



THE SA PINK VOTE

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THE SA PINK VOTE

Introduction

South Africa is fast approaching municipal elections. Though the proclaimed date of 27 October is subject to a Constitutional Court appeal by the Electoral Commission, which wants the ballot postponed to February 2022, arguing that the Covid pandemic and associated regulations cast doubt on the prospects of the election being free and fair, political analysts and parties are much occupied with the desires and perspectives of those who will be voting for them. The profile of the South African voting public in general has been extensively studied – for example, how many are registered to vote, who is more likely to vote for the ruling party and who is more likely to opt for the opposition, how the urban vote differs from the rural vote, how young South Africans think and feel about democracy and the major political parties, and how many people have not been participating in the last few elections.

Something that has not been explored in detail is the so called ‘Pink Vote’. The Pink Vote refers to the voting preferences of the Lesbian, Gay, Bisexual, Transgender and other Queer (LGBTQ) population. In the United States, comprehensive analysis has been undertaken on how the LGBTQ demographic votes during elections. The Williams Institute, the US’ leading research centre on sexual orientation and gender identity, for example, conducted a study on how LGBTQ Americans were likely to vote during the 2020 elections. Questions asked during the study included what role a candidate’s political experience, race and age would play in influencing voters’ decisions, and who they would be most likely to support. Research of this nature could help determine how political parties and their members are perceived by the LGBTQ population and whether more needs to be done to court this group during elections. Research of this nature can also show whether the ruling party or its challengers have done enough to protect LGBTQ people and to affirm their rights.

South Africa does not have much data on the LGBTQ electorate. It is not clear why this is the case. It might point to indifference by the political and intellectual elites to LGBTQ people and the issues they face. Perhaps the resources to conduct such a study have not been available or mobilised. The perception may exist that the LGBTQ population is tiny, and therefore will not have a significant impact on political parties’ electoral performance. Underestimating the power of the Pink Vote could prove costly to many of South Africa’s major political parties. Companies have already for years underestimated the power of the ‘pink currency’, which is the purchasing power of LGBTQ people. But recent studies in the US have shown that the ‘pink dollar’ rivals that of the purchasing power of Hispanic Americans, African Americans and Asian Americans. American companies and organisations in other countries have since woken up to the power of the pink currency and have included marketing campaigns to woo LGBTQ consumers. Cape Town has a relatively sophisticated grasp on how lucrative the foreign LGBTQ market is to the city’s tourism industry. A report by the United Nations (UN) World Tourism Organisation in partnership with the International Gay and Lesbian Travel Association (IGLTA) estimated that around 12% of tourism expenditure in Cape Town can be attributed to LGBTQ visitors.¹ Furthermore, Cape Town and the Western Cape province annually host the Pink Loeries Mardi Gras, the Out in Africa Film Festival, Mother City Queer Project and Mr Gay South Africa in order to attract LGBTQ tourists.

¹ ‘Cape Town in the Pink over Gay Tourism Numbers’, IOL, 22 February 2012. <https://www.iol.co.za/capetimes/cape-town-in-the-pink-over-gay-tourism-numbers-1239878>.

It can therefore be argued then that an understanding of the power of the Pink Vote could point to a strategic untapped market for political parties. To put this into perspective, studies conducted by The Other Foundation have shown that conservative estimates place South Africa's LGBTQ population at around half a million. This means that there is, potentially, a sizeable number of LGBTQ voters, and ignoring this group during election campaigns would be a mistake. Understanding and appealing to it would be a matter of electoral competitiveness – and a win for any political party that prides itself on human rights, equality and freedom.

Purpose of the study

This report will examine why it is important to consider the Pink Vote, which political parties have been at the forefront of fighting for LGBTQ rights and what LGBTQ voters think about these parties. What is also not known is how divided LGBTQ voters in South Africa are in terms of the political parties they support.

Each of the Big Three – the African National Congress (ANC), Democratic Alliance (DA) and Economic Freedom Fighters (EFF) – expresses strong support for LGBTQ rights.

In its 2019 election manifesto, the ANC reiterated that it has 'a proud history of championing the cause for gender equality, the rights of people with disability and the LGBTIQ community'. The ANC's manifesto further promised to introduce laws to combat hate crimes against people based on their race, gender, religion, disability, albinism or sexual orientation.

The DA's members are held to strict standards of conduct, and can be found guilty of misconduct if it becomes apparent that they have discriminated against someone based on their sexual orientation. The party's manifesto includes: providing LGBTQ sensitisation training in government services, schools and communities; enforcing a more strident response to corrective rape and LGBTQ-related hate crimes by viewing these as aggravating circumstances when considering sentencing and; promoting the human rights of LGBTQ people in Africa and around the world.

The EFF spoke out against anti-homosexuality legislation adopted in Uganda, and their manifesto promised to invest in a public healthcare system that ensures easy access to 'gender-affirming treatment'.

Given that the three biggest parties support queer rights, LGBTQ voters may not have a single political party to which they naturally would gravitate. This report will thus try to identify political allegiances and to gain a better understanding of the South African LGBTQ electorate as a whole.

The report was conducted through a combination of desktop and primary research. In particular, it used a series of mini-polls that were sent out to stakeholders within the community. This was conceived of as akin to a virtual focus group. These people – some of whom preferred to remain anonymous – were of varying background and standing within their communities. They provided an insightful look into the political affiliations and orientations of the South African LGBTQ community and a better understanding of what issues they want their political parties of choice to prioritise.

Note: The author of this report uses the term 'LGBTQ' as an initialism to refer to people who are lesbian, gay, bisexual, transgender, intersex and asexual, unless otherwise stated in the source.

Why is it important to monitor the Pink Vote?

Before trying to gain a better insight of the LGBTQ electorate, it is first useful to look at why it is important not to ignore this voting bloc during elections. **First**, evidence from elsewhere in the world sug-

gests that LGBTQ voters tend to be more politically engaged than other demographic groups. A national survey conducted by the US-based Public Religion Research Institute in June 2017 showed that young LGBT people were more likely to participate in political activities than their heterosexual counterparts.² Comprising 2 023 young Americans aged 15 to 24 years, more than two-thirds (68%) of LGBT people liked or followed political campaigns or causes online compared to just 42% of non-LGBT respondents. More than two thirds (67%) of LGBT respondents signed a petition online compared to just 41% of non-LGBT respondents. More than half (52%) of LGBT respondents volunteered for a group or cause compared to less than a third of non-LGBT respondents. LGBT respondents were also twice as likely to donate money to a campaign or cause compared to non-LGBT people. LGBT respondents were also twice as likely to have either contacted an elected official or to have attended a rally/demonstration than non-LGBT respondents. Furthermore, a Pew Research Center survey in 2013 showed that American LGBT citizens are slightly more inclined to vote than non-LGBT citizens, with 77% of LGBT people registered to vote compared to 74% of non-LGBT people.³

Second, the LGBTQ population may be a much larger voting bloc than expected. According to The Other Foundation (an African Trust dedicated to advancing human rights in South Africa), 1.4% of South Africa's population identified as part of the LGBT population.⁴ This equates to more than half a million people (530 000 South Africans) who identify as LGBT. However, this is most likely a conservative estimate since many LGBTQ individuals hide their sexual orientation and gender identity due to fear of rejection, discrimination and even violence. In fact, according a study by OUT, (a Pretoria-based LGBT Health Clinic), only 51% of Black LGBTQ people are completely open about their identity. The true size of the South African LGBTQ population – and therefore the number of voters – can be assumed to be much larger.

