*

Besides Desmond Tutu's highly visible campaigns for marriage rights for LGBTI-Q, the Good Hope Metropolitan Community Church (GHMCC) has been a touchstone for LGBTI-Q Christians. Inclusive and Affirmative Ministries (IAM) (Inclusive and Affirming Ministries 2014) is an organisation for supporting and guiding positive changes in Christian attitudes towards LGBTI-Q. They have several marriage officers affiliated to the GHMCC, because marriage officers fall under the rubric of a church when applying to register as marriage officers with Home Affairs.

*Ecclesia: Some churches apply, and there are others ... look these charismatic, fundamentalist churches are definitely not going to apply because it is against their doctrine, and why would they, it's a sin. But the mainline churches are still vacillating, they are saying "We still don't know, so we are not giving permission" [for the registration of marriage officers]. But then there are the independent churches, the gay churches, the Metropolitan Church ... through which I, Judith and Pieter, and Laurie have our licences (K4).*

*Mikki: Could you please tell me a bit more about your personal interest in LGBTI-Q?*

*Ecclesia: My personal interest in the Civil Union is that I believe all people should have the right to be able to commit in this way, and live out that relationship. It specifically goes*

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back to being able to marry legally since December 2006. It is natural ... as a minister of a church you meet people who are in same-sex relationships—and here I include myself—and we are not second-class citizens. We are not inferior people. On the contrary, we are facing the same complexities as heterosexual people. Maybe even at a higher level because it is still something which is frowned upon. People are still turning their heads and it is now seven years later, ja ...

Because of my religious beliefs, and because my faith teaches me that if you are in a committed relationship, the next thing is to get married. And for me that was the principle, the fact that I loved my partner, and companionship and joy and intimacy, all those wonderful things that are reasons for marrying ... but for me it was an ethical step too. And as a result of getting married I was excommunicated.

They [the Methodist church] have been in internal discussions about same-sex relationships since 2000, and have made a statement saying “All people are welcome.” Now the question is, if “all” are welcome, how do you welcome a homosexual knowing that they have a sexual orientation towards the same sex, but they may not be in relationships or get married. So the church actually wants to keep same-sex couples ‘in sin’ ... it doesn’t make sense.

So IAM comes alongside religious organisations, and particularly mainline churches, to assist them to dialogue and to create safe spaces for people to express their sexuality ... to merge their sexuality and their reality, their sexuality and their spirituality. So we have those conversations where we look at the Bible, the contextual and the literal interpretations of it ... and we teach them to do contextual Bible studies. “No, we are not using just that text, let us look at the other parts that have nothing to do with homosexuality.” Africa is a continent indoctrinated by bad theology. If you want people to change then it is a good idea to start in the religious sector, because this is where all the little devils come out.

Mikki: I call them ‘seeds of hate’.

Ecclesia: Ja, that is exactly what it is. Seeds of violence, ja. That leader, preacher, minister, pastor has so much power, it is unbelievable, whether it is a man or a woman, the congregation sees that person as a representative of God. And if they tell them “It’s purple” then they believe it’s purple, and it must be purple, even if my head tells me it is not purple. It’s interesting work, but very hard work. Tough, tough work.

Mikki: OK. What about the Constitution and the Civil Union Act ... what have they done for LGBTI-Q belonging?

Ecclesia: On paper I think they’re fantastic, really, but in practice they haven’t been implemented, and that is why people are getting hurt, that is why there is so much frustration, that is why people like myself can lose their jobs, and especially the churches ... they think they are above the Constitution (K4).

Muhsin Hendricks is an Imam and founded *The Inner Circle*, a Muslim organisation that advocates for “a global Muslim community free from discrimination based on religion, sexual orientation and gender identity” (The Inner Circle 2014).

Mikki: And so can you tell me what your interests are in same-sex marriage ... your activism, your current involvement?

Muhsin: In 2006 when the Civil Union Act was passed, we were instrumental in that we did a submission to parliament on why we thought that Islam should support same-sex

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marriage. And for us it was an historical occasion because it was on the same day that the Muslim Judicial Council also made a submission against same-sex marriages. Yes, so that was interesting ... so very relieved when the Act was passed ... in fact we don't call it 'same-sex marriage', we call it 'same-sex union' ... and I think it stems from my understanding of marriage within Islam. It is not as sacrosanct as it is in the Christian-Judaic tradition. And so it is really just about a social contract between two people that will be sharing an intimate space with each other. And so it is really about bringing two people together, but marriage over the years has ... the institution has just changed and people engage with marriage in different ways through their own cultures and so on. And I didn't want to perpetuate that by offering a service of queer marriage to be together. And ever since the passing of the Civil Union Act we've done nine same-sex marriages. And in fact this year we're doing two straight marriages.

Mikki: So do you think the sexual orientation clause in the Constitution and the Civil Union Act have brought about a greater sense of belonging for lesbians and gays?

Muhsin: Yes, and no. I think when the new Constitution came in, and it recognised the rights of people with sexual orientation, I think it was a kind of liberation, but that was then, and then you look at how much has government really done to advance the rights of gay people ... almost nothing ... So it kind of leaves one with the sense of 'Am I really being protected?' or is it just good on paper.

There was an incident here, there was a lesbian couple that got married here, and then the family didn't know that she was getting married and it kind of leaked out that she was getting married here in our office. Then the whole family came that evening and wanting their daughter back. So we had to call the police for protection, and the police were clueless on what to do in the situation. And often we hear stories about people, that they were raped for example, and going to the police to report it, and feeling that there wasn't that support for them. They were either laughed at or ... So, I'm not optimistic, and also I'm not saying it's all doom, but I think we're in a very interesting place at the moment between translating a constitution into something more physical on the ground.

I mean we registered with the Dept. of Social Development, we don't receive funds, and I'm not using this as a complaints session against government, but ... I mean that's just the reality. I mean if government had taken the issue of LGBTI seriously they would have jumped at the opportunity to work with grassroots organisations and issues, who are willing to do the dirty work.

Mikki: So if you're doing marriages, I mean just by virtue of the fact that you're an Imam, you can do marriages and you don't need any blessing from a higher council or a synod or anything?

Muhsin: If you really focus on the fact that it is a contract, you don't need an Imam to perform a marriage, you can just have a lawyer to perform a marriage, but I think people want to have that blessing and so they would prefer to come to an Imam to do that.

Mikki: But religion is an important way in which one situates oneself in a family and in a community, and that's the important ritual ... around the recognition ... 'my family now recognises that I'm with this person, and that I'm bringing that person into my family as well'.

Muhsin: Right. But I sometimes think that that becomes too much of an emphasis. That then it becomes romanticised, then we forget that it is about two people. And, well in Islam, there should be a public announcement that these two people have now committed

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to one another. Ja. But in terms of activism, I don't think I actively promote, or at least not these days, promote same-sex marriage and I think it just happens because of the passing of the Civil Union Act in 2006 that gay people felt that it was their right to also get married if they choose to. But then again there's a lot of people in the queer Muslim community that don't wish to get married. But knowing that it's there for them to get married, makes them feel good. So there's no need for me to actively .... I would normally talk about that I encourage people to have monogamous relationships and more long-term committed relationships. I think it's helping people to take commitment seriously. Because I have two counselling sessions before I decide 'OK, I think you guys are ready to get married'. And the purpose is to help people to take the contract seriously (K6).

Through the advocacy work they do, the faith activists are questioning the boundaries of exclusion framed in religious discourses. Their struggles for belonging in faith communities also overlaps significantly with the rising tide of homophobia in Africa, fuelled by religious fundamentalists from the United States (Kaoma 2012). Therefore they are also working under urgent pressure to counter the hate speech and hate crimes directed against homosexuals that are underscored by heteropatriarchal religious fundamentalism.

### **Sexual Rights—Safety**

Positive sexual rights for homosexual remain elusive, but even negative sexual rights are not protected. Only by intense and long mobilisation has the rise of homophobic hate crimes begun to be addressed by the government. These crimes are mostly perpetrated against citizens who are deeply Othered by race, gender and sexuality.

Funeka had first-hand experience of these hate crimes which were escalating against lesbians in the townships (Lynch & Van Zyl 2013). Funeka became part of a multi-organisational initiative to mobilise activists for attending court cases. This group eventually grew into the black lesbian organisation, *Free Gender*.

Funeka: Ja, she was coordinating a project called Cool Youth, so we just sat down and I approached her and telling her "You see the problem is that when we go to court there are those gangsters that are in court. Lesbians are so invisible, they are scared to go to court. Can we try to have a way of mobilising for the people to participate but at the same time protecting themselves?" And from then, and then I also approached TP [Triangle Project]—Asanda was working there at that time—and Pumeza was attending a course with FEW [Forum for the Empowerment of Women] where they were having leadership skills training for 3 years and then they were told they have to form structures in communities. So we have that group. We sat down TP, TAC [Treatment Action Campaign], the Cool Youth and also some FEW individuals—lesbian activists, Desiree and others. And we sat down and said "Guys, let's have this group that will include also lesbians, just activists in order to say how do we go to court and raise the issues that affect us here." And then we started with that group in 2008 and then in 2009, after the discussions that we have, then we formed Free Gender. Not just the lesbians but as a group, but in 2009 lesbians started to dominate that group, and then we went to TAC and said the lesbians are ready to take over so we don't want to have another name, we want to continue with Free Gender, but as a lesbian

organisation, not as a group. And then in 2010 we have our strategic planning workshop, and then we started the organisation as Free Gender lesbian organisation (K1).

The cross-sectoral solidarity helped bring Free Gender into existence, therefore struggles for belonging also involve mobilising across identities and creating allies across differences—finding ‘common cause’.

### **Solidarity—Power With**

While there are numerous organisations advocating for lgbti-q rights, some participants felt that no ‘lgbti-q community’ had been forged.

Robert: *We are at a certain point where the lgbti-q sector is, whereby we had this fight for women’s rights and they won. So what happened to them could happen to our community. Do we have the sense of activism to get our rights and defending them, or is it our old ideas and we think that the next generation has to stay focused? The answer is to stand up and fight for your rights so as to change the implications that governs the Constitution as far as the lgbtiq is concerned. I found it very scary when the Civil Union Act came out and people were calling for change in the Constitution. I am still not happy about it. If you don’t know how to do it, don’t. After all, it’s a thing on the paper but we don’t live it either. Open it up for discussions and it’s no good blaming culture, religion and race. We need to open it to discussion, what does it mean to us as South Africans?*

Sarah and Agnes recall the gay and lesbian organisations participating in the anti-apartheid United Democratic Front (UDF).

Agnes: *We had great faith in ... the formation of gay and lesbian organisations ... as part of the mass democratic movement. I think that was incredibly important. I think if that hadn’t happened, and because of the percentage of gay people, they organised themselves. It was a small percentage of Jews that went, and the Call of Islam was like a little thing, and so I think those little pockets of small groups of activists within groups of people, was very, very important. And I think if OLGA and the other organisations had not existed, we wouldn’t be where we were at that crucial point where we were getting integrated into the discourse of the UDF and the mass democratic movement. And nobody could actually ignore it, because a lot of those activists were seriously involved in the non-racial politics ... multi-activists ... [laughter]. And they were not shy to say that the gay issue was important and I think that that is crucial, and for me, ... because I think they opened up an element of our democracy and our Constitution that is unique in the world.*

*But we should have taken it into the future as well, and have made a huge difference to the levels of acceptance of diversity, even though it’s met lang tande [reluctantly] most of the time. You know, people really struggle to accept people that are different from them. I think the fact that the gauntlet was down with all the other gauntlets, is crucial.*

Mikki: *Now look where we are.*

Agnes: *What can I say, I was politically naive, you know, but I found Albie’s insight ... I found it to be an amazing, intelligent insight (02).*

Many activists who were working in struggle organisations during apartheid, remained involved in post-apartheid reconstruction after democratisation. But Funeka experiences stigmatisation and Othering as a result of her sexual orientation.

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Mikki: Civic organisations?

Funeka: Sometimes it is difficult when I am there on my own and I didn't come with some of the people in my community, or some people that I'm familiar with and who know me. You know that when people have to elect me, then they have to have the backup for people who don't know, in order that people mustn't always think about your sexual orientation. I mean to think about what you really really are ...

Mikki: What kind of person you are?

Funeka: Ja. In my area it's been easier to deal with some of the barriers. But sometimes when you have to go on your own, you've been elected on your own to stand on something, it becomes a little bit crazy, because people just judge you rather than listening to what you are saying.

Then again in my ward there was going to be a launch of a Women's League (WL) branch in my ward, so there were women that were identified to meet the branch. So there were other women that felt strongly that Funeka have to meet the WL branch, then the other group were not comfortable because they say I can't lead the WL because I'm not going to understand women's issues [loud laughing]. The problem that was happening was that women who were so talkative and very open were women that were on my side. The women that didn't want me on their side, those were the women that really didn't have those strong strategies ... so not convincing in such a way that it was difficult in that year, that the WL will be lost. So there was no WL for a while because the women became so uncomfortable for Funeka to lead the WL. And for me those were some of the things that were really really strange.

