

## REPRESENTING AFRICAN SEXUALITIES: CONTESTING NATIVISM FROM WITHOUT

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[T]here is a difference between knowledge of other peoples and other times that is a result of understanding, compassion, careful study and analysis for their own sakes, and on the other hand knowledge – if that is what it is – that is part of an overall campaign of self-affirmation, belligerency, and outright war. There is after all, a profound difference between the will to understand for the purposes of coexistence and humanistic enlargement of horizons, and the will to dominate for the purposes of control and external domination.<sup>1</sup>

### 1 Introduction

This chapter seeks to underscore that narratives created by others to represent African sexualities should always be understood as culturally and historically situated. They are representations constructed within the knowledge and power systems of a given polity, at a particular historical time and location, together with their social and political dynamics for social stratification, domination and status subordination. I use the representation of African sexualities in colonial discourses to show how the stereotypes they construct are anchored in the nativisation of African cultures.

My argument is that the value of these discourses lies, not in their being the most important archive on the representation of African sexualities, but in their persistent power to regulate the social, political and economic lives of the objects of that power – the colonised people. Colonial discourses show connections between knowledge and power and how this couplet can be used by a politically dominant social group to achieve the status subordination of a marginalised social group through regulatory policies, laws and practices. A combination of patriarchal-capitalist ideology, imperialistic interests of domination and appropriation

1 EW Said *Orientalism* (1979) xix, originally published in 1978.

and racially delineated institutional power is what sustained colonial discourses.<sup>2</sup>

The theoretical framing of the arguments in this chapter draws mainly, though not solely, on the works of two authors: Edward Said's discourse on 'orientalism'<sup>3</sup> and Mahmood Mamdani's discourse of 'nativism'.<sup>4</sup> I use orientalism and nativism as conceptual resources for interrogating the (mis)representation of African sexualities from the outside. I argue that the discursive value of colonial discourses goes beyond merely providing us with a historical backdrop for the representation of African sexualities during a bygone era. The discourses help us to understand the present by revealing how knowledge about African sexualities, especially the persistence of stereotypes, is constructed in part from the outside.

## 2 Said's discourse of orientalism

In 1978 Said published his path-breaking monograph, *Orientalism*.<sup>5</sup> Prior to that date orientalism, as an academic discipline, was understood primarily through the prism of Western-inspired inquiry: it was the philological, cultural, and historical study – mostly by the West – of the peoples in the region known as the Orient or the East.<sup>6</sup> In *Orientalism* Said reversed the order. Focusing on the Arab East, he developed 'orientalism' as an idea and, significantly, as a discourse that critically interrogates how the West historically succeeded in producing and sustaining a set of knowledges about the East through imperial power and cultural hegemony.

In Said's words, *Orientalism* is an effort to implicate and decode a Eurocentric 'style of thought based upon an ontological and epistemological distinction between "the Orient" and (most of the time) "the Occident"'.<sup>7</sup> Said broke new ground in deconstructing the classical era of European imperialism to reveal its coherence as an intertwined system of knowledge and discrepant power. Ultimately *Orientalism* implicates cultural imperialism as a political vision whose intellectual

2 S Tamale 'Exploring the contours of African sexualities: Religion, law and power' (2014) 14 *African Human Rights Law Journal* 150 at 158-159.

3 Said (n 1 above).

4 M Mamdani *Define and rule: Native and political identity* (2013). See also Mamdani's other works, including *Citizen and subject: Contemporary Africa and the legacy of late colonialism* (1996); and *When victims become killers: Colonialism, nativism, and the genocide in Rwanda* (2001).

5 Said (n 1 above).

6 Said (n 1 above) 38 49-53. Geographically, the Orient is a vast region which covers parts of North Africa, present-day Middle East and South Asia, and includes Japan.

7 Said (n 1 above) 2.

power is held together by a set of ideas that, in a Gramscian sense, create a theory and practice of hegemonic and durable knowledge about colonised peoples.<sup>8</sup>

Introducing *Orientalism*, Said wrote:

[A]s much as the West itself, the Orient is an idea that has a history and a tradition of thought, imagery, and vocabulary that have given it reality and presence in and for the West ... ideas, cultures and histories cannot seriously be understood or studied without their force, or more precisely their configurations of power, also being studied. The relationship between Occident and Orient is a relationship of power, of domination, of varying degrees of a complex hegemony ...<sup>9</sup>

In linking the production of knowledge with the exercise of discrepant imperial and cultural power, Said was not pioneering a new epistemology; instead he built on earlier discourses but applied them to a new setting. To a point *Orientalism* methodologically borrows from a foundation laid down by Michel Foucault:<sup>10</sup> its discursive architecture builds upon Foucault's works, including *The archaeology of knowledge*, and *Discipline and punish*.<sup>11</sup> Implicitly as well as explicitly, Foucault's notion of discourse as an analytical tool for understanding, in political, sociological, military, ideological, scientific and other senses, how European culture was used to produce and reproduce the Orient in the post-Enlightenment period is an integral fabric of Said's narrative.<sup>12</sup> In the following remark Said expressly appeals to a Foucauldian premise as a tool for decoding texts written about the Orient by Europeans:

Most important, such texts can *create* not only knowledge but also the very reality they appear to describe. In time, such knowledge and reality produce a tradition, or what Michel Foucault calls a discourse, whose material presence or weight, not the originality of a given author, is really responsible for the texts produced out of it.<sup>13</sup>

8 Said (n 1 above) 5-7 43; A Gramsci *The prison notebooks: Selections* (1971). Said (n 1 above) 7.

9 Said (n 1 above) 5.

10 Said (n 1 above) 3. I say 'to a point' because Said draws on other methods, and in order to acknowledge the criticism about the incompleteness of Said's own Foucauldian analysis which I discuss in sec 2.1 (below).

11 Said (n 1 above) 3; M Foucault *The archaeology of knowledge* (1972); M Foucault *Discipline and punish: The birth of a prison* (1977).

12 Said (n 1 above) 3.

13 Said (n 1 above) 94 (emphasis in original).

Gramsci's discourse of hegemony in *The prison notebooks* is also an informing premise in *Orientalism*.<sup>14</sup> Said uses Gramsci's notion of hegemony to explain the durability of orientalism. The Gramscian insight is that, even without totalitarianism, certain cultural forms become dominant and more influential than others – hegemonic – so as to constitute cultural leadership.<sup>15</sup> However, *Orientalism* is not pinned to only Foucauldian and Gramscian analytical approaches but draws on a syncretic archive which includes the disciplines of anthropology, archaeology, comparative literature, history, philology and sociology.

The specific linkage between the production of knowledge and the exercise of colonial power in Said's discourse, together with its teleology as a Western tool and a modality for dominating and subjugating colonies,<sup>16</sup> had been anticipated by anti-colonial theorists, notably by Frantz Fanon and Aimé Césaire.<sup>17</sup> At the same time Said's discourse is an august addition: its contribution is to new understandings of colonialism in the period *after* the colonial moment.<sup>18</sup> The pioneering anti-colonial theorists, such as Fanon and Césaire, write at the coalface of the colonial moment whereas, Ali Mazrui remarks, Said's interpretation of European imperialism came with the hindsight of Hegel's 'owl of Minerva', spreading its wings at the fall of dusk.<sup>19</sup>

Said's contribution lies in its extensive use of literature to interrogate simulations and dissimulations of historical forces which have become a foundation of 'postcolonial studies' as an academic discipline.<sup>20</sup> Addressing the theoretical and practical body of knowledge which Europe or the 'West' constructed around the Orient or the 'Middle East', he argues, as is quoted in the epigraph, that there is a difference between knowledge of other people derived from understanding, compassion and careful study, and knowledge that is part of an aggressive campaign of self-affirmation. Whereas the former serves humane coexistence, the latter

14 Said (n 1 above) 6-7; Gramsci (n 8 above).

15 Said (n 1 above) 7.

16 Said (n 1 above) 3.

17 F Fanon *Black skin, white masks* (1967); F Fanon *The wretched of the earth* (1967); A Césaire *Discourse on colonialism* (1950). See also A Memmi *The colonizer and the colonized* (1967).

18 A Loomba *Colonialism/Postcolonialism* (2005) 44; AA Mazrui 'The re-invention of Africa: Edward Said, VY Mudimbe, and beyond' (2005) 36 *Research in African Literature* 68 at 68-69; S Wynter 'Unsettling the coloniality of being/power/truth/freedom: Towards the human after man, its overrepresentation – An argument' (2003) 3 *The Centennial Review* 257 at 327.

19 Mazrui (n 18 above) 68; GWF Hegel *Elements of the philosophy of right* (1991), originally published in 1820.

20 Loomba (n 18 above) 44; Mazrui (n 18 above) 68.

facilitates domination and control. Said's point is that as a knowledge system, orientalism squarely belongs to the latter and has been constitutive of Western civilisation.

*Orientalism* does not set out to demonstrate whether knowledge generated by the West about the East has no foundation or, much less, is built on 'a structure of myths and lies'.<sup>21</sup> Said's spotlight is on the cultural production of knowledge which has the effect of 'orientalising' the Orient such that the heterogeneities of countries, cultures, traditions, religions and histories of a particular region are elided and filtered through a grid of intelligibility that registers only an Oriental category to produce, for example, representations of 'the Oriental character', 'the Arab mind' or 'the Muslim mind'.<sup>22</sup> *Orientalism* challenges the notion of human difference built around certain chosen forms if that difference implies a 'frozen reified set of opposed essences' around which an archive of adversarial knowledge for separating human beings and for polarising social groups is constructed.<sup>23</sup>

As a discourse orientalism implicates hegemonic knowledge and an ideological grid of intelligibility that articulates the relationship between the Occident and the Orient within a political configuration of power, domination and possession.<sup>24</sup> Said's orientalism speaks to knowledge and praxis deployed to nurture and sustain a political project whose objective was to promote the difference between the familiar – Europe, the West, 'us' – and the strange – the Orient, the East, 'them',<sup>25</sup> – through representation. Said explains representation and its connection with truth in the following way:

I believe it needs to be made clear about cultural discourse and exchange within a culture that what is commonly circulated by it is not 'truth' but representations. It hardly needs to be demonstrated again that language itself is a highly organized and encoded system, which employs many devices to express, indicate, exchange messages and information, represent and so forth. In any instance of at least written language, there is no such thing as delivered presence, but a *re-presence*, or representation.<sup>26</sup>

21 Loomba (n 18 above) 6.

22 Loomba (n 18 above) 38-40; H Teo 'Orientalism: An overview' (2013) 54 *Australian Humanities Review* 1 at 2.

23 Said (n 1 above) 350.

24 Said (n 1 above) 5-6.

25 Said (n 1 above) 45-46.

26 Said (n 1 above) 21 (emphasis in original).

Said did not write specifically about Africa or sexuality. Nonetheless, *Orientalism* is insightful as a deconstructive archive for understanding the teleology in colonial expressive, as well as implicit, representations of Africans, including, as I argue, African sexualities.<sup>27</sup> Said's critical lens is focused not so much on the objects of imperial power as on the discursive power itself. The discursive power of Said's orientalism in questioning as well as implicating cultural imperialism is a useful conceptual resource for understanding some of the knowledge systems that have been historically used to *misrepresent* African sexualities, especially from the outside. Sexualities are historically and culturally constructed.<sup>28</sup> Africa's past, including its colonial history, is an important archive for understanding how African sexualities were represented during the colonial encounter and how some of the representations persist. It is possible to draw a parallel between the creation of the Orient and orientalism and the creation of Africa and nativism. In the African context, 'nativism from without', which is the theme of this chapter, can be understood as the accompanying knowledge system about African people assembled by colonising powers and their proxies, including knowledge about African sexualities.