Third, the idea that LGBTQ people tend always to vote for 'leftist' political parties is not completely accurate. Liberal parties have long advocated for the rights of LGBTQ people – for example Guido Westerwelle, chairman of the Free Democratic Party in Germany from 2001 to 2011, and foreign minister and Vice Chancellor of the country, was gay. LGBTQ people have also established a presence in 'mainstream' right-leaning political parties. In the United Kingdom, two erstwhile Conservative cabinet ministers – Justine Greening and David Mundell – came out as gay while in office. An LGBTQ presence is also to be found among more unorthodox political arrangements. This was true after Brazil's 2018 General Elections, when Jair Bolsonaro was elected as president. Bolsonaro's political views have been described as right-wing, as he is opposed to abortion and advocates pro-gun policies, while also opposing environmental regulations, affirmative action, immigration, drug liberalisation, land reform and secularism at the federal level. However, an analysis of the 2018 Brazilian General Elections showed that nearly a third (29%) of the country's LGBTQ population voted for Bolsonaro.⁵ This despite the fact that Bolsonaro opposes same-sex marriage and has made disparaging remarks about LGBTQ people in the past. LGBTQ supporters of Bolsonaro however pointed out that his promises to clamp down on crime,

2 Jones, RP, Cox, D, Fisch-Friedman, M and Vandermaas-Peeler, A, *Diversity, Division, Discrimination: The State of Young America*, Public Religion Research Institute, 2018. <https://www.prrri.org/wp-content/uploads/2018/01/PRRI-MTV-Survey-Report-FINAL.pdf>.

3 Perez, VM, *Political Participation of LGBT Americans*. Project Vote Research Memo, June 2014. <http://www.projectvote.org/wp-content/uploads/2014/06/RESEARCH-MEMO-LGBT-PARTICIPATION-June-20-2014.pdf>.

4 The Other Foundation, *Progressive Prudes Report: A survey of attitudes towards homosexuality & gender non-conformity in South Africa*, Johannesburg and Cape Town: The Other Foundation and the Human Sciences Research Council, 2016. http://theotherfoundation.org/wp-content/uploads/2016/09/ProgPrudes_Report_d5.pdf.

5 Passos, Ú, and Fioratti, G, 'Entre LGBTs, Haddad lidera com 57% e Bolsonaro tem 29%', Folha de S. Paulo, 26 October 2018. <https://www1.folha.uol.com.br/poder/2018/10/entre-lgbts-haddad-lidera-com-57-e-bolsonaro-tem-29.shtml>

create jobs and root out corruption won their vote. With Brazil having one of the highest unemployment and crime rates in the world, coupled with the fact that the country struggles with rampant corruption, many LGBTQ citizens were willing to look past Bolsonaro's homophobic views. Similarly, in France, the National Rally – a right-wing political party that strongly opposes legal immigration – managed to gain significant support from the country's LGBTQ population. According to a survey conducted by polling firm, IFOP, more than a quarter (26%) of Paris' LGBTQ population supported National Rally compared to just 16% of non-LGBTQ Parisians.⁶ A surge in support for National Rally by LGBTQ people rests on a growing anti-Islam sentiment in the country. For example, Patrick McCarthy, a gay blogger who lives in Bordeaux, notes that up until 2005, the city of Bordeaux was a very gay-friendly city. 'Same-sex couples could openly walk down the street holding hands without any problems. However, in the space of two months, five gay men were murdered in the city. The blame was put on Bordeaux's Muslim community since some of these hate crimes were carried out by people of Arabic origins.'⁷ Marine le Pen, National Rally's leader, said that her party was the only one that defended secularism and democracy against Islamisation. Ironically, a key part of this strategy is using the Islamist threat to court the sort of people (LGBTQ people in particular) that the far right has traditionally persecuted.

These examples show that it is not necessarily a given that leftist political parties can rely on the LGBTQ electorate. It is therefore completely possible for parties of the centre and right to compete for the LGBTQ vote during elections.

The track record of South Africa's political parties in terms of LGBTQ rights

Where do the major political parties stand on LGBTQ rights and what is their track record when it comes to protecting and encouraging these laws enshrined in the country's Constitution? A brief analysis follows of the ANC, the DA, and the EFF.

African National Congress (ANC)

While fighting against the Apartheid regime up until the 1980s, the ANC had no policy on sexual orientation and some senior officials in the party remained outright dismissive of LGBTQ issues.⁸ In 1987, Peter Tatchell, a British political activist who also contributed to the fight against Apartheid, highlighted homophobic and anti-LGBTQ attitudes prevalent in the ANC at the time. Tatchell interviewed Ruth Mompati, a prominent ANC leader who was one of the leaders of a protest of 20 000 women in 1956 against the restriction of freedom of movement of Black people. When Tatchell asked Mompati about human rights for lesbians, Mompati answered that lesbians and gays were 'not normal', that they were not persecuted and that the issue was a 'red herring'.⁹ Another senior ANC member at the time, Solly Smith, who was the ANC representative in London, also told Tatchell that the ANC did not have any policy on lesbian and gay rights. Smith remained mum on whether the ANC would repeal the anti-gay laws of the Apartheid regime.¹⁰ Tatchell published the comments from his interviews with Mompati and Smith in the Capital Gay (a prominent Lesbian and Gay London newspaper), which led to the ANC triggering a severe backlash from members of the British LGBTQ community who were supportive

6 Halliburton, R. 'How Marine Le Pen is winning France's gay vote', The Spectator, 24 January 2015. <https://www.spectator.co.uk/article/how-marine-le-pen-is-winning-france-s-gay-vote>.

7 Halliburton, R. 'How Marine Le Pen is winning France's gay vote', The Spectator, 24 January 2015. <https://www.spectator.co.uk/article/how-marine-le-pen-is-winning-france-s-gay-vote>.

8 De Ru, H, 'A historical perspective on the recognition of same-sex unions in South Africa', Fundamina (Pretoria) [online], vol 19, no 2, 2013pp.221-250. http://www.scielo.org.za/scielo.php?script=sci_abstract&pid=S1021-545X2013000200003&lng=en&nrm=iso.

9 Bilchitz, D. 2015. Constitutional Change and Participation of LGBTI Groups: A case study of South Africa. P. 7.

10 Ibid.

of the anti-apartheid movement.¹¹ Tatchell further wrote a letter to the ANC, specifically to the future president, Thabo Mbeki, to argue the case that all forms of discrimination should be rejected by a democratic South Africa.¹² Mbeki responded to Tatchell's letter by saying that all forms of discrimination and oppression would be removed from a liberated South Africa and that this would include enacting laws protecting gay and lesbian people.¹³

Local movements also played a major role in persuading the ANC to adopt protections for LGBTQ people. The Organisation of Lesbians and Gays Against Oppression (OLGA) was a South African organisation which was also committed to the abolition of apartheid.¹⁴ Pro-LGBTQ organisations such as OLGA were ultimately successful in winning over the ANC to their cause because they presented their struggle as forming part of the broader struggle against oppression by the Apartheid state. OLGA had various meetings with members of the ANC, including Albie Sachs and Kader Asmal, both members of the ANC's Constitutional Committee. In September 1990, OLGA made an extensive submission to the ANC's Constitutional Committee, which was tasked with formulating the ANC's draft Bill of Rights. OLGA argued that 'sexual orientation, while a personal issue, was also a political issue that needed to be dealt with as part of a whole package of gender issues in the development of social and economic rights for all individuals'. Sachs publicly encouraged the work of OLGA and stated that: 'What has happened to lesbian and gay people is the essence of apartheid – it tried to tell people who they were, how they should behave, what their rights were. The essence of democracy is that people should be free to be what they are. We want people to be free and feel free.'¹⁵

The ANC also found it difficult to ignore the fact that many of its members and members of the anti-apartheid struggle were gay or lesbian. Simon Nkoli was a founding member of the National Coalition for Gay and Lesbian Equality and an early force in the civil society response to the HIV/AIDS pandemic in South Africa. Nkoli was also a member of the ANC.¹⁶ Furthermore, liberation movement heavyweights such as Nelson Mandela and Desmond Tutu also threw their support behind LGBTQ activists and this further solidified the alliance between the future ruling party and South Africa's queer community.¹⁷ This continued advocacy from abroad, local LGBTQ movements and a handful of prominent ANC members ensured that a wide range of protections for LGBTQ people were adopted by the ANC and were written into the new Constitution of 1996.

