

# Being Queer

## In South Africa

by Andy McNulty



When I decided to travel to South Africa last fall, most of my friends and family thought I was out of my mind. Foremost among my parents' concern was my personal safety. Would South Africans respond favorably to a gay, white American? Would they notice me at all? Would I tell them about my sexual orientation?

All the questions had me freaked out before I left, although I shouldn't have been.

South Africa has arguably the most liberal and progressive constitution in the world. It offers protection against discrimination based on HIV status and sexual orientation, as well as sex and gender – recognizing the difference between the two.

As I came to acquaint myself with (and fall in love with) South Africa, I realized that this country offered more protection for me as a queer person than the United States. I actually felt more at home there than I have ever really felt in this country.

Not only are LGBT people provided for on paper, but the government has kept its word and began to provide actual rights. In December, 2005 the Constitutional Court, the highest court of law in South Africa, ruled that some form of gay marriage had to be provided within one year's time. November 28, 2006 came and Parliament passed the Civil Union Act, which not only allows for same-sex unions, but also provides marriage rights to those involved in informal, nonromantic arrangements.

I was in South Africa when Parliament was debating the act, and the public forum was highly active. People were very vocal on both sides of the issue. However, the discourse around the issue was completely different from what we have in this country. The debate in South Africa was never how to ban gay marriage; the dialogue instead focused on the appropriate manner to afford equal rights to all of South Africa's citizens.

Media focus, from what I saw, focused on poor LGBT people of color, i.e. queer blacks living in the townships. For those not familiar with South Africa, townships are informal housing settlements outside of major metropolitan areas. The townships arose in response to apartheid laws that did not allow people

of color to live in the same areas as white people. In fact, Cape Town once had about 8 distinctions of race apart from white and black. They are typically rife with violent crime, particularly against women. The Mail & Guardian ran several stories about the struggles of queer folks in townships outside of Cape Town and Johannesburg.

The people the stories focused on were given pseudonyms, and they spoke of the constant state of fear that they lived in. They related that the so-called "mainstream queer culture in" South Africa certainly does not reflect the situation of the poor blacks.

Despite this bleak picture, now that there is now a country on the continent that thoroughly protects the rights of LGBT folks, others may follow. Indeed, the African Union – modeled after the European Union – is a real possibility in coming decades. In my opinion, South Africa will be a leader in protecting the rights of queer people to which the continent may look.

I have been back at UNC-CH for about a month now, and I have to admit that when I see the gay marriage debate on the news for what seems like the 1000th time, I lose hope.

It was a rough transition period, because my whole mentality shifted from the expectation of disappointment to overwhelming hope and satisfaction. I realized though that my hope and satisfaction were not necessarily caused by the situation in South Africa. Traveling had allowed me to safely feel these things for the first time without the threat of being crushed by disappointment, as had threatened to happen over the past seven years.

My perspective changed, and I was able to marry my pessimism (created and nurtured by a country less than careful of my rights) with my overwhelming optimism that South Africa gave me for the future. What balanced the two was a realistic hope for the future of our country.

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### Sources

[http://www.mg.co.za/articlePage.aspx?articleid=292186&area=/insight/insight\\_\\_national/](http://www.mg.co.za/articlePage.aspx?articleid=292186&area=/insight/insight__national/)