## 2.1 *Orientalism* and Said's aporias

In appropriating Said's discourse of orientalism as an analytic resource, I am mindful that despite its path-breaking nature it is not above reproach: it is the subject of both acclaim and criticism.<sup>29</sup> Some of the criticism, especially by politically conservative commentators, such as Bernard Lewis and Donald Little, is one-sided to the point of dismissing *Orientalism*.<sup>30</sup> The main charge is that Said's work is baseless, manipulative political rhetoric motivated by an ideological resentment of the West. It is said that *Orientalism* distorts the true picture and leaves out scholarship by European and Arab scholars that does not fit Said's thesis. What critics such as Lewis and Little miss is that *Orientalism* is not about analysing the work of individual scholars, politicians or bureaucrats to see whether their efforts were the result of imperialist inclinations, racism or malevolence.<sup>31</sup> Said's work is an attempt at producing a discourse of power and subjection

27 Mazrui (n 18 above) 68.

28 See ch 7.

29 For an overview of the main criticisms, see: Teo (n 22 above).

30 B Lewis 'The question of Orientalism' *New York Review of Books* 24 June 1982; 'Reply to Said's letter' *New York Review of Books* 12 August 1982; *Islam and the West* (1993). See also DP Little 'The three Arab critiques of Orientalism' (1979) 69 *Muslim World* 110; Teo (n 22 above) 11.

31 Z Lockman *Contending visions of the Middle East: The history and politics of orientalism* (2004); Teo (n 22 above) 12.

to reveal a systematic cultural production and reproduction of knowledges of others, together with imagery, vocabulary and institutions, which were generated by the West in order to understand and direct the Orient for the purposes of control and external domination.

*Orientalism* is not a diatribe against the West but a discourse of domination and subordination, inclusion and exclusion, voice and silence and ultimately the codification of hegemonic difference between the conquerors and the conquered.<sup>32</sup> It is a robust interrogation of the Eurocentricism in the imperial power of the West, in the sense of epistemologies that privilege European worldviews at the same time as they marginalise and invalidate worldviews from other parts of the globe. Through the discourse of orientalism Said developed a theoretical perspective on epistemic processes that naturalise the idea of a superior colonising power and culture and an inferior colonised peoples and culture by producing knowledge that cognitively valorises the West and invalidates its colonial objects. *Orientalism* does not suggest that Western culture is unique in imagining itself as the bearer of history, enlightenment and the culmination of civilisation. Rather, it is a discourse on how imperial Europe managed to spread and establish this perspective as a hegemonic understanding of the Arab East.

Other critics of *Orientalism* are not entirely dismissive but point out aporias and methodological inconsistencies. I single out for discussion three criticisms because of their value in drawing lessons for the construction of an inclusive framework for representing African sexualities. The first is that the voice of resistance is absent in *Orientalism*.<sup>33</sup> A second is that there is an absence of historicism, especially the subjective histories of colonised people.<sup>34</sup> A third criticism is that gender and sexuality are absent.<sup>35</sup> Collectively, these criticisms can be understood as saying that in seeking to reveal the orientalisating excess of imperialism, Said paradoxically succeeded in committing an excess of his own by creating sameness among the colonised people as well as in the coloniser.

32 P Brantlinger 'Victorians and Africans: The genealogy of the myth of the Dark Continent' (1985) 12 *Critical Inquiry* 166 at 167.

33 F Halliday "'Orientalism" and its critics' (1993) 20 *British Journal of Middle Eastern Studies* 145; Loomba (n 18 above) 193; P Holden 'Reinscribing orientalism: Gendering modernity in colonial Malaya' (2001) 29 *Asian Journal of Social Science* 205.

34 A Ahmad 'Between orientalism and historicism: Anthropological knowledge of India' (1991) 7 *Studies in History* 135; Halliday (n 33 above); Holden (n 33 above).

35 L Lowe *Critical terrains: French and British Orientalisms* (1991); B Melman *Women's Orients: English women and the Middle East, 1718–1918. Sexuality, religion and work* (1992) 1-22; R Lewis *Gendering orientalism: Race, femininity and representation* (1996) 1-22; M Yegenoglu *Colonial fantasies: Towards a feminist reading of orientalism* (1998) 1-38.

With regard to the first criticism it is true that in Said's discourse the voices of the colonised are not heard: *Orientalism* does not allow the colonised to speak save through Said's voice.<sup>36</sup> It is not argued that there is no place for a representative voice, but in not creating space for direct representation the impression is given, however unintended, of colonised people as passive recipients who are all impacted by the imperialist intrusion in the same way. In Fred Halliday's view, *Orientalism* illustrates the limits of 'discourse' analysis.<sup>37</sup> Thus Said tells us what was done to people in the Arab East but not how they responded or were impacted by colonial power. From this perspective *Orientalism* leaves an existential gap by overly focusing on a discourse about the Middle East without looking at the politics and concrete socio-economic realities on the ground.<sup>38</sup> According to Halliday, this means that *Orientalism* gives causal primacy to what people say and write about the Orient and but not what actually happens at a societal level.<sup>39</sup>

Philip Holden frames his criticism of the silencing of the voices of the colonised in *Orientalism* using Said's own Foucauldian premise.<sup>40</sup> His charge is that in a Foucauldian sense Said's orientalism is methodologically incomplete: it allows us to see only half the picture and in an ossified form. On the one hand, *Orientalism* shows us that discursive formations have regularities but on the other, it fails to tell us that the regularities are subject to change.<sup>41</sup> In sum, Holden's argument is that Said's discourse ought to have conceded, as Foucault argued, that a discursive formation is not an all-determining epochal event that 'arrests time and freezes it for decades or centuries',<sup>42</sup> but is a formation which determines a regularity that is tethered to temporal processes.<sup>43</sup>

A discourse formation, according to Foucault, 'presents the principle of articulation between a series of discursive events, transformations, mutations and processes'.<sup>44</sup> By not articulating the impact on and the response of colonised people to imperial discourses, *Orientalism* failed to reveal the transformations and the mutations consequent upon the colonial encounter. It is argued that Said succeeds in revealing only the operation of imperial power in its 'terminal forms', but not as a process 'which

36 Loomba (n 18 above) 46.

37 Halliday (n 33 above) 150.

38 As above.

39 Halliday (n 33 above) 149-151.

40 Holden (n 33 above).

41 Holden (n 33 above) 215.

42 Foucault *The archaeology of knowledge* (n 11 above) 74.

43 As above.

44 As above.

through ceaseless struggles and confrontations, transforms, strengthens, or reverses' a multiplicity of relations.<sup>45</sup> Echoing the criticism, Ania Loomba says that *Orientalism* overly focuses on imperialist discourses and their impact or intended impact on colonised people but fails to simultaneously register the voices of the colonised peoples, to see how they 'received, contributed to, modified, or challenged such discourses'.<sup>46</sup>

The second criticism – the absence of the historicism of the colonised people in *Orientalism* – on which Aijaz Ahmad has been most vocal,<sup>47</sup> can be understood as an amplification of the charge about the failure to give voice to colonised peoples. Ahmad argues that Said treats colonialism as a singular factor that is autonomously constitutive of the colonised society.<sup>48</sup> Said is criticised for not proposing any periods of Arab historicities, social strata (including class and gender), cultural, religious and governing institutions, and politics in the framing of his arguments about orientalism. It is said that 'disagreeable' facts about the Orient's past, such as the monarchical absolutism of the medieval Islamic Caliphate, and of the present, such as 'Islamic fundamentalism' and its use in political and juridical discourses, are ignored in *Orientalism*.<sup>49</sup> Ahmad goes so far as to suggest that in not engaging with Arab histories of class and gender formation, Said gives succour to oppressive Arab nationalism and promotes an indigenism that fits into a paradigm of 'orientalism in reverse'.<sup>50</sup>

The third criticism, mainly by feminists, interrogates the gendered nature of Said's discourse and, more particularly, the invisibility of women. In *Orientalism* Said says that orientalism was 'an exclusively male province'.<sup>51</sup> Critics argue that this perspective is limited as it fails to interrogate how women participated in the construction of orientalism, including seeing whether women's orientalism was different from that created by men.<sup>52</sup> Said is criticised for developing a discourse that implicates only the patriarchal.<sup>53</sup> This criticism underscores the perceived ahistoricism in *Orientalism*. A related criticism is that Said fails to see contradictions in colonial power, including competing narratives of

45 M Foucault *History of sexuality Vol 2* (1990) 92; Holden (n 33 above) 202.

46 Loomba (n 18 above) 193; Holden (n 33 above),

47 Ahmad (n 34 above).

48 Ahmad (n 34 above) 148-152.

49 Ahmad (n 34 above) 148-149.

50 Ahmad (n 34 above) 163, citing SJ Al-Azm 'Orientalism and orientalism in reverse' (1981) 8 *Khamsin* 5.

51 Said (n 1 above) 207.

52 Melman (n 35 above); Lewis (n 35 above); Yegenoglu (n 35 above).

53 Teo (n 22 above) 13-14.

power.<sup>54</sup> Lowe observes that at the same time as orientalising the East Europe was also engaged in creating its 'internal others', especially the working class and women and, furthermore, this internal othering was the subject of contestation in the metropolis.<sup>55</sup> It is argued that colonial power was not as unitary or dominant as it appears in *Orientalism* but was subject to contestation.

By seeing orientalism as 'an exclusively male province', as *Orientalism* does, Said failed to develop a heterogeneous orientalist discourse, including an analysis of the role of women in cultural production and imperial hegemony. Feminist works have sought to fill this gap, such as Reina Lewis' *Gendering orientalism*.<sup>56</sup> Lewis uses visual arts and writings by white middle-class women to interrogate the relationship between gender, race and the empire.<sup>57</sup> She seeks to uncover 'the profound heterogeneity of the Orientalist discourse'.<sup>58</sup> One of her findings is that as cultural agents, women had a contradictory relationship with the imperial project. On one hand Western women were complicit in contributing to the culture of imperialism, on the other they spoke with different, albeit, paternalistic voices and in the process contradicted to a point some of the orientalising views of their male counterparts.

### 2.1.1 *Hybridity: Breaking with coloniser/colonised binary*

A lesson to draw from the critique of *Orientalism* is that, when interrogating colonial power and its reach, it is important to register the voices of the colonised in their multiplicities, subjectivities and historicities. *Orientalism* does not speak at all about the resistance against colonialism. Furthermore, it falls into the trap of treating a historical era as if it were shaped by a single factor – imperialism. A single social or political factor, however, epochal, cannot solely shape history, which is, rather, shaped by a multiplicity of interacting and interdependent factors.<sup>59</sup> Inadvertently, Said invested imperialism with the status of a centripetal force that asserts crushing and unstoppable progress.<sup>60</sup>

54 Lowe (n 35 above).

55 As above.

56 Lewis (n 35 above); A Levy 'Review' (1999) 63 *Feminist Review* 117; A Burton 'Review' (1999) 25 *Signs: Journal of Women in Culture and Society* 243 at 244.