Mikki: Did it hurt you?

Funeka: It did. It did really. Because I do understand, I know that I was going to make a big change because what happens ... also for me to be involved in a women's political organisation I was also going to change the thinking. Sometimes people don't plan programmes that are really meaningful to women, and for me I was seeing myself being the person that would make that change. But unfortunately I never got the opportunity to do that.

Ja. And I think again my activism work within Free Gender I'm always being seen, quoting on TV, sometimes in newspapers. And sometimes in meetings I will raise something that people really didn't take into consideration and people started to notice that it's really more about sexual orientation. And even if other people want to use that, it is something that they have to ... I always think it is likely to get some backup of people saying, "No, no, no, we know that Funeka is a lesbian, but this is not the issue now. Deal with the issue that is on the table" (K1).

Liesl is a lesbian and founder of Gender DynamiX (GD), a transgender rights organisation.

Liesl: I am the executive director of Gender DynamiX and by default I was the main founder, and it came into existence in 2005 ... really because I had been in a relationship with a trans person for the second time in my life, and realised a kind of activism in me, a fight or whatever.

There was simply not enough information, and there was no way how you as a couple could navigate ... to understand ... whatever, you could only Google and try and get information from America or England ... basically the global North. And then you read a

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few people's stories and you identify, and then you feel 'finally I'm home', and the minute you think that then you realise, 'but I'm not home yet'. So those were some of the founding reasons that we started GD and very quickly asked 'but why is there no information?' And the answer was that the psychologists, and the medical fraternity had tried to give guidance: if you are going to transition you must disappear, start a new life, move away, new job, new everything ... if you can move, the further the better, and then you can finally become the 'real you'. But it means, that with every new person that transitions the information also disappears. So then we started building a strong network ... references to everything, so we had someone who could keep the information. So very quickly people contacted us "Have you got legal advice?" and the extent of information people were seeking was huge ... I resigned my full-time job and did only GD work for two and a half years, unfunded. And that's how we started in 2005.

So my interest in lgbti-q issues is personal and political, but I didn't want to push a lesbian agenda because there were plenty of activists and organisations catering for lesbians, doing that, even though I was a lesbian myself. So the rights we were talking about were very basic, such as school, education, accommodation and then you're talking about shelter accommodation, long before you get to the issues that touch a sophisticated white lesbian in the suburbs. The rights that I'm fighting for are never going to touch them (K5).

Zethu focuses on trans issues and their importance for queer understandings of gender and sexualities.

Zethu: You can talk about that ... you can also talk to trans people ... for example their issues are non-mainstream. We've never questioned the post-equality clause, we've never questioned citizenship really, as much as trans people question it now. Because they have to, every day, they are non-citizens. Because they have no identity, no ID document, which for us is something which is taken for granted. We all have ID documents, we take it for granted. Whereas they don't have ID documents, they are not coded. They can't be coded because the system is still all over the place, you have to apply, it takes forever. Those issues which are global issues. If we were a community and we had belonging we should be taking them up as an lgbti issue. But we're not, and those are only trans issues. And I mean identity is at the core of our politics.

Mikki: Not only at the core of our politics, but also at the core of our political system.

Zethu: Yes! Yes! But we haven't dealt with that.

Mikki: You see the system, the bureaucratic system almost by definition as it solidifies boundaries and categories and edges, cannot accommodate fluidity, cannot accommodate ambiguity.

Zethu: But shouldn't we challenge that?

Mikki: Yes!

Identities are deeply entangled in struggles for belonging. Key participants showed how their personal identities influenced their political activisms, and conversely how their struggles for belonging comprised personal struggles within organisations as well as struggles for their community of belonging.

## Queer Community?

Is there a queer ‘community’ in South Africa? Participants may not feel involved in any particular organisation, but many felt some sense of identification and solidarity with other lgbti-q.

*Brian: There are still racial politics in the straight world, what is the situation in the gay world, what do you think can be done in the gay world?*

*Paul: I think it is not going to happen in the social context, so in other words I can't say bars or night clubs can bring people in our community together. Probably the best tools for that are that NGOs or other social groups and support groups and activist organisations that can bring people together on specific causes that they have in common that will allow them to come together (13).*

Walter reflects on racism in the gay community.

*Walter: Racism did play a big role, let's face it, and although among normal people it was a big issue, but among the gay community, I think there was more acceptance in the gay community between black and white, but the coloured people did not have a problem with mixing with white people. No matter how dark they would look they never see colour because when two people are falling in love it doesn't matter what colour they are. If you love one another you don't see colour at all ... It's wonderful how young people are growing up these days, even though there is more of nepotism than racism, which is more greed (01).*

Maru doesn't see herself separately from the ‘straight’ world, but Neo feels linked to an lgbti-q community.

*Maru: I belong everywhere even with straight guys, because they know I am gay and they respect that.*

*Pam: Don't you think you are in a risk with guys?*

*Maru: No, because I know who to mix with, meaning that I don't just sit in the corner with a bunch of guys.*

*Neo: I belong under the umbrella of lgbti. I feel free when I'm around them ... and straight girls of course [laughs] (15).*

Zethu feels a strong call of community.

*Zethu: The other way, just to add to it, the other way in which I see belonging and the Constitution, I find it works in a very strong way. So if, for example, I know a member, a person, even if I've never known that person, and a person who is considered to be under the rubric of lgbti, if something happens to that person, I feel the obligation, you know the call to respond to that issue. And it's like a weird thing, I don't know how many straight people feel that: "Oh, if I hear that a straight person has been murdered, I must go." I don't know how many people feel that. A lot of people who are part of the lgbt community—okay I'm using that very loosely—we're always there, because one part of the community has been injured we have to be there ... And I'm not sure if that is related to the Constitution, or that is in relation to always being on the margins [laughs] (K3).*

She also sees lgbti organisations as a space to feel at home when one is travelling.

Zethu: *You know like if you are a travelling person for example, I know I can be in CT, but if I want to go to Durban or Johannesburg, my first port of call would be an lgbt organisation ... Even if I know other people in Durban, but I will first go there. And for me that is about security, it's about belonging. I know these people, we share the same ideas (K3).*

Different struggles for belonging contested established heteronormative values through rights talk, and challenged religious interpretations of marriage and the 'appropriation' of marriage by the religious institutions. For the activists, their identities as lesbian or gay were integral to their politics and inspired their work in trying to bring about social change, and ultimately liveable lives for queers in South Africa. However tenuous the connections, through their identities, they felt some sense of belonging to a 'community' of queers.

### **Out of the Borderlands**

All the participants felt that particularly the Constitution had contributed to a greater senses of belonging. The Civil Union Act did not elicit the same sense of inclusion, with some participants, mostly those who did not want to get married, not feeling that it was an important signifier of belonging. For those who did get married, all said it gave them a greater sense of belonging, but it worked more at the formal level of kinship recognition around property rights and access to care, than a change of position in the society. However, most recognised them as 'paper' rights, and the implementation was uneven, with homophobia evident in government implementation of the laws. Many participants felt a sense of entitlement to their identities and being able to express who they are, but many also mentioned the issue of safety, especially for black lesbians. When asked what should be done to ensure further belonging for lgbti-q, many participants focused on government delivery of education programmes in schools and workplaces. They also suggested in various ways that government and government officials become more accountable to the lgbti-q community, for example, refrain from making homophobic statements, and that gay and lesbian government officials come out of the closet. They also wanted more, and more accurate, representations of lesbians, gays and lgbti-q issues in the media. Others focused on creating safe social spaces for lesbians and gays, while a few identified self-regulation, like conforming to heteronormative 'rules' to be safe. Some activist participants focused on building a movement while others felt that a lot of work needed to be done within faith communities.

### **Strategic management of identities**

Pamella: *We want the lgbt community to educate themselves. Sometimes lesbians forget that they are women and they do all the wrong things and expect the law to protect them. I think sometimes they push too hard, sometimes the way they dress is not right and they don't respect the culture. For example they dress like a man who comes from the bushes*

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and men would feel that they undermine and do not respect their culture. At the shebeen we stay until late, we forget that we are women at the end of the day.

Nkuli: We need to call them [lesbians] and conduct workshops for them and educate them. We need to change the way we think and our behaviour (17).

Bongani: I think the first thing is one doesn't have to behave in a manner that denigrates the term homosexuality, and also a gay person must respect other people so that they might be respected too. I think workshops must be done in the community to teach gay people proper behaviour, especially the young ones, even older we really need that sort of guidance. The community must sort of adopt what we show them (05).

### Safe spaces

Puleng: Ja. I think what we can do, from my side, is to encourage them not to meet straight people, to socialise with them. No matter it is not going to be easy here in the location, but like I used to see in Durban. There are such pubs, like where they're only lesbian and gay, they can go and sit there and enjoy themselves. Because the reason why they end up being victims, you will sit there, and you will talk and talk and talk, and afterwards when the sun sets then you start being the victim. Why during the daytime it was nice, because they are good pretenders, they are really really good pretenders. If they can build the groups. It doesn't mean all the community people they are against gays and lesbians, there can be such a place, where they can drink and smoke and be safe (07).

Gerald: How wonderful it would be to have a complex of old age or retired gays and we can all be together and have fun, a nice place where everything will be done and we can have parties, everybody dressing up or drag if they want to (01).

### Awareness and education

Sue: Mostly; when it comes to gay relationships people don't understand them 'cause they don't have much info about their sexual life. So we need more educational soaps, we need media to do more for gay and lesbian people. We also need police and government bodies, they are the important people in our community. We need ... something like awareness. If I can give an example: last week we went to a soccer conference and we needed T-shirts, then I asked Triangle (TP) for T-shirts, then they gave me those ones ... 'How many lesbians have to die before hate is a crime?' I could see it in their eyes that they are wondering, some said "We are not lesbians, we can't wear this." I told them that it's not about being a lesbian and I could see others that feel comfortable. They even asked where did I get the T-shirts. So all and all I am saying we need more loud things that says something (16).

Gugu: More awareness we need more workshops to educate people ... as I always say, there is no such thing as an unAfrican thing. It's only these abbreviations you just gave me—otherwise we used to be called 'izitabane', 'tomboys', 'imoffie', 'amaivie' but the 'lesbian' word is new (09).

Paul: I think ... we need more positive role models, we need media exposure and we need our diversity to be who we are. I don't think legislation is an effective tool and I really think

it's social change that is required. I have seen that a lot of social changes have happened through the mass exposure that is in the media, globalisation or ... the use of the internet and to connect people. All these are tools which have been used that has allowed us to come a little bit further than we were, but we need more exposure. I think people who identify with specific work within the broader community need to show the public at large that we are perceived not just as one homogenous mass as the community, and that people's perception of gay becomes much broader, and it's not about sex, but for other things. And to help people understand that it's not just gay or straight but there are degrees within that. People identify in different ways you know, and people understand that there are differences between transgender and transvestites (13).

### Media representation

Sarah: I think the media could do a lot. I think there could be far more gay and lesbian characters written into our soaps ... and we watch one, and the gay guys are so whitewashed and outwashed it's unbelievable. They never ... one got married and bugged off ... they never touched each other. So I think, a greater representation of ordinary gay and lesbian people. There are some late-night shows ... and now and again we get a lesbian person, which is lovely. It's nice that it happens, but I think it should be more mainstream and more comfortable. In the print media as well, there should be more positive reporting about women, generally, but also about gay people, not sensational stuff. I think that the magazines, the mainstream magazines should have both; gay people shouldn't have to have their own magazine ... I just think it should be made more ordinary. There should be more movies about gay and lesbian people on the circuit ... not just what is acceptable. At least every week, there should be a lesbian or a gay movie on somewhere ... I think if other groups that are marginalised, were similarly more integrated, that would also help ... So for me, dealing with all those diversities are parts of making gay and lesbian people feel, it's part of making all marginalised people feel more at home. I think that the Police force should be, I don't know—brainwashed (02).

Thando: I think that marriage for those Durban guys [two black gay men, one Zulu, one Tswana who got married with traditional African celebrations and were all over the media] if we do our marriage, and we do our ceremonies, and then we go public (11).

Jon: Ja I think that it's difficult for a lot of people to embrace anything different to what they're used to, because there's not a lot of information out there. There isn't necessarily resources, and there's not a lot of visibility of other people for a lot of issues like that. We were quite ground-breaking in what we did in a certain respect, but it's worked out really nicely, So that if anybody is ever interested that you come across in your work to chat to us about our set-up and how we do things ... (03).

### Government action

Muhsin: Mmmm. I think that I'll give you an example, for the last three years now, we've been trying to get the CGE [Commission of Gender Equality] to support our conference for the empowerment of women, and specifically dealing around sexual orientation and gender identity. And we've seen their strategic plan, and we clearly see ourselves in their strategic plan, but yet there was no support for the last three years. Every year we have meetings with them, and every year they say "Okay this year we will support you" and it

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never comes. So it leaves me with a sense that if government can get more involved in grassroots organisations, spending more money on making the idea that lgbt people are protected in the Constitution more visible, in the media and so on. Having specific training programmes for teachers, the police force, people that are in service. That would seem to me more to be that we are moving in the right direction, that government is moving in the right direction. But on the contrary you hear homophobic remarks made by political leaders then you wonder where we're going (K6).