In his inauguration speech as South Africa's first democratically elected president, Mandela mentioned that LGBTQ citizens should also be treated equally before the law:¹⁸

*In the 1980s the African National Congress was still setting the pace, being the first major political formation in South Africa to commit itself firmly to a Bill of Rights, which we published in November 1990. These milestones give concrete expression to what South Africa can become. They speak of a constitutional, democratic, political order in which, regardless of colour, gender, religion, political opinion or **sexual orientation**, the law will provide for the equal protection of all citizens.*

11 Ibid, p. 8.

12 Ibid.

13 Ibid.

14 Cameron, E and Gevisser, M, *Defiant Desire: Gay and Lesbian Lives in South Africa*, New York: Routledge, 1995, p. 75.

15 Ibid, p. 271.

16 Fowkes, J, *Building the Constitution: The Practice of Constitutional Interpretation in Post-Apartheid South Africa*, Cambridge: Cambridge University Press, 2016, p. 157.

17 Adamczyk, A, *Cross-National Public Opinion about Homosexuality: Examining Attitudes Across the Globe*, Oakland: University of California Press, 2017.

18 Nelson Mandela's address on the occasion of his inauguration as State President, Cape Town, 9 May 1994. http://www.mandela.gov.za/mandela_speeches/1994/940509_inauguration.htm.

South Africa has since seen the legalisation of same-sex activity, same-sex marriage and adoption by same-sex parents. But there has been some vacillation in attitudes. Although Mandela was supportive of LGBTQ rights, Jacob Zuma, who would go on to become president in 2009, was not. Before the legalisation of same-sex marriage in 2006, Zuma made disparaging remarks about gay people during Heritage Day celebrations in KwaDukuza.¹⁹ Zuma was quoted as saying: ‘When I was growing up, unqingili (a gay person) would not have stood in front of me. I would knock him out.’ On the other hand, the current president, Cyril Ramaphosa, has made it clear that he believes strongly in LGBTQ rights. Like Mandela, Ramaphosa included LGBTQ people in his 2019 inauguration speech. ‘Let us build a society that protects and values those who are vulnerable and who for too long have been rendered marginal. A society where disability is no impediment, where there is tolerance, and where no person is judged on their **sexual orientation**, where no person suffers prejudice because of the colour of their skin, the language of their birth or their country of origin.’²⁰

In its 2019 election manifesto the ANC promised to:²¹

- **Introduce laws to combat hate crimes** against people based on their race, gender, religion, disability, sexual orientation or albinism, and to
- **Finalise the proposed legislation before parliament aimed at preventing and combating hate crimes** and prosecution of persons who commit those offences. The legislation will deal with hate crimes against persons based on their race, gender, religion, disability, sexual orientation or albinism.

The ANC has, however, come under fire for its approach to LGBTQ rights in its foreign policy – South Africa has been reluctant to use international platforms to push for the rights it affords LGBTQ people domestically. (One senior civil servant confidentially told a researcher that this issue is a point of divergence between South Africa and its African peers, which may partially explain this position).²² According to the Institute of Security Studies (ISS), the Mbeki administration evidently chose to draw a line between domestic and foreign policy regarding sexual orientation. South Africa’s ambassador to the United Nations (UN) in New York, Dumisani Kumalo, refused to support a French-sponsored resolution in the UN Security Council in 2008 that called for the protection of gay people against violence, because South Africa did not want to offend other African governments. The Zuma administration also began falteringly when Jerry Matjila, South Africa’s ambassador to the UN in Geneva at the time, opposed a similar report in the UN Human Rights Council in 2010. Matjila infamously said that adding sexual orientation to a list of categories of people requiring protection against discrimination would ‘demean’ the victims of racial discrimination and dilute their protection.²³ The DA charged that the ANC blocked its motion in Parliament in 2014 to condemn the Anti-Homosexuality Bill signed into law by Ugandan President, Yoweri Museveni.²⁴

The ANC does not appear to have many open LGBTQ Members of Parliament (MPs). The most prominent and well-known is Lynne Brown, who until 2018 was an ANC MP. Brown, who is openly

19 ‘Maimane, Zuma and other “anti-gay” statements in SA politics’, ENCA, 16 May 2015. <https://www.enca.com/south-africa/maimane-zuma-and-other-anti-gay-statements-sa-politics>.

20 Address by President Cyril Ramaphosa on the Occasion of his Inauguration, 25 May 2019. <https://www.news24.com/citypress/news/full-speech-ramaphosas-first-speech-after-inauguration-20190525>.

21 African National Congress, Election Manifesto: Let’s Grow South Africa Together, 2019.

22 Personal communication from Terence Corrigan, 1 December 2020.

23 Fabricius, P, ‘Just how serious is South Africa about gay rights?’, Institute for Security Studies, 2019. <https://issafrica.org/amp/iss-today/just-how-serious-is-south-africa-about-gay-rights>.

24 Igual, R, ‘ANC blocks motion condemning Uganda anti-gay bill’, Mambaonline, 25 February 2014. <https://www.mambaonline.com/2014/02/25/anc-blocks-motion-condemning-uganda-anti-gay-bill/>.

lesbian, joined the National Assembly in 2014, having previously served as a member of the Western Cape Provincial Legislature in various capacities since 1994.²⁵

Democratic Alliance (DA)

South Africa's official opposition party has in many ways demonstrated a principled commitment to LGBTQ rights and the protection of sexual minorities – as far back as 1994, its antecedent party, the Democratic Party, took out advertisements in LGBTQ publications to appeal to this community. This commitment to LGBTQ rights was demonstrated publicly by various DA leaders, not just through words, but through actions.

Under Tony Leon's leadership, the DA (then known as the Democratic Party) became the official opposition after the 1999 national elections.²⁶ In 2001, Leon attended a banquet in Cape Town hosted by Cape Town Men – an organisation for gay men. In his speech, Leon said: 'As professionals you have already taken your place in society – living, working and making a difference in Cape Town and South Africa. Long may you continue...But too many people still feel marginalised in South Africa, whether they are battered women, gay men or Aids orphans.'²⁷ Helen Zille, who succeeded Tony Leon in 2007, said that hate crimes continued to be a major problem in South Africa. Zille stated this after reaching out to the family of a 19-year-old lesbian murder victim, Sihle Sikoji. Sikoji, was a member of Luleki Sizwe – a Non-Profit Organisation based in Cape Town that provides support to Black lesbians who are victims of violence and corrective rape. Sikoji and two friends were confronted one night in Philippi by a group of men. The encounter culminated in Sikoji being stabbed to death. After meeting Sikoji's mother and grandmother, Zille said in a statement: 'The attack on Sihle once again highlights the scourge of hate crimes against lesbian women, and LGBT people more broadly, that continues to ravage our communities, leaving devastated families in their wake... We must all stand against and seek to eradicate all hate crimes because they are violations of the constitutional rights to life, to dignity and to freedom which every person deserves'.²⁸

Solly Msimanga, the former DA leader of Tshwane, participated in the Pretoria Pride March in 2018 and spoke at the event. Msimanga was only the second mayor to attend a Pride event after Patricia De Lille, former Cape Town mayor, opened the Cape Town Pride Parade in 2013.²⁹ Current DA leader John Steenhuisen also appeared at the annual Cape Town Pride celebrations in February 2020. In his speech, Steenhuisen said that it was fitting for the celebrations to be called 'Pride'. Steenhuisen said that Cape Town Pride and other Pride events were a culmination of a generation's selfless struggle for equality and dignity.³⁰ Former DA leader, Mmusi Maimane however, landed in controversy, despite his vocal support for LGBTQ rights. During an interview on Kyknet's Insig, Maimane stated that he was of the view that gay rights should be protected and that the Constitution entitled same-sex couples to

25 News24, 'SA's first gay minister: why it matters', 6 June 2014, <https://www.news24.com/News24/Lynne-Brown-SAs-first-gay-minister-why-it-matters-20140606/>.