57 From visual arts, Lewis used the paintings of the French artist Henriette Browne – *Les Soeurs de Charité* (The Sisters of Charity) (1859) and *La Pharmacie Intérieure* (The Convent Dispensary) (1859). From writing, she used the novel *Daniel Deronda* by George Eliot (Mary Ann Evans) (1876).

58 Lewis (n 35 above) 5.

59 A McClintock *Imperial leather: Race, gender and sexuality in the colonial context* (1995) 61.

The rhetorical power of *Orientalism* lies in its capacity to map the disciplinary regimes that produce subjugated knowledges and identities.<sup>61</sup> At the same time Said's discourse is heavily reliant on imperialism as a founding premise and homogeneous text with stable representational practices that are organised around an unchanging binary of colonised/coloniser power relations.<sup>62</sup> *Orientalism* does not tell us about the limits of the disciplinary regime, including whether the imperialists or colonisers were transformed by the objects of their power. Highlighting this aporia in some anti-colonial discourses, John Comaroff says an account of colonialism that merely records its triumphs is incomplete as it misses out on registering the contradictions as well as the resistant forces.<sup>63</sup> Colonial power was the subject of a struggle between the ruled and the ruler.<sup>64</sup> In this sense *Orientalism* fails to give a fuller picture of the colonial encounter so as to concomitantly register not just the resistance of the colonised people but also imperialism's own contradictions, incoherence, inchoateness, and complexities.<sup>65</sup> Indeed, this is a criticism that Said conceded. In a later work, *Culture and imperialism*, where the intrusion of Western imperialism is juxtaposed with active 'native' resistance which culminated in anti-colonial struggles and, ultimately, decolonisation, Said addresses the aporia in *Orientalism*.<sup>66</sup>

Colonial power is best understood as subject to transformation in ways that often could not have been anticipated by either the coloniser or the colonised. The work of Homi Bhabha makes this point:<sup>67</sup> he argues, although colonial power imprinted itself on colonised peoples, it was subject to limits, transformation and interchange. His point, contrary to what is implied in *Orientalism*, is that imperialistic intrusion does not work in a smooth dichotomised paradigm. Bhabha uses psychoanalysis and post-structuralism to espouse 'hybridity' as a theory of discourse and

60 J Comaroff 'Images of the empire, contexts of conscience: Models of colonial domination in South Africa' (1989) 16 *American Ethnologist* 661 at 662; Holden (n 33 above) 206.

61 AN Stoler *Race and the education of desire: Foucault's history of sexuality and the colonial order of things* (1995) 1.

62 S Mills *Discourse* (1997) 119, citing D Porter 'Orientalism and its problems' in F Barker et al (eds) *The politics of theory: Proceedings of the Essex Sociology of Literature Conference* (1982) 180.

63 Comaroff (n 60 above) 662.

64 As above; Holden (n 33 above) 206.

65 Comaroff (n 60 above) 662.

66 Said *Culture and imperialism* (1993) xii.

67 HK Bhabha 'Signs taken for wonders: Questions of ambivalence and authority under a tree outside Delhi 1817' (1985) 12 *Critical Inquiry* 144. See also HK Bhabha *The location of culture* (1994); Loomba (n 18 above) 145-153.

power and an alternative discourse to pure 'otherised' difference in explicating the workings of colonial power.<sup>68</sup>

According to Bhabha colonial or imperial power should not be thought of as 'plenitude': as something that has a 'full presence' to command unbridled triumph over what it seeks to subordinate.<sup>69</sup> Instead, there is a middle ground between the coloniser and colonised – the space of hybridity – which is a manifestation not so much of the conscious will of either but of a discursive outcome of the enunciation and translation of colonial power and authority.<sup>70</sup> To make his point Bhabha uses the transformation of the Bible in India, including the demand by Indians that the Gospel be Indianised and translated into local languages. The Indianisation of the Bible shows how the triumph of the writ of colonial power is questioned by its objects so that it emerges not as originary but in a hybridised form: a form in which it is estranged from simple *commandement* and a dominant discourse and becomes colonially appropriated so that it gestures towards representative authority.

Bhabha's main proposition is that colonial power cannot reproduce itself perfectly and that colonialism does not produce fixed or stable identities in which the self and the other are hermetically formed and sealed. This is because the exercise of colonial authority produces 'ambivalence' rather than pure *commandement*: ambivalence leaves the original, colonially intended pure differentiation between coloniser and colonised 'self' and 'other' no longer pure, but altered. In this way, Bhabha captures a subliminal dialogical process involving the conqueror and the conquered: a process in which enunciating and implementing colonial authority places the coloniser and the colonised in relations of complex agonistic reciprocities in which both are changed.<sup>71</sup> When colonial authority is repeated, together with its effort at differentiation and repression, the unanticipated outcome is historical transformation and a discursive transfiguration of what the authority represents. Hybridity is discursively produced from the shifting forces as well as fixities of the coloniality of power. It emerges to take the place of the 'noisy command of colonial authority' and the 'silent repression of native traditions',<sup>72</sup> and in the process transforms the relationship of dominance and subordination in ways that subvert the originary myth of non-dialogic and unitary colonial power.<sup>73</sup>

68 Bhabha 'Signs taken for wonders' (n 67 above) 153; Loomba (n 18 above) 148-149.

69 Bhabha 'Signs taken for wonders' (n 67 above) 149.

70 Bhabha 'Signs taken for wonders' (n 68 above); Loomba (n 18 above) 145-153.

71 Loomba (n 18 above) 194.

72 Bhabha 'Signs taken for wonders' (n 67 above) 154.

In short, even among *Orientalism's* supporters, the chief criticism is that Said's discourse essentialises and over-amplifies the discursive power of imperialism. However, to suggest, as Ahmad does, for example, that *Orientalism* ought to have placed Arab societies, their histories and cultures under the same spotlight as imperial power, and that failure to do so is an apologetic for indigenous patriarchies and pathologies of power misses the point about Said's discourse.<sup>74</sup> *Orientalism* is about European imperialism and how dominant imperial European culture represented non-European cultures. Said's discourse is not about the identity and culture of the Orient itself.<sup>75</sup> Rather, it is an excavation – an archeology – of how Western epistemology projected itself on the Orient from the vantage point of hegemonic colonial power that produced from its interiority what it wished to banish from the European self as its Other.<sup>76</sup>

Highlighting the emergence of hybridised identifications nonetheless requires that we problematise hybridity in order to remain conscious of the hegemony of colonial power and continuing forms of orientalisation and status subordination. Ella Shohat cautions against abstracted 'catch-all hybridity' and its capacity for flattening heterogeneities and eliding differences among different hybridities.<sup>77</sup> She argues, for example, that it is important to tell the difference between hybridity that takes the form of 'creative transcendence', and its coerced counterpart which is a fait accompli and the outcome of 'forced assimilation or internalised self-rejection'.<sup>78</sup> Thus hybridity needs to be particularised so that it can speak to specific locations and temporalities.

### 3 Nativising African peoples

When transposed onto Africa, more particularly sub-Saharan Africa, Saidian orientalism enriches what we know about the European colonising project and its epistemology for framing African peoples. It is an epistemology that transformed Africa, like the Orient, into an idea, a history, and a tradition complete with an imagery and a vocabulary that has given Africa an enduring reality and presence in and for the West.<sup>79</sup> Europe constructed ways of knowing, studying, believing and writing

73 Bhabha 'Signs taken for wonders' (n 67 above) 157.

74 Ahmad (n 35 above).

75 J Massad 'The intellectual life of Edward Said' (2004) 33 *Journal of Palestine Studies* 7 at 9; Loomba (n 18 above) 42.

76 Massad (n 75 above) 9.

77 E Shohat 'Notes on the "post-colonial"' (1993) 31/32 *Social Text* 99 110.

78 Shohat (n 77 above) 109-110.

79 Said (n 1 above) 5.

about Africa and its people.<sup>80</sup> In this sense Said's orientalism discursively echoes VY Mudimbe's thesis on the creation of dichotomous colonising structures to 'invent' an Africa.<sup>81</sup>

The knowledge systems that powered European colonialism reproduced and fulfilled the power of Western discourses on human varieties.<sup>82</sup> Western philosophical and political traditions, however, were manifestly ill-suited to comprehend the diversity of, as well as similarities among Africans.<sup>83</sup> The traditions were ethnocentric in conceiving a universal civilisation that had its origins in a European centre. Encountering other cultures, they maintained the illusion that European culture was the paragon of a universal culture.<sup>84</sup> The cardinal cultural error they made, which Enrique Dussel highlights in his work on liberation philosophy, was to prescribe universality through imagining it *prior* to dialogue across cultures.<sup>85</sup> A compounding error was for imperial Europe to proceed insistently with this fiction long after encountering not just difference but resistance to Eurocentrism. A claim to universality requires intersubjective praxis and should remain porous to iteration which, of course, is precisely the antithesis of imperialism.<sup>86</sup>

The classification of African people as 'natives' and the theory and praxis of 'nativism' are useful as conceptual prisms for discursively understanding the cognitive processes through which colonial representation of African people was allowed to permeate Western consciousness and assume a stable and durable life.<sup>87</sup> 'Native' was constructed out of Eurocentric teleology which produced cultural and racial alterity as discussed in Chapter 3 and Chapter 4 respectively. The term is a geographical application of European Cartesian epistemology that is dependent on the construction of racial difference. It is a modality for investing the difference, especially morphological differences, with metaphysical and moral hierarchical status.<sup>88</sup> It served to 'discover'

80 Loomba (n 18 above) 43.

81 See discussion in ch 3 sec 3.2 especially; VY Mudimbe *The invention of Africa: Gnosis, philosophy and the order of knowledge* (1988).

82 Mudimbe (n 81 above) 16.

83 Mudimbe (n 81 above) 19; JA Mbembe *On the postcolony* (2001) 2.

84 Mudimbe (n 81 above) 19-20, citing P Ricoeur *History and truth* trans CA Kelbley (1965) 277, originally published in 1955.

85 See, for example, E Dussel *The invention of the Americas: Eclipse of the 'Other' and the myth of modernity* (1995). This point is made in LM Alcoff & E Mendieta 'Introduction' in LM Alcoff & E Mendieta (eds) *Thinking from the underside of history: Enrique Dussel's philosophy of liberation* (2000) 1 at 10.

86 Alcoff & Mendieta 'Introduction' (n 85 above) 10.

87 'Nativism' is a concept that is borrowed from Mamdani: Mamdani *Define and rule* (n 4 above). I explain the theory of nativism in the next section.