Lumka: I think we need to have organisations that fight for the rights of the lgbt in the townships because that's where crime is happening and lesbians do not know where to go when they have problems. Also the government should be encouraged to employ people within the lgbt community in senior positions so as to be vocal and at least to have our voice heard, and also to come out of the closet so as to have a positive influence on others (10).

Sarah: People in public office should come out, you know. Look what happens when they're marginalised and they come out with their HIV status. I think that would also help the gay and lesbian thing ... Lynne Brown is out there as a lesbian, she didn't indicate that she's a lesbian, but there are lots of battles to be won ... Whoever is gay, should be out there. We should be open with each other (02).

Ronnie: The government must stand up for our rights. They do nothing to stop the lesbian rapes in the townships. They are not even prosecuting those crimes.

Eve: We need to see far more lesbians on the TV. Just ordinary people doing ordinary things but being lesbian.

Ronnie: South Africa needs to show the way in Africa. The way Mugabe carries on, and now in Uganda too. It's appalling. And this thing of homosexuality is unAfrican is just a bunch of old men trying to hold onto their power. It's about women. That they don't want women to be free, and God forbid that they should express their sexuality however they want to.

Eve: I wish the churches could be more welcoming. I'm sure Jesus loves me just the way I am, because I've got my faults, but my heart is good (04).

### **Accountability from government**

Agnes: It would not be tolerated if people spoke about black people like they do about gays and lesbians. It would not be tolerated if they spoke about blind people, or people in wheelchairs, so why do they get away with it about gay people (02).

Funeka: I think for me, I think I was listening today on TV, the Minister of Human Settlement. There was a woman that asked a question from him and she was talking about women and construction and then she asked him, the department is not doing enough for women in terms of assisting them in terms of skills or whatever, to compete fairly in the department. But what was interesting for me was his response, because the deputy minister was there who is a woman, and then the minister said, the issue of women within the department is handled by me, is not handled by the deputy minister, just because she is

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a woman. So automatically it have to be a woman that's going to be conscious about those issues. For me ... if the world can be like that, or SA can be like that, where if the minister is saying something, if the councillor is saying something, if an activist is saying something it has to be inclusive. You don't have to see Funeka's face to talk about issues that are facing lesbians in communities. It doesn't have to be me. It doesn't have to be something that is Funeka's thing. It has to be everybody's issue. It has to be an issue that is taken on board by the minister or whoever. It has to be the issue that also affects me. When I read something ... I don't have to ask 'where do fit in this thing?' It just has to be automatically there, that Funeka also belongs in this country. Because what the minister is saying, what the councillor is saying, it also covers my own issue as a South African. That can be very nice, and that can be a very nice thing (K1).

Daniel: Look I think the first thing is that one has to remove threats, one has to remove the violence that is taking place against lesbians and gay people, which is a hard thing to do. But I think that one has to have the government actively promoting gay rights. We've got this strange situation, where we've got really fantastic laws. Yet, you hardly ever hear government addressing lesbian and gay issues, in a society they're not. I think we need initiatives to act. Like we need education at schools, active campaigns to stop bullying on sexual orientation, to get school kids to really stand up for gay kids. You know while I was at Cambridge, there was a restaurant that threw out a gay couple for holding hands, and the whole university boycotted the restaurant. So there need to be gay-straight alliances in schools. There you're starting with the education, the changing attitudes, there needs to be a rejection, there needs to be a challenging of religious discrimination more strongly. That's obviously very difficult. Progressive religious ... need to come out more strongly against gay and lesbian violence. And one needs policing ... there must be stronger law enforcement, and disciplining of police officers who are homophobic. All levels of public and to some extent private to challenge practices that create a sense of alienation and belonging by ... and how they ... I think there is this change happening, but it can happen faster (K2).

Liesl: I would say it is one of those big and dream answers, 'big picture'. But things have to change at a very basic level in people's lives, to show, from a very young age, 'you are a citizen of this country'. Life skills at school, like addressing topics that speaks to the inclusion of same-sex and gender identities. So the life skills content as well as attitudes have to change. Not only must teachers stand up for trans and lgbti kids who are being bullied, they themselves must not perpetuate it. There are two levels, there's turn a blind eye which is the subtle one, and then there is the active one, where they are part of it ... an abuse of power.

Then you are talking about shelters ... we've just launched a report, using a case study of a child of 16 ... we tried every possible shelter, ... Social Development, CGE and for every institution there was an excuse "She's a youth, we can't take minors," versus body issues ... we couldn't find anywhere for her ... so in general a huge attitude change, sensitisation because we are overlooking the middle class white suburbia but on the other hand they are the decision-makers. We don't even know if they are gay or lesbian (K5).

## Mobilisation

Gill: Gosh, that is a big question! Assassinate Zuma. Or send him for brainwashing. Demolish the churches that are so vicious ... but seriously, Pat and I don't have real troubles. But until

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women and gays and lesbians can stand together somehow, and fight against homophobia and hate crimes, there won't be changes. I believe the reason why the African countries are so homophobic is that they are afraid that women are getting too cheeky ... what with all that equality ... and religion! Don't get me started.

Pat: We need lots more famous people to come out, like Edwin Cameron and Zackie Achmat ... and more lesbians and gays in ordinary television family viewing. Just another person, not a GAY or LESBIAN, but just another person who is good or bad or ugly or beautiful because they are human (06).

Ecclesia: I think the lgbti community must play a more active role in terms of claiming their rights. I find that many gay and lesbian friends, and people who belong to churches are yearning to belong—to be in a relationship with someone—and on one level they belong because they are members of a church, but I think that is superficial, because when it comes to lgbti rights there are very few who will stand up for their rights or the rights of their friends. There's a sort of reluctance to participate in changing society, and challenging society. Because we are safe now. Or they think they are safe. That's the one thing.

The second thing for me is about faith. There is still so much work to be done. The faiths need to change in their discriminatory attitudes towards lgbti people (K4).

## Sexual Politics

### 'Freedom'—Formal Recognition

White gay activism in South Africa started during the 1950s, organised according to strictly northern identifications; it was a reformist programme seeking accommodation within the apartheid state. The Gay Association of South Africa (GASA) which emerged in 1982 collapsed in 1987 when progressive members joined new organisations aligned with the anti-apartheid movement (Tobia 2014).

The environment of the anti-apartheid struggle with its focus on human rights encouraged queer anti-apartheid activists to form lesbian and gay organisations that addressed lgbti-q struggles as rights issues (Van Zyl 2005a). Homosexuality entered struggle politics through a smear campaign by the apartheid government against Ivan Toms, gay activist in the End Conscription Campaign (Reid 2005a), and when gay black anti-apartheid activist Simon Nkoli came out during the Delmas terrorism trial. He claimed: "In South Africa I am oppressed because I am a black man, and I am oppressed because I am gay. So when I fight for my freedom I must fight against both oppressions" (Gay and Lesbian Memory in Action (GALA) 2007). Simon Nkoli's words encapsulated the stance of progressive lgbti-q organisations about the indivisibility of

rights, and provided an impetus to assert their human rights as citizens in the new democracy. He also speaks to the intersectionality of his identity, as do Funeka (K1) and Zethu (K3).

The non-racial organisations who were aligned with the democratic struggle formed a Coalition of Lesbian and Gay Equality and successfully lobbied to have a ‘sexual orientation’ clause included in the Bill of Rights. They derived their power from being part of the mass democratic movement for human rights, as well as having the ‘weight’ of struggle heroes such as Albie Sachs and Simon Nkoli behind them, as Sarah (02) reminds us.

After winning the struggle for Constitutional protection, the Coalition embarked on a strategic and systematic campaign to challenge all residual discriminatory legislation affecting lesbians and gays. It involved extending a range of rights through decisions in the High Courts as well as in the Constitutional Court: benefits and privileges, such as medical aid or pensions for spouses being extended to same-sex partners; the abolition of the crime of sodomy; amending immigration legislation to recognise same-sex partners as ‘spouses’ (used by four of the couples—07, 08, 12, 13); adoption, reproductive technologies and parental rights (03, 04) and finally the declaration that the common law marriage definition is unconstitutional. In 2006 the Civil Union Act legalised marriages between same-sex partners (Judge et al. 2008) marking a culmination of many years of struggle for formal recognition.

Because of the protections in the Constitution, key areas for formal protections in labour legislation were incorporated in the Employment Equity Act (No. 55 of 1998) (EEA) and the Promotion of Equality and Prevention of Unfair Discrimination Act (No. 4 of 2000) (PEPUDA). The latter also served a symbolic purpose in moving the emphasis in legal discourses about homosexuality away from sex and the bedroom (private) into the workplace (public) (see Van Zyl 2015). Corresponding to the affective dimensions of belonging, Reddy (2009: 344) views these legislative changes as advancing “the administration of justice in respect of queer subjectivity” thereby framing same-sex citizenship within an *ethical framework* of equality, but also in respect of queer *identity*.

The unfolding of this multi-layered history of struggle around the borders of legitimacy, resonates with what Butler and Spivak (2007) call resistance through a ‘politics of performance’—an enactment where freedom must be grasped and legitimation demanded by putting issues into public discourse.

### **Queer Visibilities**

Visibility is an important term of struggle for queer identities, as it engages the ways in which heteronormativities dominate and control physical, social and symbolic spaces,

and how queers interact with them (Tucker 2009: 3). In this section I look at how queer groupings engage with each other, community structures and the issues that affect them.

### **African queer**

In global geographies, a postcolonial process of re-centring South Africa on the African continent is a racialised struggle for belonging which forms the backbone of emerging African identities. Ironically the current construction of exclusively heteronormative African sexualities finds its roots in the appropriation not only of colonial discourses, but also of contemporary religious discourses originating outside Africa (Kaoma 2012), as well as the powerful northocentric discourses of bio-science in the context of HIV and AIDS (Epprecht 2008a). Participants Bongani (05), Gugu and Tete (09), Brenda (16) and Pamella and Nkuli (17) identifying themselves as Christian, African *and* lesbian or gay, upset several heteronormative frames at once. Walter and Gerald (01) were aware of the existence of black gays during apartheid, but had very little contact with them. Black, out and proud queer activists like Simon Nkoli, Bev Ditsie (filmmaker), Fikile Vilakazi (K2, Joint Working Group for same-sex marriage Bill), Zanele Muholi (award-winning photographer), Zethu Matebeni (K3), Funeka Soldaat (K1) and many others play an important symbolic role in making queer black identities visible.

By transcending the boundaries of African heteronormativity, they open up spaces for African queer recognition, and consequently belonging. Numerous studies on black lesbian and gay sexualities and identities are testament to the (complex) emergence of black queers into urban as well as rural society (Donham 1998; Li 2009; Matebeni 2011; Reid 2013; Salo et al. 2010; Tucker 2009). From the great variety of queer African performances that are visible, we must make sure not to essentialise subjectivities or identities, but to contextualise their emergence in different spaces.

### **Pride**

For a brief period during the honeymoon years of the ‘rainbow nation’, white and black activists worked together in struggles for queer visibility—Pride marches or parades, and gay and lesbian festivals (see De Waal & Manion 2006b). Their public visibility and exhibition of ‘queer culture’ make them important sites for asserting black queer visibilities in South Africa. But nothing symbolises the continuing impact of racialisation and the advance of neoliberal globalisation and commercialisation better than the history of Pride events. These ‘festivals’ take different forms, but generally include some form of parade, which is supposed to celebrate the ‘diversity’ of the South African ‘gay’ community, but *de facto* have been contested by lesbians and black queers as exclusionary and politically questionable, either in terms of who organises them, who sets the agendas and who participates in them (Stockdale 2014).

The history of participation in Pride events in South Africa testifies to struggles for recognition within struggles of recognition. The terrain of engagement was condensed to who rightfully belonged in ‘the’ South African LGBTI-q community. Wishfully, Pride events were organised to showcase the rainbow within the rainbow nation, but in reality they could not bridge nor hide the ongoing inequalities in society which were reflected in the events. The clash between Joburg Pride organisers and the One in Nine Campaign in 2012 condensed the boundaries of non-belonging through ongoing racialisation, the de-politicisation and commercialisation of Pride, and questions around access to rights and safety. Key in the debates were ownership and control of the events themselves (McLean 2013).

The first Pride event took place in Johannesburg in 1990 and was called ‘a march’ to resonate with political protest action familiar from the anti-apartheid struggle. In the beginning it was organised around demands for rights, but after 1996 became instead a celebration of those rights (De Waal & Manion 2006a). Since then it has devolved into a largely commercial affair, changing its name to a ‘parade’ along the way. A number of Pride events also take place in other venues: in Cape Town since 1993, Soweto, Durban and Knysna, where many are also accompanied by other festivities such as queer festivals and the highly commercialised annual Mother City Queer Project (MCQP) at the end of the year. But Pride events differ radically depending on the geopolitical spaces in which they take place with black queers taking control of their own events; these usually only include a smattering of activist-oriented white queers. The One in Nine Campaign interruption of the 2012 parade in Jo’burg to commemorate the lesbians who had been murdered in hate crimes symbolised all the faultlines of race, privilege and politics (see also Craven 2011).