26 Du Plessis, C. & Plaut, M, *Understanding South Africa*, Oxford University Press, 2019, p68.

27 Mangxamba, S, 'Gay group toast Leon with bunch of roses', Independent Online, 9 November 2001. <https://www.iol.co.za/news/politics/gay-group-toast-leon-with-bunch-of-roses-76626>.

28 Mambaonline, 'Helen Zille meets family of murdered lesbian', 19 November 2012. <https://www.mambaonline.com/2012/11/19/helen-zille-meets-family-of-murdered-lesbian/>.

29 G DeBarros, L, 'Tshwane Mayor Solly Msimanga celebrates LGBTQ community at Pretoria Pride', Mambaonline, 8 October 2018. <https://www.mambaonline.com/2018/10/08/tshwane-mayor-solly-msimanga-celebrates-diversity-at-pretoria-pride/>.

30 Ngqakamba, S, 'Steenhuisen challenges Ramaphosa to fight for LGBT+ rights in Africa as AU chair', News24, 29 February 2020. <https://www.news24.com/news24/southafrica/news/steenhuisen-challenges-ramaphosa-to-fight-for-lgbt-rights-in-africa-as-au-chair-20200229>.

marry. However, when asked if he would support a referendum on same-sex marriage in South Africa, Maimane said that if South Africans felt that they needed to vote on the issue, they should be allowed to do so.³¹ This of course would be highly dangerous for LGBTQ rights in South Africa, as the majority of people in the country do not support same-sex marriage. Global polling organisation Ipsos conducted a survey of 2 219 registered South African voters in 2014 in which they were asked about key issues facing the country. Only 28% of those surveyed said that gay and lesbian couples should be allowed to marry compared to 24% who were neutral or uncertain, and 48% who were against same-sex marriage.³² Maimane also received criticism after he referred to gay people as ‘sinners’ during a sermon.³³ Maimane was heard saying that ‘...in my friendship circles there are Muslims, there are gay people, because I believe that is what God has called us to do. I take the verse that Jesus says, “I didn’t come for the well but I came for the sick”. I take that quite seriously.’

The DA states on its webpage that it not only stands for LGBTQ rights but acknowledges that far more needs to be done to create a safe and non-discriminatory environment for LGBTQ workers at their workplaces and homes.³⁴ In Gauteng, the DA established the Democratic Alliance Rainbow Network (DARN GP) – a political organisation that will represent LGBTQ South Africans and push for greater acceptance and support for sexual minorities.³⁵ The DA further makes clear its goal to encourage tolerance for LGBTQ people in other African countries. There have been instances where the DA has been critical of other African countries considering implementing anti-gay legislation. In 2013, Uganda’s parliament passed the Anti-Homosexuality Act, which included a seven-year prison sentence or the death penalty for anyone guilty of same-sex activity.³⁶ The DA then submitted a parliamentary motion to condemn the Bill.³⁷ In 2018, DARN GP staged a march to the Tanzanian and Ugandan embassies to protest the countries’ treatment of members of the LGBT+ community.³⁸

The party claims to work hard to foster a culture of acceptance, and states that many DA members are openly LGBTQ and that this is evidence that the party is a home for all.³⁹ Several prominent DA members are openly LGBTQ. They include Marius Redelinghuys, Beyers Smit, Patrick Atkinson, Gordon Mackay, Dean Macpherson, Michael Cardo, Manny de Freitas, Zakhele Mbhele, Ian Ollis and Michael Waters.⁴⁰ In fact, the DA introduced the first openly gay black Member of Parliament (MP) on the continent – a significant and ground-breaking move in Africa. This occurred in 2014, when 29-year-old Zakhele Mbhele was sworn in as an MP.⁴¹

31 DeBarros, L, ‘DA’s Maimane (kinda) supports gay marriage, despite anti-gay church’, Mambaonline, 5 May 2015. <https://www.mambaonline.com/2015/05/05/das-maimane-kinda-supports-gay-marriage-despite-anti-gay-church/>.

32 Van Onselen, G. ‘Many oppose gay marriage’, *Sunday Times*, 27 April 2014. <https://www.timeslive.co.za/sunday-times/lifestyle/2014-04-27-many-oppose-gay-marriage/>.

33 ‘Maimane, Zuma and other “anti-gay” statements in SA politics’, ENCA, 16 May 2015. <https://www.enca.com/south-africa/maimane-zuma-and-other-anti-gay-statements-sa-politics>.

34 Democratic Alliance, *The Manifesto for Change: One South Africa for All*, 2019.

35 Democratic Alliance Rainbow Network (DARN GP), 2020. <https://www.facebook.com/groups/365668433463905/media>.

36 Kintu, D, *The Ugandan Morality Crusade: The Brutal Campaign Against Homosexuality and Pornography under Yoweri Museveni*, Jefferson (NC): MacFarland & Company, 2018.

37 Kalyan, S, ‘Uganda: DA to resubmit parliamentary motion’, Politicsweb, 28 February 2014. <https://www.politicsweb.co.za/politics/uganda-da-to-resubmit-parliamentary-motion--sandy->.

38 Pedro, M. ‘DA Rainbow Network marches against the treatment of Tanzanian, Ugandan LGBT+ People’, EWN, 27 November 2018. <https://ewn.co.za/2018/11/27/da-rainbow-network-marches-against-treatment-of-tanzanian-ugandan-lgbt-people>.

39 Democratic Alliance, *The Manifesto for Change: One South Africa for All*, 2019.

40 Igual, R, ‘Out and Proud: Here are 10 openly LGBTQ MPs’, Mambaonline, 13 June 2017. <https://www.mambaonline.com/2017/06/13/proud-sas-openly-gay-mps/>.

41 DeBarros, L, ‘Exclusive: Meet Africa’s First Openly-Gay Black MP’, Mambaonline, 22 May 2014. <https://www.mambaonline.com/2014/05/22/exclusive-meet-africas-first-openly-gay-black-mp/>.

In its 2019 Manifesto for Change, the DA has the following to say about LGBTIQ rights.

Ultimately, it is our foundational belief that no South African – regardless of their race, gender, sexual orientation or any other marker – should have their life chances determined by the circumstances of their birth.

The party outlines its plans to protect the community in its manifesto:⁴²

- Creating safe and non-discriminative environments and **ensuring government makes opportunities for dialogues on identities and sexuality**;
- **Providing LGBTQ sensitisation training in government services**, schools and communities;
- **Enforcing a more strident stance on corrective rape** and LGBTQ related hate crimes by viewing these as aggravating circumstances when considering sentencing;
- **Promoting the human rights of LGBTQ people in Africa** and around the world;
- **Implementing specific education programmes to tackle bullying and harassment in schools** as LGBTQ youth are not adequately protected by anti-bullying initiatives; and
- **Ending the discriminatory treatment of LGBTQ families in adoptions** and protect LGBTQ elders against discrimination.