Africans by geographically anchoring colonised people, thus giving order and intelligibility to the imperial mapmaking project.<sup>89</sup>

‘Native’ was not used to affirm the humanity of the ‘first Africans’ as peoples colonisers could make a genuine effort to understand and with whom they could co-exist in conditions of equality. It did not mean the regular or local inhabitants of Africa prior to the arrival of the colonisers from Europe. Indeed, as Jean-Paul Sartre observed, Europeans could not be natives of any country.<sup>90</sup> Instead, ‘native’ was an emblematic ethnic signifier: it was colonial nomenclature of a derogatory and belligerent nature to mark inferior peoples who were legitimate objects of conquest, subjugation and exploitation. Deployment of ‘native’ to describe Africans became a daily part of capturing the legitimacy of the interaction between a colonising, innately superior and civilising white race and a colonisable, innately inferior, indigenous black race.

‘Native’ has served as a trope for the animal to capture fictions of the bestial, but tameable, raw, savage status of the inhabitants of Africa as imagined by Europe in the age of Enlightenment.<sup>91</sup> Putting a gloss, Achille Mbembe says ‘native’ belongs to the colonial grammar of animality and servility to mark the radical otherness of the ‘native’ as well as ‘its’ amenability to domestication.<sup>92</sup> Mbembe describes ‘native’ as a principle of objectification in ways that mimic slavery.<sup>93</sup> It is a term that in colonial discourses registers deficient qualities of ‘imperfection, error, deviation, approximation, corruption, and monstrosity’ in the ‘supposed’ humanity of the ‘native’.<sup>94</sup> It is a grammar for constructing a principle of equation in colonial discourses in which the ‘native principle’ is brought to the same level as the ‘animal principle’ to denote a thing – property – that can be tamed and used.<sup>95</sup>

‘Native’ provided colonial authorities with a ready archive, a complete biography of the ‘regular characteristics’ – the essence – of the first ‘Africans’, especially their limitations.<sup>96</sup> It epitomised the objectification

88 DT Goldberg *Racist cultures: Philosophy and politics of meaning* (1993); C West *The Cornel West reader* (1999) 75.

89 LM Alcoff *Visible identities: Race, gender, and the self* (2006) 179.

90 J-P Sartre ‘Materialism and revolution’ (1946) in J-P Sartre *Literary and philosophical essays* trans A Michelson (1968) 215, cited in R Zahar *Frantz Fanon: Colonialism and alienation* (1974) 29.

91 C van der Westhuizen *White power and the rise and the fall of the National Party* (2007) 55.

92 Mbembe (n 83 above) 236.

93 Mbembe (n 83 above) 235-236.

94 Mbembe (n 83 above) 236.

95 As above.

of the colonised – their ‘thingification’ according to Césaire.<sup>97</sup> Ultimately, ‘native’ was an othering trope: around it colonialists could construct a master dichotomy of ‘them’ and ‘us’. As enabling emblematic nomenclature it served the imperialist cultural function of producing encoded representation and alterity.<sup>98</sup> ‘Native’ assigned difference and conveyed colonially imagined polar and hierarchical opposites in human essence between white and black racial castes.

Thus, labelling African peoples as ‘natives’ was normative racial-scripting for achieving racial domination and exploitation. It served the same designs as gender stereotyping and comes with a burden.<sup>99</sup> Not only the colonial state but also the European metropolis invested heavily in sustaining, through cultural and ideological construction, the representation of Africans as ‘natives’ in a variety of media, including literature, science, law, linguistics and the cinema. The representations were designed to give legitimacy to the colonial project.

#### 4 Mamdani’s discourse of nativism

The scripting of black inhabitants of the colonies as ‘natives’ was politically implemented through what Mamdani coined a theory and praxis of ‘nativism’.<sup>100</sup> Nativism was developed and organised around a ‘conquest of alterity’, with repercussions beyond the immediate colonial space.<sup>101</sup> When imposed from the outside it was an effect of a racialising and racist discourse that divided phenotypes into naturalised and hierarchised human types. Necessarily, it ascribed a raced political identity not just to ‘Africans’ but to whites also: it constructed whiteness and middle-class respectability for whites at the same time as othering blacks.<sup>102</sup> Alcoff makes this point.<sup>103</sup> The subjectivity of European subjects was transformed by the conquest of alterity emanating from the colonial encounter.<sup>104</sup> Alcoff says:

96 An analogy is drawn here with Said’s work on the ‘racial’ attitudes of Occidentals towards Orientals at the time of colonisation: Said (n 1 above) 39-42.

97 Zahar (n 90 above) 74; Césaire (n 17 above) 21.

98 Said (n 1 above) 21; Mazrui (n 18 above) 69.

99 RJ Cook & S Cusack *Gender stereotyping: Transnational legal perspectives* (2010) 18-20.

100 Mamdani *Define and rule* (n 4 above) 43-44.

101 LM Alcoff ‘Power/knowledges in the colonial unconscious: A dialogue between Dussel and Foucault’ in Alcoff & Mendieta (n 85 above) 249 at 255.

102 IM Young *Justice and the politics of difference* (1990) 137-141.

103 Alcoff ‘Power/knowledges in the colonial unconscious’ (n 101 above) 255.

104 As above.

It was this encounter ... that produced a European subject whose subjectivity was predicated on the conquest ... This was the decisive criterion of demarcation between Europe and its Others, though it required (and requires) a performative repetition to enact this superior status, a repetition apparently without end. Thus the core of the European subject is not a disciplinary regime of normalizing practices but conquest of alterity, upon which the normalizations are organized toward establishing the justice and justifiability of the conquest.<sup>105</sup>

The construction of African peoples into tribes-people provided an ethnographic unit as well as an ahistoricised group's political subjectivity on which to inscribe alterity and facilitate exploitation through racial capitalism. In colonial discourses 'tribe' has less to do with historical specificity or African self-identity,<sup>106</sup> and more to do with a racialised nomenclature appropriated from evolutionary anthropology to give truth to the primordial 'regular characteristics', especially the limitations of its atavistic members.<sup>107</sup> Politically, tribe has served as the other half of a master dichotomy deemed necessary for colonial state formation and giving legitimacy to bifurcated citizenship as between white settlers and the colonised and the system for commanding tribes-people.

It was politically expedient for the colonial state to recognise tribes rather than a single tribe so that a numerically larger social group could be divided into a constellation that speaks to fragmented tribal units rather than a nation. Whilst civil law regulated the life of white settlers, 'tribes-people' were regulated by 'customary' or 'native' law.<sup>108</sup> 'Tribe' was reified ethnicity which produced difference and thus allowed for the colonial management of difference using culture as something fixed among 'natural' groups.<sup>109</sup> It was state technology for producing the 'governmentality' of the social groups perceived by the colonial state as defined by geography, in contrast with white settlers, who were defined by a historically dynamic Western culture.<sup>110</sup> The parlance of 'tribe' became part of the ensemble of knowledges, institutions and administrative

105 As above.

106 KV Ngaruka 'Historical distortion and human degradation: The "tribe" as Eurocentric mentality than African mentality' (2007) 5 *Human Architecture: Journal of the Sociology of Self-Knowledge* 137.

107 On 'regular characteristics', I am drawing an analogy with Said's analysis of the 'racial' attitudes of Occidentals towards Orientals at the time of colonisation: Said (n 1 above) 39-42.

108 Mamdani *Citizen and subject* (n 4 above) 22-23.

109 Mamdani *Define and rule* (n 4 above) 7.

110 Mamdani *Define and rule* (n 4 above) 43; M Foucault 'Governmentality' in J Faubian (ed) *Power, essential works of Foucault 1954-1984* (1994) xxiii-xxiv, 201-222.

practices that gave durability to a specific type of state power whose objects were the indigenous inhabitants of the colony.<sup>111</sup>

In a 'break-away settler colony', South Africa,<sup>112</sup> 'tribe' was a useful surrogate for 'race', providing the apartheid state with a rationale for 'separate development' and the creation of 'bantustans' or 'homelands' for black people.<sup>113</sup> In a bid to convince critics of apartheid that it was a benign doctrine, state propaganda promoted preferential treatment for whites as equal 'separate development'. Laws and policies mandating separate and unequal development were sold as innocuous ethnic democracy. Bantustans were ostensibly established to promote plural democracy but in reality to legitimise a *cordon sanitaire* around premier citizenship for whites. The Verwoerdian rationale animating separate development was the idea of South Africa made up of several black tribes and a white nation.<sup>114</sup> Such a territory called for governance through ethnic democracy.<sup>115</sup> Each ethnicity stood the best chance of preserving its cultural identity and reaching its socio-economic development potential only as a separate political entity.<sup>116</sup> In support of separate development, Prime Minister Hendrik Verwoerd marshalled the following arguments:

111 Foucault (n 110 above).

112 On the notion of a 'break-away settler colony', see ch 4 sec 1, footnote 10; A McClintock 'The angel of progress: Pitfalls of the term "post-colonialism"' (1992) 31/32 *Social Text* 84 at 88.

113 S Terreblanche *A history of inequality in South Africa 1652–2002* (2002) 325.

114 The rationale rested on the expedient premise that the 'African' component of the South African population was not South African. Instead, it belonged to a multitude of 'African' ethnic or tribal groups for which Western democracy was not suited. To give recognition to the multi-ethnic composition of South Africa, each African tribe would be given space to develop its own nationhood. White South Africa would magnanimously recognise the quest for black nationhood by granting independence to 'bantustans' in a process analogous to decolonisation: Terreblanche (n 113 above) 321-322; AJ Norval *Deconstructing apartheid discourse* (1996) 142-145, 160-163; LM Thompson *A history of South Africa* (2006) 185-188; M MacDonald *Why race matters in South Africa* (2006) 11-13.

115 Essentially, linguistic groupings were used to create 'bantustans' for 'Africans': Bophuthatswana (for Tswanas); Ciskei and Transkei (both for Xhosas); Gazankulu (for Tsongas or Shangaans); KwaNdebele (for Ndebeles); KaNgwane (for Swazis); KwaZulu (for Zulus); Lebowa (for Northern Sotho or Pedi); and QwaQwa (for Southern Sothos). The paradigm of using linguistic groupings to create 'bantustans', which was in line with the colonial imaginary of seeing black people as permanently affiliated to a tribe rather than a nation, was translated into legislation. See, for example, the Promotion of Black Self-Government Act 46 of 1959. The Act proclaimed in its Preamble that '[t]he black peoples of the Union of South Africa do not constitute a homogeneous people, but form *separate national units* on the basis of language and culture' (my emphasis).