Pride events are celebrations of visibility: in the first parade many marchers wore paper bags over their heads in order to remain anonymous. Later events became spaces for claiming of identities, and causes for the contention of identities—like who could represent whom, or who was misrepresenting whom (De Waal & Manion 2006a). Some groups struggled, but white gay men seemed to have triumphed with hegemonic dominance of the ‘mainstream’ events (Stockdale 2014), while marginalised groups in black areas broke away to start their own Pride events, like Soweto Pride and Khumbulani Pride in Cape Town. Needless to say, with the costs of staging these events, access to resources profoundly favours the already privileged. Hence in the heart of ‘the’ LGBTI-q community itself lie the weapons of its unbelonging.

### ***HIV and AIDS***

Like during the anti-apartheid struggle, many LGBTI-q activists are located in organisations struggling to deal with social inequalities based on, for example human rights and health. Through this work they are able to integrate recognition of queer

sexualities as part of their work such as through information or counselling. Thus, their identities as feminists or queer activists also inform their positioning in human rights struggles located outside specific queer activism.

In as much as HIV and AIDS brought African sexualities into the public limelight, same-sex rights struggles reverberating from the North also made African lesbians, gays and transgender people more visible (Msibi 2011). Formulated by the North as a 'gay disease' small groups of gay men started organising around AIDS. So at the same time as LGBTI-q wanted to celebrate their freedom, they had to face another spectre, the 'AIDS crisis' (see Reddy, Sandfort & Rispel 2009). In particular many focused on the impact of HIV and AIDS. Pride events may be focused on LGBTI-q identities, but like their counterparts in the North, queer activists in South Africa also organised around HIV and AIDS. GASA 6010's survival was bolstered by HIV health services for a largely coloured gay community in Cape Town (Gevisser 1995). Arguably one of the most successful mobilisations for rights around HIV and AIDS was spearheaded by out gay activist Zackie Achmat, his sister and her lover when founding Treatment Action Campaign (TAC) (Holmes 2003). In contrast to situating HIV and AIDS in the dominant moralising discourses of sexuality, they advocated progressive views, including same-sex sexualities in their mobilising.

During the spate of hate crimes in Cape Town, TAC became a key ally in organising court protests where lesbians had been murdered, and was a 'parent' to *Free Gender*, when black lesbians took over the group (K1) (Lynch & Van Zyl 2013). This is in keeping with a philosophy of the indivisibility of rights in action.

### **Hate crimes**

Homophobic talk warns people to 'keep in their place', and is a regulatory mechanism to control and maintain dominant hegemony through patrolling the boundaries of heteropatriarchy (see Van Zyl 1991). Destabilising norms is dangerous, and gender-based hate crimes, the logical extension of homophobia or hate-talk, enforce hegemonic masculinities and femininities and heteronormative sexualities. A lesbian is punished for 'trying to be a man', and a gay man for betraying manhood, thus crafting "the contours of what 'real men' and 'real women' should be—and what happens to them if they are not" (Judge 2014: 70). But even women who conform to hegemonic femininities get raped, therefore the focus on lesbian rapes must be placed within the broader context of pervasive rape in South Africa (Jewkes et al. 2010), as claims for hegemonic masculinities.

'Feeling safe' and 'at home' are key components of belonging (Van Zyl 2011b: 54). The increased visibility of South African queers, combined with a rising tide of homophobia fuelled by post-colonial and religious discourses, has left black lesbians living in townships vulnerable to hate crimes (Mkhize et al. 2010)—they are women

who are subject to everyday misogyny overlaid with homophobia. They become the symbolic sacrifices during times of social change (Tomaselli & Van Zyl 1992), bolstered by hegemonic discourses which contend that homosexuality is ‘unnatural’, ‘unAfrican’ and ‘ungodly’ (Vincent & Howell 2014). These discourses defend the boundaries of ‘heterosexual Africa’ through racial demarcation, moral injunction and biological imperative.

The hate crimes against black lesbians also consolidate boundaries of privilege where white people, men and people living in the ‘suburbs’ can enjoy the benefits of citizen rights contained in the Constitution. Seen from a wider perspective these discourses also typify conflicting North–South discourses of value such as human rights eclipsing Ubuntu, and, ironically, the reinstatement of colonial discourses through postcolonial discourses of Africanist nationalism. Other dynamics include the erosion of equality principles through neoliberalism, mixed in with discourses of neoconservatism. Hence, despite being entitled to political rights, belonging in the polity for those who were previously marginalised remains conflicted and compromised through “ways in which constructions of nations and nationalist rhetoric have changed in the growing processes of separating national and citizenship belonging” (Yuval-Davis 2011: 44). The boundary of belonging between security and danger is influenced by identities, place and material conditions, showing that struggles for recognition cannot be separated from struggles for distribution.

A number of black lesbian organisations have mobilised specifically around hate crimes, but also to address broader issues of queer identities and the transformation of homophobic attitudes among police and in local communities (Lynch & Van Zyl 2013). But in these organisations the ‘coming out’ into public spaces and naming yourself is potentially dangerous in a homophobic environment as Funeka (K1) found out to her cost. Yet being one of ‘us’ also provides security and solidarity. Therefore activism is a significant dimension of recognition for marginalised people, because it draws people together in communities of belonging whilst they are struggling for belonging. Funeka (K1), Zethu (K3) and Liesl (K5) are all active in organisations and events to combat hate crimes against lgbti-q.

Hate crimes are the ultimate weapon of heteropatriarchy against active agents—lesbians—who visibly ‘flaunt’ subjectivities symbolising women who are beyond men’s reach and control, and the phallic subject needs to try and regain control (see also Phelan 1999; 2001). In the context of same-sex marriages, lesbians who are potential mothers deny men heteropatriarchal control of women as men’s property for reproduction in the heterosexual family. These fears were patently expressed during the National House of Traditional Leaders’ public gatherings to ‘discuss’ the Civil Union Bill (Reid 2008).

### **Struggles over Values**

As noted above, the struggle for same-sex marriage was conducted as part of a deliberate reformist strategy to change the legislation, but members of local organisations who participated in the public hearings before the Bill was enacted, bore witness to how frightened and humiliated they felt by the hearings. Incompetent (or homophobic) parliamentary coordinators let the hearings devolve into mass homophobic harassment and attacks on the out queers who were present (Bonthuys 2008a). Daniel (K2) tells of Fikile's attendance at these hearings on behalf of the Joint Working Committee and confirms that the hearings only succeeded in creating confusion since it was not a debate; the Constitutional Court had already set an ultimatum for the introduction of a marriage law for same-sex partners (Van Zyl 2009: 371). None were more opposed to this legislation than the Marriage Alliance consisting of a broad range of mainly religiously-motivated political groupings and Africanist patriarchs represented by the National House of Traditional Leaders (Reid 2008), with both lamenting the impact on gendering in marriage. In concert with conservative forces in the USA, they suggested a Constitutional amendment to exclude same-sex marriages (Bilchitz & Judge 2008).

Queer activists working in the religious domain, such as Daniel (K2), Ecclesia (K4) and Muhsin (K6) all use the values of equality contained in the doctrine of human rights as a basis for challenging fundamentalist views which endorse social hierarchies and inequalities, particularly heteropatriarchy. The political struggle for African queer recognition is therefore deeply entrenched in discourses of value—'religion' versus 'rights'. Key in this terrain are issues of identity, values, and the reproduction of society through marriage and 'the' family, marking them out as profound struggles for belonging for queers.

### **A Politics of Belonging**

Struggles for recognition do not work in isolation from one another; they also need to be understood as situated within a broad geopolitical context. Seen as imbued with power, they interact dialectically with each other, and therefore struggles for recognition may involve further misrecognition or abjection of identities. Discourses of value, such as "homosexuality is 'unAfrican' or 'unChristian', or 'unIslamic' or 'unJewish'" have the power to misrecognise. But how does this power to misrecognise weigh up against the formal recognition of rights, in a potent discourse of value? Bongani (05) negotiates his gayness with the heteronormativity and homophobia in his church, while Walter and Gerald (01) and Dominic and Robert (08) sought out inclusive churches, actively engaging in local struggles for queer belonging.

As African queers, Puleng and Anna (07) were homonormative in their gender identifications; Puleng, her family and her community defer to her as a man, even though her body language and appearance are those of a woman and she insists on a lesbian identity. How would traditionalist Africans view her gender? Funeka (11) claims her womanhood in being a black lesbian. So how do Bongani's invisibility, and Puleng and Funeka's visibilities add up for recognition? Both Funeka and Puleng have achieved 'honorary man' status, but this did not protect Funeka from being attacked.

The high prevalence of gender-based violence in South Africa, and specifically the violence against lesbians noted by the participants, also attests to a recuperation and reclaiming of heteropatriarchal values. But what about the work of people like Eudy's minister (K4), and *Free Gender* (K1) who are working successfully in mobilising mothers and grandmothers to resist hate crimes in their communities (Lynch & Van Zyl 2013). The sense of solidarity and support from their community is tangible in the Khayelitsha community where *Free Gender* is mobilising, but the only 'activism' in the white community involves Pride Parades, and Gay Festivals. The 'struggles' are very different. Black queers are fighting for their lives, wanting queer pride to be marches, i.e. politicised, while white queers are revelling in their consumerist power (Craven 2011; Oswin 2007a). The older lesbians socialise privately in each others' homes (Leap 2005).

## **Conclusion: Sexual Politics of Belonging**

With such a small and diverse sample, it is difficult to generalise about different groupings, but the gender, class and race differences amongst the participants showed that for white middle-class queers the 'struggle' was over, and they had achieved their freedom. They are propertied and live in relative safety in suburbs around the city. Puleng and Funeka and Thando have their own houses in the townships, but still face threats of violence, while the black working class lesbians are the most vulnerable to attacks.

Lgbti-q struggles for belonging are happening across the world, with international instruments being developed and endorsed to give formal global recognition to lgbti-q. Despite the homophobia in our society and among our leaders, and in Africa more generally, the South African government have led several initiatives to advance lgbti-q rights. Just this month, the UN Human Rights Council voted successfully to report on violence and discrimination against people on the basis of their sexual orientation and gender identity (SOGI) (Thamm 2014)—various activist organisations encouraged and supported Ambassador Abdul Minty. But we know so

many declarations, such as the Yogyakarta principles that have not been implemented ... or have they? So are we moving forwards or backwards?

Belonging is uneven, and continually being forged through so many shifting discourses, while marriage has multiple intersections with identity, place, community, culture, religion and law, that exclusion in any one of these areas would indicate less belonging overall. So when does belonging become normalised? And when does heteronormativity become queered? Lgbti-q struggles for belonging will not happen only in newsworthy strides, but also by queer people visibly living their identities through everyday lives. Jon and Dean (03) are gay fathers, Puleng and Anna (07) got married by *lobola*, and lesbians are creating a community by occupying a suburban space (K3). Through their relationships and families, queers are creating communities of care which can ensure future belonging for them.

In the final chapter I draw the findings together in a discussion of same-sex marriage as a project of belonging, and reflect on the research process and how it has influenced me.

## chapter nine

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# Same-Sex Marriage as a Project of Belonging

A sexual politics of belonging is about how disciplinary regimes impact the lives of gendered and sexualised subjects. In this study the sexual politics concerns LGBTI-Q citizens and how they experience equality and dignity in their everyday lives—the affirmation of their identities as citizen-subjects and the recognition of their intimate relationships, as well as their struggles for belonging.

In this chapter I address same-sex marriage in post-apartheid South Africa as a political project of belonging, encompassing as it did a range of struggles from micro- to macro contexts. As people who are variously situated outside numerous communities of belonging—families, churches, ‘own’ communities—due to their sex-gender-sexualities identifications, LGBTI-Q struggles for belonging have focused on marriage as a significant threshold of social inclusion. These struggles encompassed identity struggles and contexts of care—situatedness in families or kinship, ‘home’, communities, culture, religion—as well as the juridical. The sexual orientation clause in the Constitution, and the range of laws leading up to the passing of the Civil Union Act created formal boundaries of inclusion. However there is a disjunct between the values which underpin the rights legislation and the cultural discourses through which marriage ideologies of belonging and non-belonging circulate in society.

## Sexual Rights

The right to same-sex marriage had been in the wings of South Africa's sexual rights discourses since the inclusion of sexual orientation as an identity for non-discrimination in the equality clause (De Vos 2007). Anti-apartheid gay and lesbian organisations had consciously taken the historic opportunity when a new constitution was being negotiated, arguing that oppressions are indivisible, and therefore sexual orientation should be included in the Bill of Rights (Judge et al. 2008; Van Zyl 2005a). After the enactment of the South African Constitution (Act 108 of 1996) the Coalition for Lesbian and Gay Equality embarked on a strategic journey to eradicate all discriminatory legislation.