Economic Freedom Fighters (EFF)

Similarly to the DA, the EFF promotes itself as a political party that supports LGBTQ rights and is not hesitant to openly criticise other African countries that clamp down on LGBTQ citizens. With regards to Uganda's Anti-Homosexuality Bill, the EFF publicly condemned the passage of the Bill and wrote in a statement that the party was against the oppression of anyone based on their gender, gender expression or sexual orientation.⁴³ The EFF further states that it is against any form of patriarchy, sexism or homophobia.⁴⁴ Before the 2014 general elections, the EFF hosted a 'Minority Groups Seminar' to discuss issues facing lesbian, gay, bisexual, transgender and intersex (LGBTI) people.⁴⁵ EFF member, Cameron Modisane, said that the party had an obligation to focus on these matters on an ongoing basis. 'The current regime has displayed a cold and callous disregard for the well-being of lesbian, gay, bisexual and transgender people.'⁴⁶ In 2013, leader of the EFF, Julius Malema, publicly denounced his former political home, the ANC, as well as encouraging the party to 'love gay people'.⁴⁷

EFF supporters appear to be the most tolerant towards issues such as same-sex marriage. Breaking down the 2014 Ipsos polling results by political party affiliation, 29% of ANC supporters, 31% of DA voters and 37% of EFF supporters believed that same-sex marriage should be allowed.⁴⁸

Recently, however, the EFF has faced a backlash after some of the party's members openly opposed the passing of the Civil Union Amendments Act in the National Council of Provinces (NCOP). The Civil Union Amendments Act was adopted on 1 July 2020 to annul Section 6 of the Civil Union Act, which

42 Democratic Alliance, *The Manifesto for Change: One South Africa for All*, 2019.

43 Igual, R, 'EFF condemns Uganda gay bill', Mambaonline, 27 December 2013. <https://www.mambaonline.com/2013/12/27/eff-condemns-uganda-gay-bill/>.

44 Ibid.

45 Ibid.

46 Igual, R, 'EFF to hold minority groups seminar', Mambaonline, 28 March 2014. <https://www.mambaonline.com/2014/03/28/eff-to-hold-lgbti-rights-seminar/>.

47 Igual, R, 'Malema: "Love gay people"', Mambaonline, 28 November 2013. <https://www.mambaonline.com/2013/11/28/malema-love-gay-people/>.

48 Van Onselen, op. cit.

allowed for a marriage officer to refuse officiating a civil union between same-sex couples on the basis of belief, religion or conscience. Although the EFF supported the Bill when it was passed, three of its members voted against it in the NCOP.⁴⁹

Another contentious issue for the EFF is the strong ties the party has with another political party – The Namibian Economic Freedom Fighters (NEFF). The NEFF was established in 2014 and, like the EFF, advocates for radical, populist policies such as the nationalisation of all land, mines and healthcare in Namibia.⁵⁰ Aside from having the same radical left, anti-capitalistic ideological stance as the EFF, NEFF also sports a similar logo, party colours and the red overalls and berets that their South African counterparts have become known for.⁵¹ One of only a few major issues on which the two parties differ is LGBTQ rights. According to local newspaper, The Namibian, NEFF founder Epafras Mukwiilongo made it clear that homosexuality was foreign to Namibia. Mukwiilongo said: ‘Namibia is a country which respects culture. Our freedom was not to liberate homosexuality but to celebrate and enjoy people in our country.’ Mukwiilongo went on to state: ‘Today, the imperialists are manipulating/influencing our nation through homosexual practices. The NEFF is committed to uniting all Namibians to root out this evil practice. Namibia will never be ruled by homosexuals.’⁵² Despite this, the EFF does not seem too concerned about the NEFF’s homophobic views. After the 2019 national elections in Namibia, the EFF issued a statement congratulating NEFF for gaining two seats in the Namibian National Assembly. The EFF also refers to the NEFF as their ‘direct ideological offspring’ and that it will ‘provide political and ideological support’ to the party.⁵³ Having such close links to an anti-LGBTQ party could really damage the EFF’s image as a political home for LGBTQ South Africans.

The EFF’s official 2019 election manifesto outlines the following:⁵⁴

- The EFF government will aggressively engage in **public awareness and communication strategies** and training interventions all aimed at or directed towards positively changing social norms which declare LGBTQI sexual preferences as abnormal.
- The EFF government will amend the Criminal Law Amendment Act and existing legislation to **include harsher minimum sentences for ‘corrective’ rape** specifically, or crimes committed with hatred as motivation in general.
- The EFF government will also **amend the Sex Description Act and related legislation** to ensure the Home Affairs Department expedites ID alteration applications for transgender applicants.
- The **EFF government will invest in a public healthcare system that ensures easy access to gender-affirming treatment.**
- The EFF government will decisively **enforce the Equality Act and related legislation to end unfair discrimination by government and private organisations** in relation to the employment of women and the LGBTQI community.

49 Baloyi, T, ‘EFF reaffirms support for LGBT following bill backlash’, The South African, 4 July 2020. <https://www.thesouthafrican.com/news/eff-reaffirms-support-for-lgbt-following-bill-backlash/>.

50 Namibian Economic Freedom Fighters, *Election Manifesto for Namibian Freedom Fighters*, November 2014. https://www.kas.de/c/document_library/get_file?uuid=8345282c-3fed-b87f-d669-3067674ef041&groupId=252038.

51 Davis, R, ‘Homophobic Namibian Fighters: What the EFF?’, Daily Maverick, 26 June 2014. <https://www.dailymaverick.co.za/article/2014-06-26-homophobic-namibian-fighters-what-the-eff/>.

52 Immanuel, S, ‘Malema’s EFF fever hits Namibia’, *The Namibian*, 25 June 2014. <https://www.namibian.com.na/124911/archive-read/Malema%E2%80%99s-EFF-fever-hits-Namibia>.

53 ‘Namibian Economic Freedom Fighters gain two seats’, The Citizen, 21 September 2019, <https://citizen.co.za/news/news-africa/2213301/namibian-economic-freedom-fighters-gain-two-parliamentary-seats/>.

54 Gallagher, A, ‘Elections 2019: What the top political parties promise on LGBTIQ rights’, Mambaonline, 29 March 2020. <https://www.mambaonline.com/2019/03/29/elections-2019-what-the-top-political-parties-promise-on-lgbtiq-rights/>.

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- The EFF government will amend the Facilities Regulations Act and related regulations to enable the **implementation of gender-neutral toilet facilities in schools, public facilities and workplaces** to benefit transgender populations and people outside of the gender binary.
 - The EFF government will **amend the Child Care Act and related legislation to impose penalties for unfair discrimination** against LGBTIQ individuals in relation to adoption processes.

Opinion poll results

As mentioned earlier, not much is known about how ordinary LGBTQ South Africans think and feel about the country's various political parties. The author therefore conducted a series of mini-polls on online fora to get grassroots opinions on how South Africa's political parties are viewed by queer people. A total of 40 people took part in the polling process. This is not strictly scientific, but it is a useful first approach to the issue. This section looks at the questions asked and the results generated by these polls.

Question 1: Are you planning on voting in the upcoming municipal elections?

A full 85.4% said that they would be heading to the ballot box. Only 4.9% said that they would not vote, while 9.8% were unsure.

Question 2: Is a political party's position on sexual orientation and gender identity a highly important factor for you when considering to vote for or support them?

The overall majority (80.5%) said that a political party's position on sexual orientation and gender identity was a highly important factor when considering whom to vote for or support in the election. Just 12.2% said that a party's stance on sexual orientation and gender identity was not important, while 7.3% said that they were uncertain.

Question 3: Do you trust and believe political parties when they promise to create a safer and better world for LGBTQ South Africans?

There was widespread scepticism about South Africa's political offerings as they relate to LGBTQ people. Only 22% said that they trusted and believed political parties when they promised to create a safer and better world for LGBTQ South Africans. Six out of 10 respondents (58.5%) said that they did not trust political parties to create a better environment for queer people, while 19.5% said that they were uncertain.