116 PE Louw *The rise, fall and legacy of apartheid* (2004) 103.

The first is that every group would ... at least be able to exercise control over its own people ... Secondly, it could offer opportunities of developing equalities among groups. It could satisfy the desire for the recognition of human dignity.<sup>117</sup>

Another Verwoerdian supposition was that racial and cultural differences were the cause of friction between different ethnic groups and could be solved only by physical separation.<sup>118</sup> From this perspective apartheid was 'good neighbourliness':<sup>119</sup> an enabling tool for 'separate freedoms' for separate races.<sup>120</sup> Later, Verwoerd's successor, Vorster, was barely able to disguise the white supremacist premise of separate development when he pegged its rationale on innate difference. He said:

[W]e instituted the policy of separate development, not because we consider ourselves better than others, not because we considered ourselves richer or more educated than others. We instituted the policy of separate development because we said we were different from others. We prize that difference and we are not prepared to relinquish it. That is the policy of separate development.<sup>121</sup>

In the economic sphere, 'tribe' served to name a newly discovered rural class that could be 'civilised' and used at the periphery of a capitalist social formation.<sup>122</sup> Imposing tribal identity was part of the purposeful implementation of the colonial sovereign command where the initial founding violence of creating its territorial space was translated into authority to produce political subjectivities designed to give durability to its governance of the territory.<sup>123</sup> Thus tribe was neither merely something

117 HF Verwoerd 'Speech in the House of Assembly' 23 January 1962, quoted in Norval (n 114 above) 164.

118 K Tomaselli 'Myth media and apartheid' (1987) 34 *Media Development* 18.

119 Prime Minister Verwoerd, in a televised interview on 4 March 1961, described apartheid, with calm fervour, as a misunderstood Afrikaans word intended to mean 'good neighbourliness': 'Hendrik Verwoerd defines apartheid', <https://www.youtube.com/watch?v=vPCln9czoys> (accessed 17 October 2016). The 'good neighbourliness' sentiment was to be repeated by one of Verwoerd's successors, President PW Botha, who expressed no remorse for apartheid: 'Botha uses court to defend apartheid' *World* 23 January 1998, available at <http://news.bbc.co.uk/2/hi/49942.stm> (accessed 17 October 2016).

120 Van der Westhuizen (n 91 above) 41.

121 BJ Vorster 'Extract of speech at Heilbron on 16 August 1968', quoted in Norval (n 114 above) 164.

122 Ngaruka (n 106 above).

123 Here I draw from Mbembe's argument that state sovereignty in a colony rested on three kinds justifications for violence, namely, (i) to found the territory; (ii) to be the sole power to judge colonial laws; and (iii) to ensure that authority is maintained, spread and rendered permanent: Mbembe (n 83 above) 25. In ch 3 sec 3.1, I discuss the use of violence as a technology for founding the colonial state.

that colonised people wanted for themselves, nor could it be negotiated; it was required by the colonial state.<sup>124</sup>

For their own governance colonisers subscribed to a Western, secular Enlightenment tradition which required citizens to be protected from the tyranny of the state though recognition of basic individual rights and liberties.<sup>125</sup> Universalist notions of human liberty for all inhabitants of the state would have frustrated the colonial project. Mamdani argues that for the colonial project to succeed it was expedient to adopt a duality and cast the Enlightenment as a tradition inappropriate for 'traditional' societies.<sup>126</sup> In this way the colonial state's hand could be freed to govern the colony at will. For black inhabitants, citizenship was dispensed according to an evolutionary development thesis in which tribes-people were held together by kinship with no consciousness of individual identities.<sup>127</sup> 'Natives' had no use for individual rights that spoke to individual agency. There was no need for the colonial state to try too hard to sell this status-subordinating message to the metropolis. Bifurcated citizenship was implicit in the Enlightenment tradition.<sup>128</sup> Universal notions of human liberty and equality in the philosophies of Locke and Mill, which undergird political liberalism, co-existed with status subordination: they anticipated the exclusion of classes such as 'natives', blacks and women, who could not muster the 'naturalised' habits anticipated by the Enlightenment thesis.<sup>129</sup>

To a point seventeenth-century European philosophers improved on their earlier Greek counterparts in democratising equality and raising its republican status. However, they expounded equality in a manner that preserved its durable proclivity towards yielding a self-serving equality universe. John Locke's *Second treatise*, written in 1690, espoused equality that was deeply mired in double standards: it advanced an idea of equality citizenship tethered to natural law and a social theory that is anti-feudal and opposed to hierarchies of caste bestowed by a medieval papacy, the monarchy and the landed aristocracy,<sup>130</sup> but the *Second treatise* barely departed from earlier Athenian wisdom. It saw no contradiction in

124 Mamdani *Define and rule* (n 4 above) 44.

125 M Mamdani 'The social basis of constitutionalism in Africa' (1990) 28 *Journal of Modern African Studies* 359 at 372.

126 As above.

127 Mamdani (n 125 above) 372; Mamdani *Define and rule* (n 4 above) 17.

128 Stoler (n 61 above) 130-131, citing U Mehta 'Liberal strategies of exclusion' (1990) 18 *Politics and Society* 427; Goldberg (n 88 above) 39; E Balibar *Masses, classes, ideas* (1994) 195; C Pateman *The sexual contract* (1988).

129 Stoler (n 128 above); Mehta (n 128 above); Goldberg (n 88 above); Balibar (n 128 above); Pateman (n 128 above).

130 McClintock (n 59 above) 315.

juxtaposing a recognition that ‘men are by nature all free, equal and independent’ with a recognition of the rightness or even necessity of the servitude of wives, children, servants and slaves.<sup>131</sup> Thus Locke’s doctrine carried a thick vestige of monarchical and feudal powers. It was primarily a doctrine for emancipating males from feudalism while ringfencing despotic space for the patriarchal heads of households. As an equality doctrine, it was punctured with significant gaps. It is a vision of equality that is coherent only in a political sphere which countenances a sharp divide between the public and private realms with state authority confined to the public realm, leaving the private realm untouched and in the capable hands of the patriarchs.<sup>132</sup> Seventeenth-century liberal thought seemed unable to comprehend the extent to which law and its institutions empowered some – white propertied males foremost – but disabled others, including women, children enslaved, and colonised people.<sup>133</sup>

Eighteenth-century emergent institutions of democracy constructed their own justifications for bifurcated citizenship. For example, the ‘founding fathers’ of the Constitution of the United States developed an expedient relationship with equality. The American War of Independence was fought on the principles of the Enlightenment, which rejected class and religious privileges, yet the founding fathers’ vision of a republic that professes commitment to liberty and equality was conceived with implicit notions of exclusionary citizenship ‘from within’ and the preservation of patriarchal privileges.<sup>134</sup> The American Constitution of 1787 did not envisage including slaves, free blacks, Native Americans, debtors, paupers and women in the domain of equal constitutional rights bearers.<sup>135</sup> Though the American Constitution expresses fundamental rights in universal terms, it was a document which at its founding primarily served the interests of white, propertied, adult males.<sup>136</sup>

In similar vein, eighteenth and nineteenth-century institutions of colonialism expediently evaded equality. In the apportionment of

131 J Locke *Two treatises of government* (1689); P Laslett (ed) *Two treatises of government / John Locke; edited with an introduction and notes by Peter Laslett* (1988) paras 86 and 95; S Fredman *Discrimination law* (2002) 5.

132 G Binion ‘Human rights: A feminist perspective’ (1995) 17 *Human Rights Quarterly* 509 at 516.

133 MC Nussbaum *Sex and social justice* (1999) 63-64.

134 Young (n 102 above) 156-157; R Lister ‘Citizenship: Towards a feminist synthesis’ (1997) 57 *Feminist Review* 28.

135 T Marshall ‘Reflections on the bicentennial of the United States Constitution (1987) 101 *Harvard Law Review* 1; RB Ginsburg & B Flagg ‘Some reflections on the feminist legal thought of the 1970s’ (1989) 1 *University of Chicago Legal Forum* 9 at 12.

136 Marshall (n 135 above); Ginsburg & Flagg (n 135 above).

citizenship the colonial state treated the colonised peoples as human, but of a lower order and therefore entitled to less equality and, perforce, to a subordinate citizenship. The gross iniquity aside, far from being irrational, bifurcated citizenship in the colonial state had internal coherence according to its own dictates of a racial feudalism. The colonial state treated likes alike using the notion of different races with differentiated racial essences in much the same way as Plato's and Aristotle's notions of different human essences and commensurately differentiated citizenships. Of course, it was the state that determined what was alike and what was different. A state doctrine of nativism not only supplied the distinguishing criteria but also created the distinctions.

Nativism has been Africa's colonial discourse of orientalism and an integral part of an enduring political doctrine of misrecognition. As colonial statecraft it facilitated the 'doctrine of discovery' – discovery of *terra nullius* – which was used by European imperial powers and their surrogates in the colonies to dispossess black inhabitants.<sup>137</sup> It invested the indigenous inhabitants with 'native' existence: they could exist on the land but without claiming ownership. By dint of state fiat they could be removed from land desired by whites. Nativism was sustained by a labyrinth of manipulative 'native laws' and 'native administration' dispensed by 'native authorities' through a praxis for governing a people without a history, permanently limited by geography and tribe and, ultimately, objects of imperialistic and capitalist exploitation.<sup>138</sup> In a Hegelian sense nativism registered a lack rather than a presence of mutual recognition as there was no reciprocity, only a relationship of master and serf in a *baasskap* society.<sup>139</sup>

For colonialism to work, the entire white population in a colony and not just the white elite needed to be affirmed as superior.<sup>140</sup> The point Said makes about orientalism is that what was crucial to the self-conception of Europeans was not just defining Orientals but their oppositional or polar qualities.<sup>141</sup> Nativism was driven by the same oppositional teleology: it inscribed into colonial regulatory frameworks, including legal and administrative frameworks, explicit or implicit racial fictions that justified

137 S Newcombe *Pagans in the promised land: Decoding the doctrine of Christian discovery* (2008). On *terra nullius*, see ch 3 sec 3.1.

138 Mamdani *Citizen and subject* (n 4 above) 109-112; M Chanock *The making of South African legal culture 1902–1936* (2001) 243-248.

139 Fanon *Black skin, white masks* (n 17 above) 220; Mamdani *Define and rule* (n 4 above); N Fraser 'Rethinking recognition' (2000) 3 *New Left Review* 107 at 109; GWF Hegel *Phenomenology of spirit* (1977) 104-109. On *baasskap* society, see ch 4 sec 4.3.

140 Alcoff 'Power/knowledges in the colonial unconscious' (n 101 above) 255.

141 Said (n 1 above) 39-42.

not only hatred and disgust for ‘natives’ but also racial and imperialistic self-pride and arrogance by whites that could only be appeased by directing and exploiting ‘natives’.<sup>142</sup> Nativism was colonial ‘define and rule’ praxis.<sup>143</sup>

In deconstructing ‘tribe’ and ‘native’ in this section to reveal the coloniality of their enunciation, especially their use as concepts for facilitating European colonialism and justifying a bifurcated citizenship through creating a frontier of backward, subordinate, but governable peoples, the intention is not to rule out the possibility of appropriating ‘tribe’ or ‘native’ in a positive sense. ‘Tribe’ and ‘native’ can serve as positive forms of political self-definition, depending on the political context.<sup>144</sup> Today, tribal identifications are appropriated by some historically marginalised indigenous population groups as political currency in advocating self-determination and in resisting state laws and policies that require their assimilation into dominant cultures or socio-economic systems.<sup>145</sup>

## 5 Nativism and the construction of colonial whiteness

As a normative relation nativism gave legitimacy to socially constructed whiteness. Analysing how whiteness was constructed in the colonies provides a site for understanding how colonial discourses were discursively broad, constituting in part a sexual economy that disciplined not just the colonised but equally the colonisers. Ann Stoler uncovers this phenomenon in her study of the genealogy, politics and praxes of state regulation of sexuality in the colonies.<sup>146</sup> Stoler’s work applies Foucault’s ideas, in particular from *The history of sexuality*, to European-ruled colonies.<sup>147</sup> She brings nuance to the mapping of colonial discourses so

142 I am drawing an analogy with what Said says in *Orientalism* on the consolidation of fictions which lend themselves to expedient political manipulation when one social group identifies the other as ‘the Other’, such as when the West identifies Arabs and Islam as the Other: Said (n 1 above) xvii.