Having established the recognition of lgbti-q identities through the Constitution, the Coalition advocated for the decriminalisation of stigmatised sexual practices such as sodomy. The Equality Clause became the foundation for establishing non-discriminatory policies and legislation, especially in the labour market. It also led to the recognition of intersex people and gave transgender persons who wanted to transition the right to change their identity documents. Another phase of struggle focused on the recognition of same-sex partner relationships through benefits at work, pensions, medical aid and immigration rights. The struggles also gained rights in parenthood, such as adoption and recognition of same-sex partners as guardians, or being the biological parent in surrogacy with partners. The passing of the Civil Union Act ensured formal marriage equality for lesbians and gays, as well as other lgbti-q who want to use it, including gender non-conforming heterosexuals (Van Zyl 2005b). (Some people who have transitioned think that the right to marry under the Marriage Act is a mark of achievement for a transsexual identities).

However, legal challenges meant taking the government to court, with many cases being contested finally in the Constitutional Court. It was within the powers of government to change the legislation without legal challenges, which indicates that despite the African National Congress's overt concessions to lgbti-q, heteronormativity is still deeply embedded in the values of the ruling party, as it is in society at large.

## Belonging

Belonging is an important lens for viewing citizenship as it speaks to substantive citizenship which enables liveable lives, and bolsters self-worth and feeling human. Though South African lgbti-q gained formal recognition in the South African Constitution (1996) through the equality clause in the Bill of Rights, they are still struggling for substantive rights.

When asked to define belonging, participants mentioned shared identities, having emotional connections with people, feeling safe in the spaces they inhabit and

being part of a community. Experiencing values of dignity and respect were also signs of belonging, as well as having formal rights.

Coming out was a key process in the participants' self-identification, and an expression of authenticity about who they are to others. The way in which they were accepted in their families of origin also spoke to their sense of belonging, and founding their own homes with a partner the fulfilment of a yearning for belonging. For a number of participants their commitment to each other was consolidated by getting married, while others said a marriage did not alter their commitment to each other. Values around homosexuality were contested as participants grappled with discourses invoking culture, religion and human rights. Thus, by entering into conversations about their identities, their emotional relationships with others and the values impinging on their contexts (Yuval-Davis 2011) I elicited narratives of participants' sense of belonging.

Some of the stories participants told about experiences of gendering and coming out are accounts of their longing to belong, while the strategic ways of managing their identities are examples of how they negotiate the thresholds of belonging. Coming out as lesbian or gay is a process of making yourself visible as a 'queer' sexual subject (Tucker 2009), and a movement of stepping outside the 'charmed circle' of heteronormative belonging. But heteronormative belonging is not static or homogeneous, therefore different individuals and couples engaged those boundaries differently in different contexts. Thus individuals often begin journeys or movements away from the troubled 'security' of family and 'home' in their families of origin, searching for new communities of belonging. Through this process, queers often wrestle with their identities and 'try out' labels to describe themselves, and by which others can know them so they can become part of a group or community. Belonging is profoundly relational, therefore our identities are shaped by our own sense of self, as well as others' recognition of our complex and multi-layered identities—the stories we tell ourselves and others about who we are (or are not) (Yuval-Davis 2006a: 202).

Belonging is deeply affective, and therefore I examined the participants' emotional relationships with significant others through the lens of contexts of care, where I suggested that notions of 'home' inform their sense of belonging to an intimate community or kinship, and the creation of their own community (D Bell & Binnie 2000). How they met and set up households with their partners in a committed relationship was part of creating their own 'home'; finding a place to call 'home' is a key concept in understanding people's struggles for belonging (D Bell & Binnie 2000). Heteronormative households are organised according to a sex–gender hierarchy of labour, and I looked at how the lesbians and gay men enacted gendered performances in the tasks of their everyday living. This organisation of household labour has also

been a key critique against heterosexual marriage as an institution which perpetuates the oppression of women (Perumal 2011).

Participants engaged with prevalent discourses of value, such as their own cultures or faiths, and how the rights talk embedded in the Constitution and Civil Union Act facilitated (or thwarted) their sense of belonging. A sense of safety and security was a key trope of belonging to magnify the racialisation, gendering and class impact of differentiated citizenship for black lesbians in the townships (Judge 2014; Lynch & Van Zyl 2013).

Finally, through politicised identities activists envisaged themselves as part of a queer community and situated themselves within communities in an ongoing struggle for belonging. Formal inclusion in citizenship provided a powerful enabling platform for challenging the existing constellations of power—heteronorms and gender binaries embedded in heterosexual marriage regimes.

### **Space and place**

Homophobia is still systemic in government, also being fuelled by leaders' homophobic rhetoric (Livermon 2012: 300) and the lack of government service delivery to LGBTI-Q (Nel & Judge 2008), particularly by the South African Police Services (SAPS) (Lynch & Van Zyl 2013; Mkhize et al. 2010). Thence the need for ongoing activism. But both claiming one's rights, and participating in organisations for LGBTI-Q equality requires self-disclosure of one's identity as queer, and therefore coming out. But in a climate of extreme homophobia being out can be dangerous. Therefore the ability to enjoy the 'freedoms' granted by the legislation, is deeply embedded in contexts of safety, which in turn are shaped to varying degrees by intersections of space and identities of privilege.

All the couples had lived in the larger metropolitan area of Cape Town, South Africa for at least seven years. Cape Town is widely advertised as South Africa's 'gay capital', if not 'Africa's gay capital' (Visser 2003), yet this does not guarantee safety for LGBTI-Q people. The 'gay village' in Cape Town may provide a liberated space for some, but it perpetuates exclusions along gender–class–race lines. These spaces emerged as significant in most of the gay couples' stories, with none of the lesbians using them. But some of the black lesbians referred to the need for safe (for lesbians) public spaces in the townships. Thus, though various homoerotic spaces have been carved out in the physical and symbolic landscapes of Cape Town, LGBTI-Q belonging in Cape Town spaces is still shaped by the apartheid geographies of privilege—class, whiteness and masculinities. Spatial geographies resonate in struggles for belonging, but they are complex and layered, reflecting the intersectionalities of social hierarchies. They demarcate sites for the construction of difference and the operation of hegemonic

power struggles, and in the context of neoliberal globalisation, also consolidate the boundaries between the binaries of 'Africanness' | 'whiteness', femininities | masculinities and homonorms | heteronorms as layered identities in globalised cultures.

### **Heteronormative dividends**

At a theoretical level belonging enabled me to concretise the machinations of heteronormative marriages:

- the entrenched symbolism of 'women as property' exchange in marriage;
- how women's identities are tied into marriage and how the lesbians in this study fell outside the category of 'real' women;
- the links between marriage and access to property, particularly for women.

Hence belonging demonstrated vividly the heteropatriarchal dividend of heterosexual marriage regimes which remains invisible in citizenship as formal discourse. Moreover, using an analysis of belonging facilitated exposing the disparity between formal political inclusion and everyday liveable lives as it uncovers the underlying value systems articulated through neoliberalism, and discourses of rights, culture and faith. The contradictions between formal rights and the prevailing values of homophobia which fuel hate crimes, contribute to the precariousness of particularly black lesbian and gay lives, where their sense of belonging is compromised through threats to their security and safety.

However, the law is a powerful enabling tool, and activists have used this power to make themselves visible despite the dangers, and develop platforms for mobilisation. By engaging in struggles for belonging, activists have had some successes in using formal rights as a platform to challenge the values that promote stigmatisation and discrimination of queer identities. This emphasises the importance of participatory citizenship (see Lister 2003) for overcoming differentiated citizenship.

### **Same-sex marriage as a signifier of belonging**

The Civil Union Act is not equivalent to the Marriage Act. Legally it may be a more 'progressive' legal document, opening up further relationships for 'registration' (Bilchitz & Judge 2008), but it doesn't have the same cultural clout, as Funeka and Thando (11) observed. The fact that people are not 'flocking' to get married (Paul, 13) also suggests that it does not hold the same promise of belonging as heterosexual marriage. Though the partners who did get married believed it had given them a greater sense of belonging, they married after being together for a number of years, and seemed primarily to claim the kinship benefits of property and care, rather than cultural integration.

Most of the couples in this study did not take marriage as part of a ‘natural’ progression in their committed relationships, indicating that they were not caught in the heteronorm of marriage as ‘inevitable’ for committed couples. The considerations they gave to marriage involved acceptance of their queer identities by family and friends, but also that people in their circles of care recognised their partnerships. The main reasons given by those who got married—whether by CUA or other marital regime—were to establish formal claims in kinship and each other’s property; they did not believe that marriage would necessarily enhance their established commitment to one another, nor impact their social and cultural identities or status through being ‘married’.

Unlike most heterosexual weddings, the couples had quiet ceremonies, with intimate friends and close family. Except for one couple, the lesbians did not follow the gendered cultural rituals symbolising ‘women as property’. Those who chose not to marry gave varying reasons. The black lesbians were concerned about families: some were scared to come out to their own families, while others wanted recognition by their partner’s family. Several gay couples felt they were already in *de facto* marriages and that formal marriage would not contribute any value to their relationship, as they already had formal rights in the Constitution.

For the same-sex couples in this study marriage was an important right to freedom and choice, but they did not feel compelled to get married—unlike the social pressure usually experienced by heterosexual couples. The pressure to get married is higher for women than men, so the lesbians in the study were more focused on the implications of marriage than the gay men; for them ‘marriage’ was also about securing protection against the ideologies of heteronormative families by establishing independent kinship and care responsibilities, and property relations that could not be usurped or appropriated by families of origin. By marrying another woman, lesbians take themselves outside the circle of patriarchal values which dictate that a woman belongs to the family of her father, until she is given to another man—her husband.

Sarah (02) wonders if same-sex marriage is not a ‘step too far’ (see also Van Zyl 2011b), with a number of authors making the link between hate crimes and same-sex marriages (Judge 2014; J Scott 2013). Melanie Judge (2014: 71) argues that the attainment of formal rights to same-sex marriage has not delivered sexual and gender liberation, because it did not emerge from “a strong and enduring social movement that cuts across intersecting exclusions and related subject positions.” The law gives conditional recognition, for example through fixing identities and marriage forms it can inhibit revolutionary possibilities such as fluid identities and discourses of equality. For instance, once brought into the marital fold with its manifest ideologies of family, property, insurance etc. can it resist northern neoliberal and consumerist values

implicated in upholding hegemonic masculinities and femininities? And more importantly, how do queer communities challenge the multiple forms of Othering which endanger the lives of fellow queers?

Jessica Scott (2013: 1) problematises the global movement for the legalisation of same-sex marriages, emphasising that marriage is a “mechanism not only of heteronormativity, but also of racialisation”. She rightly argues that consolidating heteronormative institutions lies at the root of homophobic violence and hate crimes, but does not explore the subversive potential of marriages performed differently. Furthermore, she says prioritising same-sex marriage in the global struggle for lgbti-q rights makes social and economic rights invisible. But whose social and economic rights is she talking about? She suggests that black lesbians in South Africa are paying the price for entrenched heteronormativity as they can get married but “cannot be guaranteed physical safety” (15). But presenting positive and negative rights as either/or choices, negates the agency of black lesbians: firstly it perpetuates images of black lesbians as victims and vulnerable, and denies the agency of black lesbians who want to get married, and what that might mean for the visibilisation of black queer bodies. Yet Scott highlights how same-sex marriage positions citizens differently, and thereby emphasises the boundaries between citizens in different social locations.

And yet. There is empowerment or *power-to* in the ability to choose to get married, and the power to change the qualities of our relationships of care to be egalitarian instead of hierarchical. The notion of belonging refers to the interface between self and others, self and society—it is based on trust, confidence and a sense of safety, and linked to spaces and places. Through national, cultural, sexual and spiritual attachments it represents a longing for stable emotional connections which reaches from intimate to community to national and global levels.

Citizenships and identities, as well as ‘cultures and traditions’—in fact all signifiers of borders and boundaries play central roles in discourses of the politics of belonging ((Yuval-Davis et al. 2006: 3).

Same-sex marriage has been regarded as a critical signifier for lgbti-q equality in liberal democracies (Badgett 2010; Brandzel 2005; Hull 2006), and is a primary site through which sex–gender–sexuality boundaries are contested. Therefore foregrounding same-sex marriage as a project of belonging is set against a background which elucidates the mechanisms by which heteronormativity is institutionalised. The participants’ stories of who they are, how they came out and their relationships with significant others may appear to reproduce heteronormativity, but heteronormativity desires people of the opposite sex performing according to gender rules of masculinity and femininity in hierarchy. With people of the same sex in a marriage mixing up gender roles and relating as equals, the basic requirements are thwarted. Is this not

the threat that drives heteropatriarchs to hate discourses and hate crimes? And what power calls forth such violent responses?