Question 4: What do you think of South Africa's track record when it comes to protecting and encouraging LGBTQ rights?

Just four out of ten (39%) of those polled rated South Africa's track record in protecting and encouraging LGBTQ rights as good. Another 39% said that South Africa's track record was mediocre, while 20% said that the country was doing a bad job. Only 2.4% said that South Africa did an excellent job.

Question 5: Would you vote for a pro-LGBTQ political party even if you strongly disagree with some of their other policies and plans?

Nearly two thirds or 63.4% of respondents said that they would not vote for a political party whose policies they strongly disagreed with even if that party strongly supported rights for LGBTQ people. Around a quarter (24.4%) said they would still vote for a pro-LGBTQ political party even if they strongly disagreed with some of their other policies. More than a tenth (12.2%) were uncertain.

Question 6: Would you like to see more LGBTQ people in parliament and political parties?

Those polled overwhelmingly agreed (97%) that there should be more LGBTQ people in parliament, and as members of political parties. Only 2.4% said that they were unsure, while none said that there should not be more LGBTQ representatives.

Question 7: Which political party do you think is the best in protecting and encouraging LGBTQ rights in South Africa?

The DA was identified as the party most committed to and most likely to protect and encourage LGBTQ rights. More than half (57.5%) said that the DA had done the most for queer South Africans. The ANC was ranked second, with 12.5% of votes, followed by Congress of the People (COPE), Women Forward (a party with no seats), newcomer's party ActionSA, and the EFF – each with 2.5%. Despite its frequent endorsement of LGBTQ rights, it is possible that the EFF is too heavily identified with other policy and political questions for its official LGBTQ-friendly position to register – and also that the high-profile rejection by some of its members of the Civil Union Amendments Act damaged its reputation among LGBTQ voters.

Question 8: What are the top three issues that you think your political party of choice should prioritise?

Fighting corruption emerged as the top issue, with 62.5% highlighting this as an issue that should be prioritised by political parties. This was followed by job creation (60%), improving service delivery (52.5%), fighting crime (45%), improving education (37.5%), fighting homophobia (35%), improving healthcare (30%), and fighting racism (27.5%), while 15% said that fighting illegal immigration should be a priority. Only 7.5% highlighted drug abuse as an urgent issue. This suggests that LGBTQ voters' priorities are both 'mainstream' – jobs being a universal concern in South Africa, for example – but also very significantly influenced by concerns about issues relating to the community.

Some additional comments were also accumulated during the distribution of these polls. One respondent believed that political parties in South Africa do not have any agenda for LGBTQ+ people. Another commented that policies on dealing with intolerance were insufficient. Rather, greater investment in education would help to deal with the root causes of discriminatory beliefs. 'Advancement and education ... leads to creating an environment that naturally increases its own acceptance of differences,' the respondent commented. 'While we do need increased care and policy for protecting minority groups, we need to invest in solving issues that are root causes of discrimination and violence.'

Key Findings

South African LGBTQ voters are highly likely to turn out at the ballot box

Like their overseas counterparts, South Africa's LGBTQ community appears politically engaged, with at least 85.4% of respondents indicating that they were planning to vote in the upcoming municipal elections. According to Independent Electoral Commission (IEC) data, only 66% of all registered voters participated in the 2019 national elections in South Africa.⁵⁵ In comparison to the broader population, the Pink Vote appears to be a high-yield electoral market for political parties to engage with as this group is clearly eager to give their vote – and to make their mark in a much broader sense.

⁵⁵ <https://www.elections.org.za/NPEDashboard/app/dashboard.html>.

Even if a political party supports LGBTQ rights, that does not necessarily guarantee votes

LGBTQ people do consider it of high importance where a political party stands regarding sexual and gender rights. As one respondent commented: ‘I care about the human rights position of a political party.’ However, endorsing pro-LGBTQ rights will not necessarily be enough to court this segment during elections. Although 80.5% of respondents said that a party’s position on sexual orientation and gender identity was very important when considering to whom they would give their support, this will not be enough to win them over completely. As the polling results show, the overall majority of LGBTQ respondents would not vote for a queer-friendly party if its ideological stance clashed too strongly with their own. One respondent commented that ‘...this is a difficult question to answer. I want people in the LGBTQ community to be safe and free to love who they want but my main issue at the moment in this country is crime, land reform issues, civil unrest’. Also, as made clear in the earlier sections, the Big Three political parties in South Africa all have a clear commitment in advancing LGBTQ rights and protections in the country – at least on paper. This means that LGBTQ South Africans have the freedom to be more selective with the choices they make at the ballot box.

LGBTQ South Africans’ biggest concerns correlate with the general population

The polling results also showed which socio-economic and political issues LGBTQ voters would like political parties to prioritise. The two biggest concerns for LGBTQ South Africans were corruption and unemployment. These two socio-economic issues are also the biggest concerns for South Africans in general, as highlighted by the findings of the Institute of Race Relations’ (IRR) field survey.⁵⁶ Although violence and discrimination against the LGBTQ community is still prevalent in many parts of South Africa, the fact that unemployment and corruption were the top two issues to prioritise points to the political and economic turmoil the country finds itself in. Quarter 2 data from Stats SA shows that South Africa has lost more than 2.2 million jobs during the hard nationwide lockdown to curb the spread of the coronavirus.⁵⁷ Furthermore, our unemployment levels based on the expanded definition (which includes discouraged work-seekers) were already pushing 40% before the pandemic even reached our shores.⁵⁸ In terms of corruption, South Africa’s position on the global Corruption Perception Index (CPI) declined from 43 out of 180 countries in 2007 to 71 in 2017.⁵⁹

Another prevalent issue for LGBTQ South Africans is crime. A few years ago, a study by OUT LGBT Well-being revealed that 50% of Black queer people in South Africa knew of someone who had been murdered for being gay or lesbian.⁶⁰ More broadly, the latest South African Police Service (SAPS) data shows that South Africa remains a violent society, with 36 murders committed per 100 000 people.⁶¹ This towers over the murder rates of countries such as Australia and Germany – each with a murder rate of just 1 per 100 000 people.⁶² Improving education was ranked fifth, with one respondent saying that ‘education is the key to addressing issues such as homophobia, racism and unemployment’.

56 Institute of Race Relations, *Race Relations in South Africa: Reasons for Hope 2019*, Johannesburg” institute of Race Relations, 2019. <https://irr.org.za/reports/occasional-reports/files/reasons-for-hope-report-final.pdf>.

57 Stats SA, ‘Quarterly Labour Force Survey (QLFS) – Q2’, Media Release, 29 September 2020.

58 Stats SA, *Quarterly Labour Force Survey*, Quarter 2: 2020, Statistical Release PO211, 29 September 2020. <http://www.statssa.gov.za/publications/PO211/PO2112ndQuarter2020.pdf>. 59 T.

59 *Corruption Perception Index 2017*, transparency.org, 21 February 2018. <https://www.transparency.org/en/news/corruption-perceptions-index-2017>.

60 OUT LGBT Well-being, *Hate Crimes Against Lesbian, Gay, Bisexual, Transgender(LGBT) People in South Africa*, 2016.

61 South African Police Service (SAPS), *Crime Situation in South Africa, April 2019 to March 2020*, www.saps.gov.za.

62 World Bank, Intentional Homicide Rate per 100 000 people, accessed 1 September 2020. <https://data.worldbank.org/indicator/VC.IHR.PSRC.P5>.