143 Mamdani *Define and rule* (n 4 above) 44.

144 SK George ‘Earth’s the limit: The sense of finiteness among the hill tribes of Northeast India’ in R Meinhold (ed) *Environmental values: Emerging from cultures and regions of the ASEAN region* (2015) 91 at 95, citing D Chakrabarty ‘Politics unlimited: The global Adivasi and debates about the political’ in BT Karlson & TB Subba (eds) *Indigeneity in India* (2006) 235 at 238.

145 George (n 144 above) 94-95.

146 Stoler (n 61 above); AN Stoler *Carnal knowledge and imperial power: Race and the intimate colonial rule* (2002).

147 M Foucault *The history of sexuality, Vol 2* (1985).

that they are not over-determined by a coloniser/colonised binary. By bringing colonial whiteness under an analytic gaze, we can see in a Foucauldian sense, and I would add a phenomenological sense, the effects of sedimented knowledge and power as a self-regulating and self-disciplining biopower in the making and performance of sexualities among those in power.

Stoler observes that in the colonies whiteness became a technology of sex crucially linked to how power in the colonial state was held together. As a technology of sex, with its prescriptions and proscriptions on sexual intimacy and marriage between the races, whiteness was one of the critical links between the colonialists and the colonial state.<sup>148</sup> It was linked to the imperatives of maintaining a distance that would otherwise be compromised by the familiarity prompted by sexual intimacy. More importantly, it was linked to a eugenic notion of maintaining a healthy, vigorous, white European population, free from the racial contamination of 'miscegenation'.<sup>149</sup>

The construction of whiteness in the colonies originates in the racial thinking that was implicit as well as explicit in the making of a European middle-class identity in the nineteenth century. The making of the bourgeois self in Europe, as Stoler highlights, was predicated on drawing boundaries between individuals within the body politic and those at the margins to reflect an imagined notion of those who were fit to rule and those who were consigned to be ruled.<sup>150</sup> It was not just outward markers that mattered, such as phenotype, but also inside markers – how one conducted oneself outside public view in the private domestic sphere and in intimacy.<sup>151</sup> Among whites notions of bourgeois identity and their prescriptions of cultural competencies served to create within the nation state two main kinds of white citizens in the sexual economy. They were whites who mustered self-discipline in the sexual domain, including not transgressing the prohibition against sexual immorality and racial contamination, in contrast to 'subaltern' compatriots who transgressed bourgeois biocultural prescriptions by crossing the colour bar in sexual relations.<sup>152</sup>

148 Stoler (n 61 above) 5 95-164; Stoler *Carnal knowledge and imperial power* (n 146 above) 79-111.

149 Stoler *Carnal knowledge and imperial power* (n 146 above) 79-111.

150 Stoler (n 61 above) 8.

151 As above.

152 As above.

In implicating European middle-class identity as the provenance of colonial whiteness we should guard against conflating the two so that we are able to see not just the commonalities but also the distinctions. Whiteness is a historicised phenomenon:<sup>153</sup> a shifting category which cannot be understood by treating all whitenesses as fungible.<sup>154</sup> As a progeny of European bourgeois identity, colonial whiteness is better understood as 'indigenised' whiteness to capture its historical situatedness as a hybrid racial idea entangled with the colonial encounter at the locale. Whiteness was neither completely invented in the colonies nor completely transplanted from Europe.<sup>155</sup> The broad logic as political currency for productive and dominating racial power was the same across colonies, but its quality and intensity was fluid rather than fixed.<sup>156</sup> Each colonial locale provided its own peculiar setting for adapting or resituating the making of European bourgeois identity, taking into account local political and cultural configurations and, more specifically, local European interests.

Through whiteness colonisers could judge not just those who had been colonised, but also themselves. As a set of beliefs and practices that required all whites to affect raced middle-class respectability and occupy white spaces in their interactions with black people as part of the social production of a cultural and political identity, colonial whiteness was mimicry of European bourgeois identity. It was mimicry in the sense that class distinctions remained.<sup>157</sup> However, when juxtaposed with colonised people, white nationalism and the survival of the colonial state depended on affecting the exterior of a single whiteness.

In 'deep settler' and 'break-away' colonies, such as Rhodesia and South Africa respectively, colonial whiteness required the projection of white as an inherently and palpably superior humanity with pre-social entitlement to premier citizenship as a collective, nationalistic project of white self-determination. Whiteness did not merely serve as a discursive polar opposite to 'nativeness' but also provided whites with a starting point – a 'zero-point of orientation' – from which a profusely racialised lifeworld of white citizens unfolded in the colonial state.<sup>158</sup> Phenomenologically,

153 Stoler (n 61 above) 102-108.

154 As above.

155 As above.

156 Stoler (n 61 above) 104-105.

157 Stoler (n 61 above) 102-105.

158 E Husserl *Ideas pertaining to a pure phenomenology and to a phenomenological philosophy* trans R Rojcewicz & A Schuwer (1989) 165-166; S Ahmed 'A phenomenology of whiteness' (2007) 8 *Feminist Theory* 149 at 151; A Schutz & T Luckmann *The structure of the lifeworld*, trans RM Zaner & H Tristram Engelhardt (1974) 36; Stoler (n 61 above) 8.

colonial statecraft depended on a white phenotype that was not simply corporeal embodiment but, more importantly, an embodiment of purposeful history and racial standing that in turn served to inform the *orientation* of white citizens.<sup>159</sup> From this perspective the nativisation of the black inhabitants of the colony can be understood as the effect but not the cause of an orientation towards whiteness. In pursuit of white nationalism the colonial state constructed a Fanonian ‘white epidermal schema’ to serve as the gateway to bodily privilege and normative identification with whiteness as naturalised ideology.<sup>160</sup> In turn the naturalisation of an ideology of whiteness in colonial settings provided a patterned discursive stimulation to whites and, ultimately, a self-disciplinary regime that penetrated both their public and their private lives, including their sexual lives.<sup>161</sup>

Drawing on the phenomenological discourses of Edmund Husserl and Maurice Merleau-Ponty and their application to racialised and colonial spaces by Fanon, Sara Ahmed foregrounds the concept of orientation to theorise whiteness.<sup>162</sup> Ahmed’s explication of whiteness as centred on orientation is useful in deconstructing the colonial construction of whiteness and its links with the representation of African sexualities. Highlighting that whiteness is not something with an ontological force of its own or reducible to a white skin, Ahmed captures the socio-cultural construction of whiteness and its dependence on ‘orientation’.<sup>163</sup> What is determinative is a ‘social and bodily orientation which is more at home in a world orientated around whiteness’.<sup>164</sup> Being ‘at home’ is much more than just being more at ease or comfortable: it signifies a ‘body-at-home’ that is invested with motility – a body ‘that can do’ – precisely because its identity is extended rather than denied or erased by the space it is occupying.<sup>165</sup> A body-at-home is about inhabiting whiteness and being in a place where the ‘racial epidermal schema’ has supplanted the corporeal schema, that is, the body before it is racialised.<sup>166</sup> In the construction of colonial whiteness the colonial state and the technologies and discourses that affirmed its legitimacy served to give white corporeal embodiment, the ‘here of the body’ and the ‘where of its dwelling’, its starting point and

159 The term ‘orientation’ here is appropriated from the phenomenology of Husserl: Husserl (n 158 above) 165-166.

160 Fanon *Black skin, white masks* (n 17 above) 112.

161 Stoler (n 61 above) 3.

162 Ahmed (n 158 above) 159; Husserl (n 158 above); M Merleau-Ponty *The phenomenology of perception* trans C Smith (2002); Fanon *Black skin, white masks* (n 17 above).

163 Ahmed (n 158 above) 159.

164 Ahmed (n 158 above) 160.

165 Ahmed (n 158 above) 153 159 161.

166 Ahmed (n 158 above) 153, citing Fanon *Black skin, white masks* (n 17 above) 112.

direction.<sup>167</sup> The orientation of white citizens towards some objects depended on what was within reach in the whitened dwelling place – its *habitus* – and in turn what they reached for depended on their orientation.<sup>168</sup>

Colonial polity, which was informed by ‘sedimented histories’ of the body,<sup>169</sup> served as the primary prefabricated dwelling where successive generations of white citizens of the colonial state could inherit an already constructed orientation. Ultimately, whiteness became something analogous to an inheritance and family resemblance:<sup>170</sup> it was reproduced in habitual actions and its attributes were distributed among those who enjoyed proximity to whiteness. At least outwardly, whites who would have been regarded in Europe as the ‘lower classes’ would be instantly transformed into members of an ‘aristocracy of colour’ upon arrival on colonial shores.<sup>171</sup> This is not to suggest that there were no class distinctions among whites; there were. Colonialism was a class-levelling project only in so far as producing consensus about white supremacy; it did not erase socio-economic class distinctions.<sup>172</sup> In Rhodesia (now Zimbabwe), for example, whiteness was lived in shades of whiteness. Those of British descent generally had a monopoly of political power which they used to cultivate a premier form of whiteness and to maintain a socio-economic distinction from, say, their Afrikaner, Italian, Jewish, Greek, Polish and Portuguese counterparts.<sup>173</sup> What the ‘aristocracy of colour’ highlights, rather, is that what mattered most to whites in the colony was not so much their relative social position among other whites

167 Ahmed (n 158 above) 151, citing Schutz & Luckmann (n 158 above) 36.

168 On *habitus*, see Ahmed (n 158 above); S Ahmed ‘Orientations: Towards a queer phenomenology’ (2006) 12 *GLQ: A Journal of Lesbian and Gay Studies* 543 at 552-553, citing A Steinbock *Home and beyond: Generative philosophy after Husserl* (1995); P Bourdieu *Outline of a theory of practice*, trans R Nice (1972) 72.

169 I am using the notion of ‘sedimented history’ in a phenomenological sense to imply that which bodies tend to do: Their comportment, posture and gestures, including their sexuality, are embedded in knowledge and perceptions that integrate past experiences, including cultural habits that have become customary: Ahmed ‘Orientations’ (n 168 above) 552-555, citing Steinbock (n 168 above); Bourdieu (n 168 above) 72.

170 Ahmed (n 158 above).

171 T Ranger ‘The invention of tradition in colonial Africa’ in E Hobsbawm & T Ranger (eds) *The invention of tradition* (1983) 211 at 213, drawing from a statement made in 1908 by John X Merriman, then Prime Minister of the Cape Colony, cited in EN Katz *A trade union aristocracy: A history of white workers in the Transvaal and the general strike of 1913* (1976).

172 Stoler (n 61 above) 102-103.

173 AS Mlambo ‘Becoming Zimbabwe or becoming Zimbabwean’ (2013) 48 *African Spectrum* 49 at 55-56.

as their membership of a class that commanded state-sanctioned power over 'natives' and held racial entitlement to a premier class of citizenship.