Same-sex marriage as a project of belonging provides a lens for understanding the relationships between the emotional, the normative and the political. The participants who were married all felt a greater sense of belonging as a result of being able to get married, yet they understood, and in some cases wanted their marriages not to be ‘the same’ as heterosexual marriages. Some felt that it was not recognised or acknowledged as legitimate by the rest of the community. So it bears asking what would have happened if parliament had not enacted the CUA and allowed to Constitutional Court ruling on the Marriage Act amendment to stand? For the participants, marriage certainly didn’t represent the life-changing moment envisaged in marriage ideology. Some used some of the same ‘traditional’ rituals and styles, but seeing two lesbian brides in white wedding dresses is just a little bit different to the icons of a tall imposing bridegroom and diminutive bride. And what happened to the father of the bride giving her away to the groom? How was *lobola* to be negotiated without a ‘man’ and a ‘woman’, and what *makhoti* leaves her new family to look exclusively after her ‘husband’? What happens when two men do not give differential value to household tasks? And what stops a man and a woman from doing the same? But in the end, it takes trust, and courage and faith and endurance to be different, and to do things in a different way—a way you believe to be better, more equal, more ethical, for yourself as well as others.

The Constitution provided the formal recognition for queer identities, which led to a springboard for making a great diversity of queer identities visible in South Africa. In ‘time-honoured tradition’, those with privileges tasted freedom first, and most. The potential for belonging offered by the Civil Union Act has opened a gateway for alternative families, kinship and communities, and provides an invitation for instituting different ways of performing love and commitment. These are all levels of engagement which are cohered through Nira Yuval-Davis’s (2011) framework for analysing same-sex marriage as a multi-layered project of belonging.

## **Culture vs Rights**

For several decades debates have raged around the relationships between rights and culture, where they have variously been placed as oppositional. Many feminists have focused on culture as disciplinary regimes which thwart women’s equality (Tamale 2008). However, cultures are fluid and constantly being influenced and changed by the socio-political forces around them. Consisting as they do of the range of ways in which we conduct our everyday lives, it is important that the values of equality and dignity upheld in rights, become inculcated into cultural values (Ibhawoh 2000). As people

who are struggling for acceptance in numerous communities of belonging—families, churches, ‘own’ communities—because of widespread homophobia, it is important that queer belonging becomes reflected in the values operating in contexts of care.

Ubuntu is still practised in African communities, and as a practice of care it provides a ‘cultural’ framework of value which can serve to welcome queers into black communities. Precolonial practices of gender non-conformity, such as the acceptance of more fluid gender identities is still to be found in African communities. Bonny Ibhawoh (2000: 840) calls contexts of care ‘micro-cultures’. He suggests a ‘common sense approach’ of integrating rights into micro-cultures so that ‘rights’ have cultural legitimacy. Most of the lesbians and gays in this study have successfully struggled for changes in belonging in their communities of care. Perversely, the violence against lesbians has also called forth a reaction from communities, where for instance mothers and grandmothers are participating in mobilisation against homophobia. Religious ministers are also looking for new ways to reconcile queer identities within their religions.

This suggests that contexts of care—micro-cultural contexts—are key struggle sites for affirming values which resonate with the human rights values of equality and dignity. Though national constitutions are powerful enabling tools for setting human rights standards which can be enshrined in law, culture is the terrain where everyday struggles for changing values need to be fought.

### **Mobilisation around belonging**

Constitutional protections against discrimination have proved invaluable for South African queers, giving them a platform from which to mobilise, but human rights activism must be synergised with cultural values through dialogue and debate. Africanising ‘queer’ is already beginning to overcome the racialisation which aligns homosexuality with white, northern values, set against a ‘pure’ African heterosexuality. This requires the strategic visibilisation of African queer diversities, through numerous avenues ranging from community marches, academic publications to multiple media and the internet which allow queers across Africa to connect.

But heteropatriarchal hegemony will continue to consolidate their power and advantage, i.e. control of resources and discourses. Because struggles for recognition cannot be divorced from struggles for distribution, queers need to affirm their humanity through participation in progressive cultural and political movements. Principles of African socialism which affirm sharing and distribution need to institute Afrocentric values of care as public values which overcome the private–public divide. Most importantly, we need to reach beyond individual ‘rights’ to the quality of relationships between people—‘traditional’ values of love, care, acceptance, support,

respect and responsibility—epitomised in micro-contexts like families, churches, communities. We need to emphasise human capabilities in loving and caring for one another. It means queers' families, friends and allies need to mobilise and become more outspoken in struggles for queer humanity. Therefore activism should not be based on identities of 'difference', but on values that emphasise belonging in a community so that cultural values are a reflection of collective social strength.

It is unlikely that queer Africans will achieve justice through human rights mobilisation alone; it is necessary to find synergies between African histories of queer sexualities, values of communalism and the power of the human rights paradigm. We have to move away from the essentialisation and naturalisation of identities, and focus on the quality of human relationships. As queer activists we need to strategise for micro contexts of care where cultural change can come about more easily than at the macro or structural level, and not fall into the universalisation that accompanies global struggles and values. This does not mean that the formal political level should be ignored, but should be used to secure formal recognition and muster solidarity, but on our own terms. Moreover, we should position our struggles in the context of global struggles for resources and for knowledge, including developing Afrocentred theory to speak to our contexts and also engage global struggles.

## Reflexivity

In this final section I provide a brief reflexive account of my engagement in the study, and discuss its limitations and potential. I end by providing participants' directions for future belonging. But first I want to tick the boxes on the research questions.

### Research Questions

The key research question was: How has the Civil Union Act impacted their sense of belonging for Capetonian lesbians and gay men in long-term intimate relationships?

This prompted an inquiry into:

1. The history and context of same-sex relationships in South Africa.

In Chapter 1 I positioned myself in the field of study, and situated the subject of sexualities as knowledge within an African context. I also mapped out the historical making of the Civil Union Act. In the literature review in Chapter 2 I developed a theoretical lens for understanding queer sexualities in South Africa. In Chapter 3 I

discussed the literature on citizenship and belonging, and advanced Nira Yuval-Davis's framework for belonging to analyse same-sex marriages in South Africa.

2. The values underlying contemporary discourses about same-sexualities in South Africa.

Through the literature review in chapters 2 and 3, I elicited the current and past discourses of value which impact same-sexualities in contemporary South Africa. Through the interviews I identified several strands, but focused on human rights discourse, culture through tradition and religion, and neoliberalism through 'global gay' identities and presented and analysed them in chapter 7.

3. How lesbians and gay men who are in committed relationships experience and perceive belonging in their everyday lives in Cape Town.

In the findings and discussions (chapters 5, 6, 7 and 8) I found out how participants perceived 'belonging', and untangled the complex and multi-layered feelings of belonging (or non-belonging) as experienced by the participants. In particular I identified the boundaries around which struggles for belonging are waged.

4. To what extent has the Civil Union Act facilitated a (greater) sense of belonging for lesbians and gays in South Africa?

Through the interviews, participants demonstrated that the most enduring change in their sense of belonging was fashioned through the equality clause in the Constitution. For complex reasons to do with their own contexts, values and beliefs, their sense of belonging as a result of the Civil Union Act was mixed, both individually as well as in a cohort of participants. These conclusions are presented in this chapter above.

5. What interventions are needed to ensure belonging in the future?

Though they felt that much had been achieved for LGBTI-Q belonging through formal recognition, participants had many suggestions as to what needed to be done to ensure future belonging, showing that belonging is a process of being and becoming. I address these further down in this chapter.

## **Reflection**

Reflexivity is a review of the process of the research and the researcher's place in it. I look here to issues of power: my relationships with the topic, me and the participants, and consequently what I know about them, how the research process has hindered or helped the knowledge I present in this thesis. I also talk about my relationships with my lover and my family.

**Partiality**

This was a project close to my heart, as I am a married lesbian, who has been with my partner Pauline for 20 years, and married since 2006. Despite their acceptance of Pauline as my partner, after my mother's death in 2005 I realised that my siblings did not really see her as legitimate 'family'. I feared that they might try and claim my half of our joint property on my death, and I wanted to make sure that Pauline was recognised as my primary kin, and would have control of all my assets. Therefore my marriage has given me enormous material security, but has not touched our commitment or love for each other. So yes, there is a sense of greater belonging, because my family knows there's a boundary they cannot cross.

I interviewed three couples who are close friends, and one of enduring acquaintance. In the brief descriptions of the participants I also revealed my personal relationships with them. Therefore I consciously let the 'knowledge beyond the interview' be reflected in the quotations from participants—a practice consistent with narrative inquiry.

I felt most in control in the interviews that I conducted, and where I (and the participants) were fluent in the language. I felt that my friends and acquaintances would be open with me, as we have ongoing friendship relationships that are egalitarian. I felt most vulnerable in the isiXhosa interviews with black lesbians as I had given control of the interviews to Ntando and Pam, the research assistants, and didn't want to break the flow of conversation with interruptions. Though I thought I had understood most of what was being said, I was still uncertain of my interpretations. Therefore I depended on the research assistants for interpretation, and for the translated and transcribed texts which I found quite stilted. But I had built up a good rapport with them, so I felt they mediated my relationships with the participants well.

Brian accessed most of the gay couples, and was a good interviewer, so I stayed in the background, and probably heard elements of gay culture that would not have been divulged had I been the main interviewer. I felt angry with Bongani and/or Brian, when we arrived and Thabani wasn't there, but decided to carry on as it had been difficult to find a black gay man in a long-term relationship who was prepared to be interviewed. On one occasion I felt very powerless after having done an interview, when I was waiting for the second consent form to be signed and sent by email. It was not someone I had known before, so I didn't want to press too hard in case there was a problem with the transcription which wasn't being expressed. I also didn't want to anticipate problems, so tried gentle questioning until the consent form was eventually signed, and the delay seemed to be due entirely to time pressure. Power balance was restored, and I felt in control in again.

In quoting the participants in the dissertation, I tried to keep as close to their stories as possible, to retain their idiolect, and only edited where it didn't seem to affect the story. However, it was impossible to give all their stories in totality, and I hope I have done justice to them all. But in the end I had all the power about what to reveal about them. Only their trust and my integrity can make sure that I have maintained confidentiality and anonymity as I should.

Because of interviewing friends, and using the *qongqothwane* (snow-ball) method of sampling, the participants most likely reflected the values of my own community. This emerged in situations where I got drawn into the conversations—where my comments could be construed as 'leading' questions. However, consistent with narrative methods I have tried to make these dynamics patent to the reader.

### **Ethical Issues**

Participants were given the option to use their real names or pseudonyms. But telling stories is not only about the participants' themselves, and involve people close to them too. I was still in contact with many of the participants when I was publishing the two papers for *Journal of Social Issues* (Van Zyl 2011a) and *Agenda* (Van Zyl 2011b), and two participants asked me to use pseudonyms to protect their families after having said I could use their real names. Unfortunately one participant responded after the papers had been published, but asked me subsequently to omit some details in her story. Altogether there were ten participants who used pseudonyms, and therefore I felt I needed to change some details in their stories to respect their anonymity—names of people and places. I decided not to reveal who they are, so all the stories have the same status.

Giving rewards or remuneration for participating in research is not deemed appropriate in research. But I have moral objections to the often extractive relationship with participants in research, so decided to give people gifts as thanks for giving up their time. I have coordinated a number of research projects in Cape Town, and particularly in poorer areas have given shopping vouchers as tokens of gratitude for their time. But why not give money? I felt uncomfortable in putting a monetary value on it, because I would then not be able to afford it. But I also believe that one must not take away someone's power to gift something to others. In all the interviews I conducted, the participants felt that it had been interesting for them too. So I stuck with the thank you gifts—a box of luxury chocolates. Since these are not spoken about as part of an exchange, but given as a surprise after the interview was completed, I believe it did not affect the spirit of generosity by the participants, or the information given, nor the possible pleasure derived from doing the interview.

## How I Changed

As a feminist who is deeply critical of heteropatriarchal formations of power, and constantly seeking ways to subvert them, I was critical of marriage. But when the opportunity came our way, Pauline and I realised that same-sex marriage offered security which we could not access easily in another way. I wanted to find out how other people felt about same-sex marriage, and whether they would grasp the opportunity. Some have, and some haven't.

Being part of LGBTI-q struggles for recognition since the late 1980s, and a member of OLGa when we made the proposals for sexual orientation equality to be included in the new democratic constitution, meant that I felt invested in the Constitution and its promises. However, as a consultant and activist frequently working with working-class communities on social justice issues, I am also aware of how deeply Constitutional rights have failed people. However, as a white, middle-class educated woman, it had worked for me. Therefore, I was sensitive to the ambiguities of rights on paper versus people's lived realities. But I am also an optimist, and possibly projected the happiness of my own marriage onto the interpretation of the data. Fortunately my supervisors kept asking critical questions.

The more I read about the connection between same-sex marriage and hate crimes, the more irritated I became. In South Africa we have the most appalling instance of gender-based violence, regularly making news as having the 'world's highest rape rate'. People have speculated that because of feminism, men are feeling threatened. I know that the anti-apartheid regime became increasingly repressive and violent as 'consent' to oppression became fragmented, and the anti-apartheid movement grew stronger. Yet we did not decide to give up the struggle. Must we stop the feminist struggle because women are getting raped and killed? Must we give up the LGBTI-q struggle for visibility because black lesbians are getting raped and killed? I have decided to stand side by side with Funeka and *Free Gender* to do what activists do, go on fighting for what we believe in the best way we know how.