Fighting homophobia was ranked further down the list of issues that needed to be prioritised – listed as sixth overall. This still remains an important issue to address. Around half (55%) of LGBTQ South Africans surveyed by OUT LGBT Well-being expressed a fear that they might experience discrimination due to their sexual orientation.⁶³

People do not believe that political parties take LGBTQ issues seriously

A majority of respondents indicated that they did not trust or believe political parties when they promised to create a better world for LGBTQ people. One respondent to this report's polls commented that the show of solidarity with the LGBTQ community by the ANC Women's League (ANCWL) was hypocritical. Earlier in 2020, the ANCWL launched the LGBTIQ Desk in Kimberley in order to create a space for members of the LGBTQ community to freely express themselves and influence the movement in its articulation of policies and conference resolutions.⁶⁴ However, one of the respondents that took part in the author's polling said that 'a majority of parties, including the ruling party, have in the last 10 years done very little to speak to, address the issues of, or actively support the protection of gay, lesbian, bisexual, trans and queer South Africans. Recent shows of solidarity by the ANCWL are tinged with cynicism, as they have been deafeningly quiet when our lesbian sisters were brutally attacked and murdered in the past years. Jessie-come-lately isn't good enough!' Another respondent commented that 'actions speak louder than words'. Yet another stated that they would only trust a political party if it was historically and visibly involved with the community.

South Africa does not have an excellent track record when it comes to protecting LGBTQ rights

Only 2% of respondents ranked South Africa's track record as excellent. Around four out of 10 said the country had a 'good' track record while another four out of ten believed that South Africa's performance was mediocre. One respondent said: 'The LGBTQ+ community in South Africa is blessed to live in a country that has granted us more legal recognition and equality than most other countries. And yet we still face stigmatisation and harassment in most facets of our lives, including pressures to remain closeted out of fear for our physical and emotional well-being. LGBTQ+ people of colour face the greatest dangers, especially those living in informal settlements and areas with poor education. There needs to be greater protection of LGBTQ+ rights, harsher punishment for crimes against LGBTQ+ individuals – particularly the trans community, and those of colour – and improved education campaigns educating people on LGBTQ+ history in order to remove much of the stigmas and ignorance that prevail heteronormative society.' Violence against LGBTQ people is still prevalent, especially in rural, poorer communities. As mentioned earlier, half of Black LGBTQ South Africans reported knowing someone who had been murdered for having a different sexual orientation or gender identity. Another respondent stated: 'As far as LGBTQ+ rights go on the continent of Africa, South Africa is way ahead although government and politicians still have a lot of work to do to change mindsets in society. We have a great Constitution but society still needs to catch up, including the maturity of voters.' Also, South Africa has been reluctant to champion LGBTQ rights on the continent. The ISS describes the country's position as walking a tightrope between its strong constitutional commitment to protecting gay rights and its solidarity with a largely homophobic Africa.⁶⁵

63 OUT LGBT Well-being, Op. cit.

64 Igual, R, 'ANC Women's League launches LGBTIQ desk', Mambaonline, 13 January 2020. <https://www.mambaonline.com/2020/01/13/anc-womens-league-launches-lgbtqi-desk/>.

65 S Institute of Security Studies (ISS), 'Just how serious is South Africa about gay rights?' <https://issafrica.org/amp/iss-today/just-how-serious-is-south-africa-about-gay-rights>.

The DA enjoys high favourability amongst LGBTQ South Africans

The DA was the party noted as being most likely to do the best job when promoting LGBTQ rights. There could be numerous reasons for this. The DA has the most members who are publicly open about their sexuality and gender identity. One respondent stated that the party ‘... put the first openly black gay candidate into parliament and kept breaking stereotypes by action and not just empty words’. The respondent was likely referring to Zakhele Mbhele, who in 2014 became Africa’s first openly gay black Member of Parliament on the African continent.⁶⁶ Unlike many other of South Africa’s political parties, the DA has been very vocal about human rights abuses and the clampdown on LGBTQ people in other African countries. As mentioned earlier, the DA has submitted a parliamentary motion to condemn the human rights abuses of LGBTQ Ugandans and also protested at embassies of countries clamping down on queer people. The DA also has a strong presence at LGBTQ events such as the annual Queer Pride Parades in the country’s major cities.

Recommendations

South Africa’s LGBTQ population is highly politically active, is willing to consider voting for political parties that prioritise job creation, fighting corruption and crime, and clearly want more representation from the political parties they support. But LGBTQ people also find it difficult to trust politicians and members of parties in providing a better quality of life for them and their peers. In addition to being politically active, the LGBTQ voter segment may be larger than expected. There may also be a growing number of LGBTQ allies who will be reluctant to vote for a party that openly excludes people with different sexual orientations and gender identity. According to a Stats SA report released in 2020, two-thirds or 67% of South Africans aged 16 and older stated that they would be comfortable having a gay or lesbian person as a neighbour.⁶⁷ The LGBTQ population and the people supporting them could prove to be a sizeable voter segment that can boost a party’s growth significantly at the polls. The following section will look at how political parties can improve their image in the LGBTQ community and present themselves as a viable option for queer people to vote for.

Visible and active LGBTQ allies in government can strengthen ties between political parties and the community

There are very few openly queer politicians in South Africa. Those who are in a position of influence need to use the opportunity to make their respective political parties more accessible to the queer community. According to a research paper written by Andrew Reynolds from the University of North Carolina, LGBTQ legislators have an enormous impact on a country’s track record when it comes to LGBTQ rights. Reynolds says that the presence of LGBTQ Members of Parliament (MPs) has a high correlation with an improvement in LGBTQ rights. Reynolds analysed the legislatures of 96 countries between 1976 and 2011. Of the 96 countries Reynolds analysed, he was able to identify 151 LGBTQ MPs elected to the national assemblies. The overall majority of elected LGBTQ MPs were located in established democracies in Western Europe, Northern America and Australasia. He further notes that a country with elected LGBTQ MPs is 14 times more likely to either have marriage equality or same-sex civil union laws than countries with no openly LGBTQ MPs.⁶⁸

66 DeBarros, L, ‘Exclusive: meet Africa’s first openly gay black MP’, Mambaonline, 22 May 2014. <https://www.mambaonline.com/2014/05/22/exclusive-meet-africas-first-openly-gay-black-mp/>.

67 Stats SA, *Governance, Public Safety and Justice Survey GPSJS 2019/20*, Statistical Release P0340, 29 October 2020, p. 30.

68 B Reynolds, A, ‘Representation and Rights: The impact of LGBT legislators in comparative perspective, University of Carolina, May 2013.

Having openly LGBTQ individuals in parliaments may also stimulate more tolerant behaviour amongst the general public. Pew Research has shown that greater social acceptance has come from either knowing someone who is LGBTQ or being aware of a public figure who is LGBTQ. The majority of the 1 197 people polled by Pew Research said that society had become more accepting of LGBTQ people in the last ten years. Respondents mostly attributed society's change in attitude to people knowing and interacting with someone who is LGBTQ or to the advocacy of high-profile LGBTQ figures.⁶⁹ Thus, high-profile figures such as LGBTQ MPs can have a huge impact on society's overall views on sexual minorities. But this will have to correlate with LGBTQ MPs being open and visible to society as well as actively advocating for inclusion and tolerance.

Lynne Brown was appointed as South Africa's first openly gay Cabinet Minister in 2014.⁷⁰ Her appointment by then president Jacob Zuma was seen as a major symbolic move on a continent where LGBTQ people often are imprisoned or executed. Brown has been known for her advocacy for women's rights. However, although Brown is openly gay, she has never used her high-profile position to speak up for the LGBTQ community.⁷¹

As shown in the section above, the LGBTQ community successfully lobbied for more rights during the negotiated transition from Apartheid to democracy. This was largely attributed to constant dialogue between the ANC and OLGA. Also, many of the ANC's prominent members engaged regularly with LGBTQ activists and were vocal about their support for the community. It is therefore important to find allies for the LGBTQ community within government structures to create a space for more engagement on queer issues. Political parties should also encourage an environment in which their members feel comfortable to be completely open about their sexual orientation and gender identity.