Thus, conflicts between genders, between classes and between the different white ethnicities, such as between the English and Afrikaners, Northern Europeans and Southern Europeans and Jews and gentiles, generally were articulated with restrained dissonance in order to maintain a united racial front and thus not imperil the project of white nationalism. There were exceptions, of course. The Anglo-Boer War (1899–1902) is a prime example: it can scarcely be described as restrained dissonance. Even if it is described as a conflict over the spoils of colonialism, these warring white ethnicities nonetheless reconciled in a way that facilitated the construction of a robust foundation for white nationalism, which culminated in the establishment of a racial state in 1948 with the inauguration of a system of apartheid.<sup>174</sup>

Ahmed underscores that the reproduction of a particular orientation is more than spatiality.<sup>175</sup> It is not automatic that we reproduce what we inherit or turn our inheritance into acquisitions.<sup>176</sup> Colonial whiteness required conscious reciprocation. To enjoy the benefits of family resemblance and inheritance it was necessary for beneficiaries to reciprocate by reproducing whiteness. Thus, though the political capital accruing from whiteness was made available to all white persons, a white person had to take it up and follow a certain direction – an *orientation* – in order to realise the fruits of whiteness. Therefore, whiteness entailed not only racial resemblance and being located in a white space but also an undertaking to enter into a social contract with whiteness. It involved social investment in the reproduction of whiteness and a promise by the state to return the investment.<sup>177</sup> For whites emigrating from Europe the investment into whiteness would have already been made prior to arrival in the colony as emigration was motivated by the promise of parallelism in the transformation of identity and space in the colony.<sup>178</sup>

## 5.1 Compulsory whiteness and regulation of sexualities

Insights from feminist discourses explicate more closely whiteness and its link with the representation of sexualities in the colonial state, where

174 See discussion in ch 4 sec 4.

175 Ahmed 'Orientations' (n 168 above) 554-555.

176 Ahmed 'Orientations' (n 168 above) 555.

177 As above.

178 WJ Jennings *The Christian imagination: Theology and the origins of race* (2010) 37.

corporeal embodiment was highly politicised. If refracted through Simone de Beauvoir's feminist discourse in her seminal book, *The second sex*, and its interpretation by Judith Butler, sexuality in the colonial state can be understood through reading the 'body not as a thing but a situation'.<sup>179</sup> Embodiment in a colonial state, as primarily defined by phenotype, produced the body as a raced colonial situation. Applying Butler, in a race-suffused situation colonial embodiment represents two sets of meanings which are not determined by any of its naturalistic possibilities.<sup>180</sup> Each set is politicised. One set of meanings is colonial whiteness as culture already imprinted on its flesh,<sup>181</sup> which highlights the point that embodiment is never a self-referencing identity but rather an occasion for imprinting meaning, culture and political signals.<sup>182</sup> The other set is choice or orientation. In a political sense and in a personal way the body has to take up received norms of whiteness and reinterpret them for itself.<sup>183</sup> In this racialised historical and cultural context hegemonic representations of sexualities are easily produced so as to align with the overall political superstructure of the colonial state.

Using Adrienne Rich's deconstructive analysis of the dominance of normative heterosexuality, it can be argued that state-driven orientation towards whiteness was transformed into 'compulsory whiteness' to register a discursive relationship between state prescriptions and self-regulatory regimes that translate into obligation-patterned sexual desires of white citizens.<sup>184</sup> The notion of compulsory whiteness is particularly apposite to understand white premier citizenship and its links with sexuality in 'deep settler colonies' such as Rhodesia, and 'break-away settler colonies' such as South Africa.<sup>185</sup> These two colonies serve to

179 S de Beauvoir *The second sex*, translated and edited by HM Parshley (1988) originally published in 1959. De Beauvoir sees women as genderised or socially-constructed subjects whose status and possibilities cannot be deterministically read through biology. She argues, 'if the body is not a thing, it is a situation': De Beauvoir (above) 66; J Butler 'Sex and gender' in Simone de Beauvoir's "Second sex" (1986) 72 *Yale French Studies* 35 at 44-46.

180 Butler (n 179 above) 45.

181 As above.

182 Butler (n 179 above) 46.

183 Butler (n 179 above) 45.

184 By using the term 'compulsory whiteness', I am borrowing and adapting to race a term coined by Adrienne Rich in a seminal essay that was first published in 1980 and has been republished since: A Rich 'Compulsory heterosexuality and lesbian existence' (2003) 15 *Journal of Women's History* 11.

185 The use of 'deep-settler colonies' and 'break-away colonies' here follows the taxonomy that I have borrowed from McClintock: A McClintock 'The angel of progress: Pitfalls of the term "post-colonialism"' (1992) 31/32 *Social Text* 84 at 88, which I explained in ch 4 sec 1, footnote 9.

illustrate how the 'racial epidermal schema' can be thought of as the geography of race, which was also linked to the geography of sexualities.<sup>186</sup> Concluding his magisterial work on theology and the origins of race, *The Christian imagination*, Willie James Jennings said that there is no single story to explain the making of race and the racialisation of embodiment precisely because specific histories and social context matter.<sup>187</sup> Jennings underlines how geography crucially informs the construction of our identities, visions and hopes.<sup>188</sup>

Rhodesia and South Africa exemplify colonies in which whiteness took distinctive forms.<sup>189</sup> In these colonies, in addition to positioning whites at the centre, the state appropriated whiteness for aggressive social engineering. Whiteness was marked with the intention of rendering it palpably visible. It was invoked in ways that were frequently brazen or exhibitionist, as opposed to being subtle, precisely in order to render the supremacy of whites constantly visible not just to blacks but also to whites themselves.<sup>190</sup> Njabulo Ndebele observes that displays of whiteness and the commensurate efforts to shore up whiteness became more than just expressions of whites oppressing blacks to maintain supremacy, they also became spectacles.<sup>191</sup> The state went to extraordinary lengths to explicitly name whiteness and construct its essence as normatively privileged, desirable and entitled to a proportion of state resources commensurate with its premier status. It developed a self-serving discourse of the imperativeness of protecting whiteness. By first highlighting the vulnerability of whiteness to contamination by lesser civilisations, the state was able to justify appropriating policy and, more significantly, law to maintain and enforce a social, legal and political hierarchy between whites and blacks.<sup>192</sup>

Apartheid, as we saw in Chapter 4, used racial classification and segregation as the main state technologies for the governability of raced citizens. Through segregation the state formalised the institution of

186 Fanon *Black skin, white masks* (n 17 above) 112.

187 Jennings (n 178 above) 289.

188 As above.

189 In ch 4 sec 4 South Africa, especially, is a point of focus to illustrate the making of race in a break-away colonial state. The focus here is on the making of sexualities in the colonial state.

190 K Ratele 'Sexuality as constitutive of whiteness' (2009) 17 *Journal of Feminist and Gender Research* 158 at 161; N Ndebele *Rediscovery of the ordinary* (1991) 38-39.

191 Ndebele (n 190 above) 38.

192 Ratele (n 190 above) 162, citing S Parnell 'Creating racial privilege: The origins of South African public health and town planning legislation' (1993) 19 *Journal of Southern African Studies* 471.

required separateness between whites and non-whites generally in all areas of life. With the institution of 'grand' apartheid South Africa, much more than Rhodesia, took the discourse of 'whiteness' protectionism to unprecedented heights.<sup>193</sup> In 1954, Verwoerd, as Minister of Native Affairs in the National Party government, underscored the importance of apartheid as a technology of protecting whiteness. He described apartheid as:

comprising a whole multiplicity of phenomena. It [apartheid] compromises the political sphere; it is necessary in the social sphere; it is aimed at ... church matters; it is relevant to every sphere of life. Even within the economic sphere, it is not just a question of numbers. *What is of more importance there is whether one maintains the colour bar or not.*<sup>194</sup>

Naturalising whiteness became an organising principle for the coloniality of white political power, penetrating the most intimate domains of life. The colonial state provided a sexuality template for its prized citizens partly through laws that constructed white sexual respectability. In order to regulate the sexual and reproductive economy of whites and guard against racial contamination, laws prohibiting sexual intercourse and marriage between 'races' were adopted.<sup>195</sup> The laws served as vertical 'orientation devices' to 'keep things in place' by prescribing the somatic horizons for horizontal sexualities consistent with normative whiteness.<sup>196</sup> For whites who were inclined to become 'deviant' or 'disoriented' as to become racially 'queer' by going astray and crossing the sexual colour bar, the laws were 'straightening devices' to assist with aligning white bodies with white spaces in a racial oligarchy.<sup>197</sup>

193 The use of 'grand' to describe apartheid serves to capture the scaling up of racial segregation when the National Party came to power in 1948. Ch 4 sec 4 highlighted that apartheid was introduced long before 1948. Moreover, 'grand' is not intended to imply that apartheid was a carefully worked-out master plan as apartheid grew piecemeal and was marked by ad hocism and contradictions: D Posel *The making of apartheid 1948–1961* (1991) 5; Van der Westhuizen (n 91 above) 37–38.

194 HF Verwoerd is quoted in TRH Davenport & C Saunders *South Africa: A modern history* (2000) 392 (my emphasis). On Verwoerd's place in the ideology of apartheid, see the discussion in ch 4 sec 4.3.

195 See discussion below on Southern Rhodesia and the phantom of the 'black peril' in sec 6.1 (below).

196 Ahmed (n 158 above) 158.

197 Ahmed (n 158 above) 159; Ahmed 'Orientations' (n 168 above) 562. The term 'queer' is used here not so much in its sexual form but phenomenologically to mean consciousness and intentionality whose orientation is out of alignment with the space created for it by dominant normative institutions: Ahmed 'Orientations' (n 168 above) 565.

The singularity and intensity with which colonial discourses invested the corporeality of whiteness with normative supremacy required a compliant white deportment as a way of rooting whiteness in African soil. I argue that such compliance discursively lends itself to Butler's grammar of 'performativity' and her insights of identity as 'performatively constituted'.<sup>198</sup> Butler has stopped short of transposing performativity onto race, leaving the question open to argument.<sup>199</sup> However, in the social, political and juridical settings of 'deep settler colonies' and 'break-away colonies' it is hard not to concede that whiteness performatively became an effect of colonial power which could not be dissociated from colonial regulatory norms.<sup>200</sup>

If transposed onto whiteness, performativity can be understood not so much as a singular or deliberate decision to wear the apparel of colonial whiteness, but as a 'reiterative and citational practice' which a discourse of colonial power produces.<sup>201</sup> To an extent arguing that whiteness was 'performatively constituted' implies that it was prompted by the obligatory norms of the coloniality of power which operated within a binary of race, prescribing the rules of recognition.<sup>202</sup> Furthermore, it means that non-compliance with the rules of recognition invited loss of privileges or sanction: white racial queerness disenfranchised one of whiteness.<sup>203</sup> This disenfranchisement can be understood through Butler's parlance of 'precarity'.<sup>204</sup> Whites who refused to comply with whiteness or, more significantly, openly challenged or defied whiteness risked exclusion from social and economic institutions that protected whiteness, becoming exposed to 'injury, violence and death'.<sup>205</sup> Precarity is visible in the genus of whiteness promoted by Afrikaner nationalism and its disciplinary regime.