Though this study has given me more confidence in the enabling possibilities of the law, particularly in using the Constitution to argue and fight for our rights, I know that is only the beginning. One example is the slow evolution of hate crimes legislation. But more importantly it needs to be accompanied by parallel projects for queer visibility, through activisms that challenge discourses of homophobia such as in the churches, mosques and synagogues. It is also important for queers to be integrated into communities as ordinary human beings beyond 'sex'. Marriage and family life is one significant way of doing this.

## Limitations / Potential of the Study

Making use of a small sample of people from Cape Town means there are severe limitations on the study's generalisability, but as a narrative researcher I never wanted nor expected that. The in-depth narratives provide glimpses into the contradictory and layered lives of queer couples and activists. And herein lies the potential of the study for future research: I did not explore the partners' values and commitment to non-heteronormative lives, nor their communities' responses to same-sex couples in their neighbourhood. Maybe the power of homophobic discourse has us in its grip, because though people experienced homophobia and hate crimes, they also experienced a lot of acceptance, especially over time. This persuades me that investigating queer visibilities as a driver for belonging can be expanded, to give direction to future activism. It also needs to be asked how far struggles for belonging are not processes of normativisation. Therefore I suggest the following topics for future research:

1. The impact of a visibilisation of queer identities, and how they differ in different social locations and spaces.
2. How same-sex marriages are integrated into kinship systems.
3. New non-heteronormative performances and rituals for marriage engendered through same-sex marriages.
4. Communities' responses to same-sex families in their midst.
5. Activism for making visible alternative discourses of value based on human rights and equal respect and dignity.

## Directions for Future Belonging

As an activist, I am also interested in the directions for advocacy suggested by the participants. For most of the participants the struggle for formal recognition had worked, as they felt an entitlement to the rights offered by the Constitution. Therefore visibilisation has emerged as an important strategy of struggle, especially to affirm queer black sexualities (09).

They supported more visibilisation of queer sexualities and issues through programmes in schools (K5), workplaces and communities (09; 11; K2). Daniel (K2) and Liesl (K5) focused on bullying, asking especially that teachers stand up, and Muhsin (K6) asked for teacher training.

- Important people, positive role models, for example government ministers need to come out of the closet (02; 06; 10; 13).
- Shift attitudes towards queers through visibility (02).

- Participants felt the lack of available information about queer identities as they were growing up. This could be achieved by education in communities but also through media (03; 11).

### **Government**

Many suggestions arose about how government needed to deal with LGBTI-Q issues.

- Everybody should be taking responsibility to deal with LGBTI-Q issues, e.g. housing, health etc. (11).
- Stop homophobic speech from government officials (04; 06; K6).
- Train marriage officials at Home Affairs (02).
- Government must employ queers to make them more visible and to run projects of education (03; 10).
- Many—mostly the women—complained explicitly about the ineffectual implementation of legislation to protect them against discrimination and homophobia (02; 04; 06; 08; 10; 11; 13; K1; K2; K5).
- Hate crimes: train the police on the issue of homophobia and hate crimes (02, 04; 11; K6); hate crimes legislation and conscientious prosecution of perpetrators is necessary (K2).
- Government needs to support organisations doing sensitisation work (K6).
- The SA government should take the lead in fighting homophobia on the continent (04) and in the world actively promoting LGBTI-Q rights (K2; K4).

### **Media**

- People also felt that we needed more, and more accurate representations of queers in the mass media (02; 04; 06; 13; 17).
- Mainstream LGBTI-Q in the media: magazines should be inclusive of LGBTI-Q issues (02) and do more positive reporting about gay people (02; 04); there should be more novels, movies etc. in the mainstream (02).
- Same-sex marriages in the media, go public, share information about our lives (03; 11).
- Make more use of activist media, like pamphlets and T-shirts (16).
- Desexualise images of gay and lesbian lives (06; 13) and show more accurate depictions of different constituencies within LGBTI-Q, e.g. transgender issues.
- Africanise queer identities (09).
- Through globalisation we can open up issues using the internet and digital connectivity (13).

### **Civil Society**

- Churches must stop their homophobia (02; 04; 06; K2; K4).

- Creation of exclusive secure and safe communities, e.g. old-age villages (01).
- Creation of exclusive queer social spaces for safety (07).
- Others issued warnings for queers to ‘behave’—often saying they should not challenge gender norms (05; 17).
- Respect for others, which would earn respect for oneself (05).
- Lgbti-q must take up their rights (K4).

### **Activism**

- Create shelters for ‘refugees’ from homophobia and transphobia (K5).
- Activist organisations fighting for lgbti-q rights should be supported (06; 10; K6).
- Create solidarity in communities through working in the community (K2; K4; K5).

### **Where Next?**

These stories of belonging are about everyday life, strangely about an invisibilisation of queer lives, as a receding into ‘normality’, while simultaneously challenging and changing that ‘normality’. Who are the arbiters of ‘normality’? ‘Normality’ is a sliding signifier. It is about shifting focus from ‘sex’ to ‘erotic justice’.

- what meanings do their stories hold for queer studies.
- how conclusions advance knowledge in the discipline

## **Conclusion: Same-Sex Marriage as a Project of Belonging**

The globalisation of the human rights paradigm has become integrated worldwide into discourses about democracy and liberation. The United Nations Declaration of Human Rights in 1948 also inspired the 1955 Freedom Charter which formed the foundation of the current South African Constitution (Van Zyl 2005b: 234). The anti-apartheid struggle gained international popular support through its rhetoric of human rights abuses; and through the international lesbian and gay association (ILGA) queer issues gained legitimacy locally. It was on the basis of the indivisibility of human rights that sexual orientation was included in the equality clause (Van Zyl 2009: 371).

Local lesbians and gays have written themselves into the identities proffered in the international human rights and lgbti-q struggles discourses, but have adapted and expanded them to accommodate local conceptions of what it means to be locally queer (see J Lewis & Loots 1995; Matebeni 2011; Reid 2013; Sanger & Clowes 2006;

Visser 2003). Thus, identities shape belonging to a global community through resonances with marginalised people elsewhere. Neoliberal discourses of consumption also impact sexual identities through dominant discourses on fashions, lifestyles, sport and leisure.

Many authors have concerned themselves with the notion of belonging underscoring that it is at once philosophical and sociological, psychological and political, but always deeply affective. Moreover, belonging is an achievement (V Bell 1999) through performing identities which resonate with others. The achievement of same-sex marriage has also not come without cost; making visible the 'threat' to heteronormativity has elicited violent responses. By transgressing the hegemonic 'natural order of things' queers disrupt the binaries between masculinities and femininities which are sustained by the sexual binary (Judge 2014: 69), and threaten the ideologies of 'women as property'. Thus, formal recognition of same-sex marriages is a powerful foundation for displacing those binaries, unless of course queers enact their marriages in homonormative ways.

Marriage is the legal gateway to a vast array of tangible and intangible protections, responsibilities, and benefits, many of which cannot be replicated in other ways. It is also a site of power which provides social protection to hegemonic forms of kinship, and duplicates culturally hegemonic forms of monogamous, committed, couple relationships. It may also signal an incorporation of heteronormative values and create new levels of exclusion, especially of transgendered and intersex individuals as it reinscribes gender binaries. But why should we assume that lesbian village queers are 'victims' of normalisation? Through their performances of alterity they might well be queering the community through challenging the assumed heteronormativity of everyday life—embodied gender performances have their own subversive energies, capable of gradually shifting the boundaries of acceptability.

As formalised institutions, same-sex marriages have the potential to subvert beliefs, attitudes and perceptions about gender, sexuality, privacy, family, culture, religion and social organisation as they call into question deeply-held hegemonic precepts about the distribution of heteropatriarchal power. Moreover, as these performances are amplified across communities and cultures, and from place to place, queer recognition gains solidarity through *power-with* (Allen 1998b).

In her book *Belonging: Solidarity and Division in Modern Societies* Montserrat Guibernau (2013) explores belonging as choice. At various times in the interviews, all the participants, especially the activists, indicated that they felt a sense of belonging in 'the' queer community through using 'we', while at the same time acknowledging the differences within. Therefore, it speaks to how the participants linked themselves into available collective identities, and how their sense of 'self' derives from a range of axes

and social locations, not all of which necessarily fit seamlessly or comfortably with one another, nor within the assumed boundaries of heteronormativity or gender hierarchies. How is power distributed in the way queers perform marriage and its attendant relationships?

## Epilogue

Belonging for queers in South Africa is deeply politicised. Suffused with power struggles around normalisation versus authenticity, it encompasses personal and systemic struggles from micro to macro level. It reaches into our most intimate and personal, recognition for who we are as humans and the valuing our lives as liveable lives. It speaks to who we are as spiritual beings, and to our everyday struggles with people whom we love, and for people whom we love. It is social and political as we cling on to and try to claim the positive and negative rights promised by the Constitution. For the participants in this study it is less about sex and sexuality but more about creating contexts of care and living 'ordinary' lives in their communities—security, home, safety, love, care. The sexual politics of belonging is about attaining substantive citizenship: recognition of our identities, support for our social and emotional relationships, and upholding of our rights. It is about a state prepared to facilitate processes where our rights are integrated into a culture and community which respects our rights.

It has been eight years since the passing of the CUA, some lesbians and gays from all the communities are quietly getting married. Others make headline news, amidst reports of homophobic legislation being enacted in other parts of Africa. On the social media, gay and lesbian weddings parade brides and grooms and hosts of attendants in lavish displays of consumerist power. Gay—often stereotyped—and, less frequently, lesbian characters slip in and out of soapies. Lesbians, transgender people and women continue to be raped and murdered in horrific display of sexual assault. Mourning communities draw together in this aftermath of violence. And as the contestations around Pride testify, there is something to celebrate, yet the struggle for equality is far from over. The Constitution has provided an enabling tool—a platform for mobilisation. Religious activists are working with, and in, the churches, mosques and synagogues. Lgbti-q activists are pressurising government for hate crime legislation, while NGOs are running programmes in schools to address bullying, and doing training with the police for better implementation of lgbti-q rights. Queer belonging is about balancing on the edge between normalisation and self-actualisation.

I end where I began. Change is a slow process. It took more than a hundred years for anti-racist activists to formally abolish apartheid (but not racism). We have only just

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begun to address gender and sexualities oppressions, and heteropatriarchy is deeply entrenched and very powerful. We just have to keep going, and hopefully learn from our mistakes. To quote a Holly Near song (or words to this effect): “Like little drops of water we will wear away the stone.”

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## Appendix A

### *A Sexual Politics of Belonging*

## **Information**

SOU U VERKIES OM AFRIKAANS TE PRAAT?

**You may keep this form for reference. Please read it very carefully before signing the two informed consent forms – the first one for conducting the interview, and the second when you sign off on the transcription.**

### **Introduction**

My name is Mikki van Zyl and I am doing a doctorate at Stellenbosch University on same-sex 'marriage'. I want to ask you, as an 'out' and self-identified lgbti-q person, how the Civil Union Act of 2006 has affected your sense of national belonging. The information will be used in my thesis and hopefully for subsequent academic papers. I will be supervised by Professor Amanda Gouws in the Political Science Department. Her contact details are listed below. My co-supervisor is Professor Philomena Essed at Antioch in California. There are also contact details for Ms Maryke Hunter-Hüsselman, who can tell you more about the rights of research subjects.

With your permission I would like to tape record this interview. I will personally transcribe it, and then send you a copy of the transcription. You will be able to change anything or mark it 'off the record' if you like. You will need to 'sign off' the transcription by signing a special Informed consent form 2 for me to use your interview in my thesis, and in academic papers based on the thesis.

### **Being named**

You may remain anonymous, or you may choose a pseudonym for how I will refer to you if I quote you in the research. If you prefer to use your own name that is also acceptable. You will be able to indicate which you prefer on your Consent form 2. All the consent forms will be stored in a sealed envelope in a safe at my abode, presently a house at 54 Kloofnek Rd. Tamboerskloof, Cape Town 8001.

The digital copies of the interviews and transcriptions will be stored on my personal computer which is password protected. When the research has been completed, I would like to donate them to the Gay and Lesbian Memory in Action Archives at Wits University to contribute to the material documenting lgbti life histories. Otherwise I will keep them or you can ask for them to be destroyed – as indicated by you on Informed Consent form 2.

**What the interview is about**

Firstly I'd like to understand how you understand what it means to belong. I'd also like to know more about who you are, how you identify, and how you 'came out'. I'd also like to know something about your experiences of same-sex relationships, and how you feel about our Constitution and the Civil Union Act.

Please regard this as an open conversation. You can also ask me any questions if you feel like it. Also remember that you do not have to answer any of the questions if you do not want to, and that you may end the interview at any time without giving a reason. None of this will prejudice you in any way.