Have regular engagements through events with LGBTQ civil society organisations

Political parties should show greater solidarity with the LGBTQ community by attending, hosting or sending party representatives to queer events. Political parties often attend or host events on Youth Day or Women's Day. For example, last year, a number of political parties in Gauteng were present during ceremonies and marches across the province commemorating the 43rd anniversary of the Soweto uprising and those who died in the protests. ANC chairperson and provincial Premier David Makhura participated in a 4km walk towards the Morris Isaacson High School in Jabavu, Soweto where the uprising began. The march was a government-led event. Makhura's entourage was later joined by then Johannesburg DA mayor, Herman Mashaba, for a wreath-laying ceremony. The DA's youth leader in Gauteng, Luyolo Mphithi, attended celebrations at the Phefeni Train Station before heading to a main event at the Hector Pieterse Memorial Site.⁷² These events were held to pay tribute to the youth of 1976 for their activism. Similarly, party leaders need to send a clear signal to their members and supporters that rights for LGBTQ people are important and a priority.

One way to do this is to host events that will give LGBTQ members an opportunity and a platform to engage with legislators on issues affecting them. For example, the Gauteng Provincial Legislature

69 Pew Research, *A Survey of LGBT Americans: Attitudes, experiences and values in changing times*, 12 June 2013.

70 Smith, D, 'South Africa appoints first lesbian to cabinet', *The Guardian*, 26 May 2014. <https://www.theguardian.com/world/2014/may/26/south-africa-appoints-gay-minister-lynne-brown>.

71 News24, 'SA's first gay minister: why it matters', 6 June 2014, <https://www.news24.com/News24/Lynne-Brown-SAs-first-gay-minister-why-it-matters-20140606>.

72 ANtshidi, E, 'Political Parties in Gauteng commemorate Youth Day in Soweto', *Eyewitness News*, 16 June 2019. <https://ewn.co.za/2019/06/16/political-parties-in-gauteng-to-commemorate-youth-day-in-soweto>.

(GPL) hosted its inaugural *Sector Parliament for the Lesbian, Gays, Bisexual, Transgender and Intersex (LGBT) society* in 2014. The GPL observed that there was a lack of participation by LGBTQ individuals in legislative matters mostly due to discrimination. This was an effort by the GPL to involve LGBTQ people in legislative processes and to gain a better understanding about the issues this community faces. The EFF – as previously noted – once hosted a minority groups seminar in 2014 to discuss LGBTQ issues. EFF member, Cameron Modisane, said that political parties did not always recognise the importance of minority groups and, gender and sexual rights. This was perhaps a clear attempt by the EFF to court the Pink Vote for the 2014 national elections.⁷³ As the findings from the author’s polling shows, LGBTQ voters do not necessarily have faith in political parties having their best interests at heart. Political parties therefore need to hold similar events, not only during an election year, but on a regular basis in order to build greater trust between them and members of the community.

Awareness campaigns within party structures about the values of the Constitution

Even though South Africa’s Constitution contains a wide variety of protections for the queer community, these protections do not always reach down to grassroots level. A list issued by the Department of Home Affairs revealed that only 28.6% of their offices have marriage officers who are willing to marry same-sex couples.⁷⁴ LGBTQ South Africans are also highly reluctant to report incidents of hate crime to the police. According to OUT LGBTI Well-being, 88% of hate crime victims did not report the incident to the police.⁷⁵ One of the main reasons why LGBTQ victims are reluctant to report incidents is their lack of faith in the police to take the crime seriously, and accusations of the police being homophobic and abusive towards victims.

LGBTQ migrants, refugees and asylum seekers in Africa also find it particularly difficult to obtain legal documentation from South Africa’s Home Affairs departments and to acquire refugee status. In several instances, LGBTQ people are refused asylum status for discriminatory reasons. A case in point is the rejection of the application for asylum of Kenyan LGBTQ activist George Barasa.⁷⁶ Barasa, a prominent LGBTQ activist and openly gay man, who was fleeing from persecution by the Kenyan government, had his application rejected by Home Affairs on the grounds that he falsely claims to be gay. One official asked Barasa: ‘Do you have a partner, is he a man?’ and further stated that he was unable to prove that he was gay. Barasa is one of many such cases where LGBTQ refugees and asylum seekers have been turned away and even experience further abuse at Home Affairs. A study by Access Chapter 2 revealed that 86% of the LGBTQ migrants, refugees and asylum seekers interviewed said that they were asked to prove their sexual orientation by Refugees Centre officials.⁷⁷ It can be notoriously difficult to prove one’s sexual orientation and is often the basis on which applications are rejected. Furthermore, 56% of the respondents have experienced hate crime incidents inside or outside of the Refugee Centres.

It is important that political parties do not assume that all members of a party are equally aware of the human rights of LGBTIQ persons. Political parties need to ensure that government services are

73 Igual, R, ‘EFF to hold minority groups seminar’, Mambaonline, 28 March 2014. <https://www.mambaonline.com/2014/03/28/eff-to-hold-lgbti-rights-seminar/>.

74 Igual, R, ‘Shocking! Only 28% of Home Affairs offices will marry lesbian and gay couples’, Mambaonline, 8 September 2016. <https://www.mambaonline.com/2016/09/08/farce-28-home-affairs-offices-will-marry-gay-people/>.

75 OUT LGBT Well-being, Op. cit.

76 DeBarros, L, Abusive Home Affairs biggest challenge facing LGBTI asylum seekers, Mambaonline, 31 May 2019, <https://www.mambaonline.com/2019/05/31/abusive-home-affairs-biggest-challenge-faced-by-lgbti-asylum-seekers/>

77 Access Chapter 2, The Voice: Life Experiences of LGBTI Refugees and Asylum Seekers in South Africa, 2019.

inclusive, and need to take action where the values of the Constitution are ignored by officials. Parties themselves must hold regular discussions within all levels of their institutions to promote awareness for these rights, and the challenges LGBTIQ persons face.

Know your target audience

Government and policymakers rely heavily on consistently produced evidence-based research and data about communities in order to allocate resources adequately, implement community development plans, and to evaluate the effectiveness of policies. Data on the South African LGBTQ community remains scarce, which prevents policymakers and activists from identifying and addressing queer people's needs. It is therefore imperative that political parties prioritise data-collection on sexual orientation and gender identity and ensure that the information is updated on a regular basis and made freely accessible. This will help to ensure that public policy is geared to serving the local LGBTQ community.

Hold party members more accountable

When members are found guilty of homophobic behaviour, political parties should take action to show that they are serious about dealing with discrimination. As mentioned earlier, three EFF members voted against the Civil Union Amendment Act. After facing severe criticism, the EFF in a statement apologised to the LGBTQ community and asked the three members to account for voting in a manner inconsistent with the party's official position on legislation around LGBTQ issues.

Conclusion

As in the apartheid era, South Africa's LGBTQ community is a politically engaged group. However, even though the battle has been won to ensure a long list of protections for the community is written into the Constitution, the benefits often do not extend to marginalised parts of society. Pro-LGBTQ parties in South Africa should do more to engage with this vulnerable group in order to create a safe and more equal environment for queer people. Doing so will also benefit political parties handsomely at the polls. LGBTQ people are eager to show their support to anyone or any organisation that will champion their rights. They are also pragmatic in their voting behaviour, as any party whether on the left or right of the political spectrum stands to receive support from this cohort if they are able to effectively deal with the major issues that affect queer South Africans. It is time for political parties to realise that the Pink Vote is an active, dynamic and electorally valuable market to tap into.