Thank you very much for volunteering to speak to me. Be assured that I will guard the information with utmost discretion. I am experienced in doing research on sensitive issues like gender-based violence and sexuality, and know how to keep information about my interviewees confidential.

Is there anything you'd like to ask me now?

Are you happy for us to begin?

Please will you sign this consent form for me. They will be kept in a sealed envelope in my safe at home.

Please feel free to contact me or either of the persons below if you need more information.

<b>My contact details</b> are:	
Mikki van Zyl 54 Kloofnek Rd Tamboerskloof Cape Town 8001	Tel: +27-21-424 3789 Cell: +27-76-687 8855 Email: <a href="mailto:mikki@simplysaidanddone.co.za">mikki@simplysaidanddone.co.za</a>
Contact details of my <b>supervisor</b> :	
Professor Amanda Gouws Dept. Political Science Stellenbosch University Private Bag X1 Matieland 7602	Tel: +27-(0) 21-808-2414 Email: <a href="mailto:ag1@sun.ac.za">ag1@sun.ac.za</a>
Contact details for <b>information about the rights of research subjects</b> :	
Maryke Hunter-Hüsselmann Coordinator: Research (Human Sciences) Div. of Research Development Stellenbosch University Private Bag X1 Matieland 7602	Tel: +27-(0) 21-808-4623 Fax: +27-(0) 21-808 4537 Email: <a href="mailto:mh3@sun.ac.za">mh3@sun.ac.za</a>

Please feel free to contact me if you remember anything more that you would like to share. I'd also appreciate it if you could pass on my details to anyone who would also like to do an interview with me.

## ***A Sexual Politics of Belonging***

# **Inligting**

WOULD YOU PREFER TO SPEAK ENGLISH?

**U mag hierdie vorm hou vir verder verwysing. Lees dit asseblief noukeurig deur voordat u die twee toestemmingsvorme teken—die eerste is vir toestemming om die onderhoud te voer, en die tweede wanneer u afteken op die transkripsie van die onderhoud.**

### **Inleiding**

My naam is Mikki van Zyl en ek is tans besig om my doktorsale studie aan Stellenbosch Universiteit te voltooi oor dieselfde geslag huwelike. Ek wil u vra, as 'n huweliksamptenaar watter impak u dink die Civil Union Wet van 2006 het op lgbt mense in die land, en of u dink dit hulle tuisgevoelas burgers verander het. Die inligting sal vir my tesis gebruik word, en hopelik ook vir toekomstige akademiese artikels. My promotor is prof. Amanda Gouws in Politieke Wetenskap. Haar kontak details is hieronder. My mede-promotor prof. Philomena Essed in Antioch Kalifornië. Daar is ook kontakbesonderhede vir Me Maryke Hunter-Hüsselman, wat u meer kan vertel oor u regte tydens navorsing.

Met u toestemming sou ek graag 'n bandopname wil neem van die onderhoud. Ek sal dit persoonlik transkribeer en u dan 'n afskrif stuur. U kan enige iets verander daaraan. U moet dan die tweede instemmingvorm teken sodat ek dit vir akademiese doeleindes mag gebruik, bv. my tesis en akademiese artikels.

### **U naam**

As 'n sleutel informant, sou ek graag u regte naam wou gebruik, maar indien u anonimies sou wou bly, kan u 'n skuilnaam kies wat ek dan sal gebruik om na u te verwys. U sal u keuse op vorm 2 kan aanbring. Al die instemmingsvorme sal in 'n koevert in my kluis by die huis te Kloofnekweg 54, Tamboerskloof, Kaapstad 8001 gebêre word.

Die elektroniese kopieë van die onderhoude en transkripsies sal op my persoonlike rekenaar by die huis gestoor word. Wanneer die navorsing afgehandel is, wil ek graag die materiaal skenk aan die Gay and Lesbian Memory in Action Archives (GALA) by Wits Universiteit om by te dra tot die dokumentasie van lgbt lewensverhale. Andersins sal ek hulle hou, of hulle vernietig volgens u wense soos aangedui op Instemming vorm 2.

### **Waaroor die onderhoud gaan**

Eerstens wil ek weet wat u verstaan as iemand tuis voel (sense of belonging). Ek wil ook uitvind omtrent u belang en betrokkenis by dieselfde geslag huwelike, en hoe u voel oor ons Grondwet asook die Civil Union wetgewing.

Beskou hierdie onderhoud asseblief as 'n oop gesprek. U kan my ook enige tyd vrae vra as u so voel. U hoef ook nie vrae te beantwoord as u nie lus is nie, en kan die onderhoud enige tyd stopsit. Niks kan met u gebeur as gevold hiervan nie.

Baie dankie dat u ingestem het om met my te praat. Wees gerus dat ek die inligting met diskresie sal behandel.

Is daar enige vrae wat u nou wil vra?

Kan ons maar begin?

Teken asseblief hierdie inligtingsvorm vir my.

Voel vry om my of enige van die persone hieronder te kontak vir meer inligting. Kontak my ook asseblief indien u enige iets wil byvoeg.

<b>My kontakbesonderhede is:</b>	
Mikki van Zyl 54 Kloofnek Rd Tamboerskloof Cape Town 8001	Tel: +27-21-424 3789 Cell: +27-76-687 8855 Email: <a href="mailto:mikki@simplysaidanddone.co.za">mikki@simplysaidanddone.co.za</a>
<b>Kontakbesonderhede van my my promotor:</b>	
Professor Amanda Gouws Dept. Political Science Stellenbosch University Private Bag X1 Matieland 7602	Tel: +27-(0) 21-808-2414 Email: <a href="mailto:ag1@sun.ac.za">ag1@sun.ac.za</a>
<b>Kontak details vir inligting oor die regte van subjekte in navorsing:</b>	
Maryke Hunter-Hüsselmann Coordinator: Research (Human Sciences) Div. of Research Development Stellenbosch University Private Bag X1 Matieland 7602	Tel: +27-(0) 21-808-4623 Fax: +27-(0) 21-808 4537 Email: <a href="mailto:mh3@sun.ac.za">mh3@sun.ac.za</a>

## Appendix B



### ***A Sexual Politics of Belonging***

## **Interview Schedule: Couples**

### **INTRODUCE THE PROJECT**

These are open-ended interviews and will be recorded on tape.

I will transcribe the interview and send it to you so you can change anything you'd like.

### **SIGN THE CONSENT FORM**

Set the tape recorder to 'record'.

#### *Format for interview*

The kinds of questions and issues to be covered, not necessarily in this order.

- Please tell me a bit about yourself.
- When did you first realise you were different? (Degrees of out of the closet / passing: How did it happen? How long ago? Out to whom? Out where?)
- What do you understand by the word 'belonging'?
- Please tell me the story about you and ...
- Same-sex relationships: with whom? how long? problems? children? where lived? how perceived by others?
- Perceptions of Civil Union Act.
- Sense of belonging: where? safety? respect? dignity? how created?
- What (more) should be done to make lgbti-q people belong?

### **THANK YOU FOR YOUR PARTICIPATION.**

I will send you the transcript.

***A Sexual Politics of Belonging***

## **Schedule: Key Interviews**

### **INTRODUCE THE PROJECT**

These are open-ended interviews and will be recorded on tape.

Transcripts will be sent to participants who will be able to amend anything they said, or add information that they feel has been left out. The emphasis is on the **quality** of the information.

### **SIGN THE CONSENT FORM**

Discuss consent, anonymity and confidentiality.

You may use your own name, or a pseudonym of your own choice.

#### *Format for interview*

The kinds of questions and issues to be covered, not necessarily in this order.

- Could you please tell me a bit about yourself (biographic details, sex, sexual orientation, race, class, culture, religion, urban, nationality, age)
- What do you understand by the word 'belonging'?
- What are your interests in same-sex marriage? (History of activism, current involvement).
- Do you think the sexual orientation clause in Constitution and the Civil Union Act have brought about a greater sense of belonging for LGBTI?
- What (more) should be done to make LGBTI people belong?
- Anything else you'd like to say?

### **THANK YOU FOR YOUR PARTICIPATION.**

I will transcribe the interview and send it to you for editing.

## Appendix C

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***A Sexual Politics of Belonging***

# **Informed Consent 1**

INTERVIEW NUMBER: .....

**Mikki van Zyl will keep this form in a sealed envelope in her safe at her home, presently at 54 Kloofnek Rd. Tamboerskloof, Cape Town.**

### ***CONSENT TO INTERVIEW***

I, the undersigned give my informed consent to be interviewed and that the interview material may be used for the research being conducted by Mikki van Zyl for her doctorate called *A Sexual Politics of Belonging* at Stellenbosch University. She may also use the use the material for subsequent academic publications arising out of her thesis.

I have relevant information about the project (as detailed in the information leaflet which I may keep) and have had my questions answered satisfactorily. I understand that my name will not be used in the research report unless I specifically ask to be named, and that Mikki van Zyl will be the only person who knows my identity. I understand that the interview will be tape recorded, and will become the property of Mikki van Zyl. I also believe that she will meticulously guard the confidentiality of the information that I give her and use it only for academic purposes. I realise that I will need to sign off the transcription before she may use it.

I also understand that I am free not to answer any questions, or to end the interview at any time, without giving a reason for my withdrawal. None of this will have any negative consequences for me.

Name (in block letters): .....

I agree to take part in the interview.

Signature: .....

Date: .....Place: .....

***A Sexual Politics of Belonging***

# **Informed Consent 2**

TRANSCRIPTION NUMBER: .....

**Mikki van Zyl will keep this form in a sealed envelope in her safe at her home, presently at 54 Kloofnek Rd. Tamboerskloof, Cape Town.**

***SIGNING OFF TRANSCRIPTION***

I have read the transcription of my interview and I agree that it may be used by Mikki van Zyl for her doctoral research and subsequent academic papers arising from the thesis.

Name (in block letters): .....

Signature: .....

Date: .....Place: .....

***ANONYMITY***

**YES.** I consent to using my name in the report: (sign) .....  
**OR**

**NO.** Do not use my real name in the report. Please use this pseudonym:

.....(sign) .....

***TRANSCRIPTIONS***

Please do the following with my interview once the research has been completed (circle the correct one and sign):

Donate it to GALA (sign) .....

Destroy it (sign) .....

Keep it in a safe place (sign) .....

***A Sexual Politics of Belonging***

# Toestemming 1

ONDERHOUDNOMMER: .....

**Mikki van Zyl sal hierdie vorm in 'n verseëelde koevert bêre in haar kluis by Kloofnekeg 54, Tamboerskloof, Kaapstad.**

**TOESTEMMING VIR ONDERHOUD**

Ek, die ondertekende, gee my ingeligde toestemming vir die onderhoud, en dat die inligting wat ek verskaf vir Mikki van Zyl se doktorsale studie, naamlik *A Sexual Politics of Belonging* by Stellenbosch Universiteit gebruik mag word. Sy mag dit ook vir akademiese publikasies oor die onderwerp gebruik.

Ek het inligting gekry omtrent die projek (soos uitgeset in die inligtingsvorm wat ek ontvang het), en al my vrae is bevredigend beantwoord.

Ek verstaan dat tensy ek 'n skuilnaam verkies, my naam slegs met my eksplisiete toestemming gebruik mag word, en dat Mikki van Zyl my identiteit sal beskerm. Ek verstaan dat die onderhoud elektronies vasgelê word, en dat sy al die inligting wat ek aan haar verskaf met diskresie, en slegs vir akademiese doeleindes gebruik sal word. Ek weet dat ek kans sal hê om die transkripsie te korrigeer voor ek dit afteken.

Ek besef ook dat ek geen vrae hoef te beantwoord nie, en dat ek die onderhoud op enige tyd kan staak, sonder om enige redes te verskaf. My besluite kan geen nadelige gevolge vir my hê nie.

Naam (in blokletters): .....

Ek stem in om deel te neem aan die onderhoud:

Handtekening: .....

Datum: ..... Plek: .....

***A Sexual Politics of Belonging***

# Toestemming 2

TRANSKRIPSIENOMMER: .....

**Mikki van Zyl sal hierdie vorm bêre in 'n verseëelde koevert in haar kluis by Kloofnekeg 54, Tamboerskloof, Kaapstad.**

***AFTEKEN OP TRANSKRIPSIE***

Ek het die transkripsie van my onderhoud gelees en stem in dat Mikki van Zyl dit vir haar doktorske skripsie mag gebruik, sowel as akademiese artikels oor die onderwerp.

Naam (in blokletters): .....

Handtekening: .....

Datum: ..... Plek: .....

***ANONIMITEIT***

**JA.** Ek stem in dat my naam in die tesis gebruik mag word: |

Handtekening: .....

**OF**

**NEE.** Moet nie my regte naam in die tesis gebruik nie. Gebruik hierdie skuilnaam:

.....(teken) .....

***TRANSKRIPSIE***

Doen asseblief die volgende met my onderhoud na die navorsing voltooi is. (sirkel die regte een en teken):

Skenk aan GALA (teken) .....

Vernietig dit (teken) .....

Bewaar dit veilig.....(teken) .....