It will be recalled from Chapter 4 that the principal imaginary of apartheid was a society in which every 'race' knew its place economically,

198 J Butler *Bodies that matter: On the discursive limits of 'sex'* (1993); J Butler *Gender trouble: Feminism and the subversion of identity* (1999) xiv-xv. *Gender trouble* was originally published in 1990; J Butler 'Performativity, precarity and sexual politics' (2009) 4 *AIBR. Revista de Antropología Iberoamericana* 1.

199 Butler *Gender trouble* (n 198 above) xvi.

200 Butler *Bodies that matter* (n 198 above) 2.

201 As above.

202 Butler 'Performativity, precarity and sexual politics' (n 198 above) 1.

203 Butler 'Performativity, precarity and sexual politics' (n 198 above) 4.

204 Butler 'Performativity, precarity and sexual politics' (n 198 above) 2.

205 As above.

politically and socially.<sup>206</sup> Apartheid's universe first and foremost was the essentialisation or reification of phenotypes so that they are rendered both a source as well as a justification for differential treatment against the backdrop of white as the biological, social, cultural and legal normative standard. Hierarchical racial differentiation was to be a way of life, a social monolith. It was a monolith whose moral parameters became increasingly difficult to question, especially among Afrikaners themselves. At its height Afrikaner nationalism grew to totalising proportions, investing apartheid with an 'authentic organicity' of closed identities built around racial differentiation.<sup>207</sup> For Afrikaner nationalism white ethnic loyalties were cut and dry: either one stayed within apartheid's racialising and racist horizons or fell outside them risking becoming a traitor to the Afrikaner cause,<sup>208</sup> a fate that was visited on the likes of Beyers Naude, a cleric, who impugned the legitimacy of apartheid from the pulpit<sup>209</sup> and Bram Fischer, a lawyer, who took a political stance against apartheid.<sup>210</sup>

For Europe, European colonisers and their descendants, Africa became a space for the performance of whiteness to the ends of racial and cultural hierarchisation, colonial domination and bifurcated citizenship. Africa and nativism became substantive effects of a colonialism that was performatively produced and compelled by the regulatory colonial speech and acts. The making of the colonial state became, as in the making of any state, a historical practice through which social difference and social stratification were invented, practised and given official imprimatur that had to be constantly reaffirmed in order to root it in Africa.<sup>211</sup>

206 D Posel 'What's in a name?' Racial categorization under apartheid and their afterlife' (2001) 47 *Transformation* 50 at 52.

207 Norval (n 114 above) 301.

208 Norval (n 114 above) 300.

209 Naude (1915–2004) was obliged to resign from a clerical position in the Dutch Reformed Church not least on account of his questioning apartheid's theological justification for white supremacy. He was ostracised by the Afrikaner community and became the subject of police harassment and house arrest for this anti-apartheid stance: R Müller 'War, religion, and white supremacy' (2004) 10 *Princeton Theological Review* 17 at 24; Van der Westhuizen (n 91 above) 52.

210 Fischer (1908–1975), who came from a socially highly-placed Afrikaner family, was imprisoned for furthering communism. Like Naude, he was ostracised by the Afrikaner community for challenging white supremacy: G Budlender 'Bram Fischer: The man and the lawyer' (1995) 8 *Consultus* 161; S Clingman *Bram Fischer: Afrikaner revolutionary* (1998); S Ellman 'To live outside the law you must be honest: Bram Fischer and the meaning of integrity' (2001) 17 *South African Journal on Human Rights* 451; D Moseneke 'The fourth Bram Fischer Memorial Lecture' (2002) 18 *South African Journal on Human Rights* 309.

211 McClintock (n 59 above) 353.

Thus colonial discourses produced the colonised just as they produced the colonisers.<sup>212</sup> Nativism produced that which it named, complete with power to authorise, discipline and punish in order to give intelligibility to the existential reality of colonial authority and domination.<sup>213</sup> As the polar opposite of nativism, whiteness became a set of stylised, repeated acts and speech to give authenticity to normative whiteness within a polity racialised by the whites themselves. Like the heteronormative matrix in Butler's edifice of performativity, racialisation of political identities instituted the production of a discrete and asymmetrical opposition between colonisers and the colonised. Whiteness, as a trope for social Darwinian, asymmetrical binarisation of humanity, required the assertion of superiority and entitlement by whites and submission to colonial power on the part of African people in order to accomplish the silencing and erasure of the political subjectivities and self-reflexivity of the colonised. Whiteness necessarily required the submission of whites to a culture of whiteness.

## 6 Nativising black men's sexuality

The othering of the sexuality of colonised men was part of the colonial encounter. Colonial imagination ascribed to black men excessive as well as dangerous sexualities.<sup>214</sup> The othering was an effect of colonial phallic domination and the mobilisation of white masculine power.<sup>215</sup> Phallic domination served not just to subjugate women, but also to validate white masculinity through subjugating black masculinities.<sup>216</sup> Labelled as 'indolent natives',<sup>217</sup> black men were simultaneously imagined as sexually promiscuous, rapacious, extraordinarily virile and with uncontrollable sexual urges.<sup>218</sup> In its Manichean form this fiction was integral to

212 Zahar (n 90 above) 24, citing Memmi (n 17 above) 56.

213 The power to authorise and punish is part of performativity: J Butler 'Critically queer' (1993) 1 *GLQ: A Journal of Lesbian and Gay Studies* 17.

214 D Lewis 'Representing African sexualities' in S Tamale (ed) *African sexualities: A reader* (2011) 199 at 203.

215 Mbembe (n 83 above) 13.

216 Mazrui (n 18 above) 2.

217 Colonists' claims about the idleness of natives have been implicated in critical commentaries as a 'discourse of idleness' to justify commodification of colonial labour in the interests of promoting colonial capitalism and the resistance to such commodification by the colonised: McClintock (n 59 above) 252-254; SH Alatas *The myth of the lazy native* (1977); Said (n 66 above) 201-203.

218 Lewis (n 214 above) 203-204; WD Jordan *White over black: American attitudes toward the Negro, 1550-1812* (1977) 7; McClintock (n 59 above) 22; Fanon *Black skin, white masks* (n 17 above) 157.

promoting the colonial project of conquest, subjugation and plunder.<sup>219</sup>

Seeing black men as sexually rapacious and the polar opposite of white sexual restraint was part of the archive of nativism developed or appropriated by colonial discourses. It provided the rationale for creating and sustaining a political vocabulary of and an emotion for not just difference between white men and black men but also aversion, thus facilitating 'aversive' racism.<sup>220</sup> The fiction created polarised difference between a racial *self* and the *other*, who is perceived as dangerous unless subjected to constant surveillance and harsh discipline.<sup>221</sup> As racism of avoidance and separation, aversive racism served to justify colonial violence. It legitimised violence aimed primarily at black men as well as the plunder of indigenous people's lands. Violence was sanitised as the pre-emptive, racial self-defence of vulnerable colonists partly to create safe spaces for white women who might fall prey to sexually unrestrained, predatory black men.

## 6.1 Southern Rhodesia and the phantom of the 'black peril'

Stereotyping black men as possessed of dangerous sexualities that were a threat to white women served the colonial project in a number of ways that coalesced around the establishment and consolidation of a racialised patriarchy in which white masculine identity was affirmed as the guarantor of white civilisation and the maintenance of racial boundaries in the colonies. In some colonies the colonial imagination about the unrestrained, libidinous, essential nature of black men was politically transformed into hysteria, creating the imperative to erect racialised state protection against the sexual threat posed to white women by black men – a phenomenon that was described officially, as well as in the press, as the 'black peril'.<sup>222</sup> This phenomenon was much more than concern about

219 On colonial imaginary and Manicheanism, see, for example, Fanon *The wretched of the earth* (n 17 above) 31-32; Zahar (n 90 above) 25-26; AR JanMohamed 'The economy of Manichean allegory: The function of racial difference in colonialist literature' (1985) 12 *Critical Inquiry* 59.

220 'Aversive' racism is one of the typologies of racism suggested by Kovel: J Kovel *White racism: A psycho history* (1984) 31-33; Young (n 102 above) 141-142. See the discussion in ch 4 sec 4.3 of this book.

221 Kovel (n 220 above) 48-50.

222 J Pape 'Black and white: The "perils of sex" in colonial Zimbabwe' (1990) 16 *Journal of Southern African Studies* 699; J McCullough *Black peril, white virtue: Sexual crime in Southern Rhodesia 1902-1935* (2000); O Phillips 'The "perils" of sex and the panics of race: The dangers of interracial sex in colonial Southern Rhodesia' in Tamale (n 214 above) 101-115; M Mushonga 'White power, white desire: Miscegenation in Southern Rhodesia, Zimbabwe' (2013) 5 *African Journal of History and Culture* 1 at 7. For a

sexual violence. Colonial Southern Rhodesia in the early part of the twentieth century provides a case study for revealing the connection between colonial power, race, white patriarchy and sexuality in the construction of the black peril.<sup>223</sup>

The black peril arose out of a range of racial fears among white males in particular.<sup>224</sup> It was built around incidents of rape of white women by black men. However, the actual incidents were isolated – underlining a manifest discrepancy between the threat to white women and the reaction.<sup>225</sup> The black peril was an imagined danger: a subliminal anxiety and a metonym for other fears. Its construction was not unconnected to the broader colonial project of imprinting colonial rule, asserting white gendered supremacy and facilitating racial capitalism.<sup>226</sup> The narratives of sexual danger and racial defilement, which were constructed and amplified by the press and polity of the colony and the metropolis, were instrumental in mobilising white racist populism against black men as archetypal forces of disruption and danger.<sup>227</sup>

It is not insignificant that in Southern Rhodesia the black peril manifested in the wake of the 1896 war of resistance against colonial rule – the first *Chimurenga* or *Umvukela Wokuqala* which, though unsuccessful, is of great political significance in the annals of resistance against colonial rule.<sup>228</sup> This was a time when the colonial state was emerging rather than fully established: white settlers were still engaged in the construction of

comparable phenomenon of the black peril in South Africa, see, for example, J Krikler 'Social neurosis and hysterical pre-cognition in South Africa: A case-study and reflections' (1995) 28 *Journal of Social History* 491; T Keegan 'Gender, degeneration and sexual danger: Imagining race and class in South Africa, ca 1912' (2001) 27 *South African Studies* 459; J Martens 'Settler homes, manhood and "houseboys": An analysis of Natal's rape scare of 1886' (2002) 28 *South African Studies* 379.

223 Initially the colony, which later became Rhodesia and now Zimbabwe, was named Southern Rhodesia by virtue of the Southern Rhodesia Order-in-Council of 1898: R Blake *A history of Rhodesia* (1977) 14 cited in SJ Ndlovu-Gatsheni 'Mapping cultural and colonial encounters, 1880s–1930s' in B Raftopoulos & AS Mlambo (eds) *Becoming Zimbabwe: A history for the colonial period to 2008* (2009) 39 at 58.

224 Pape (n 223 above); McCullough (n 222 above); Phillips (n 222 above) 102; Mushonga (n 222 above) 7–11.

225 Keegan (n 222 above) 471.

226 Pape (n 222 above) 700–701.

227 Keegan (n 222 above) 471.

228 On the *First Chimurenga*, see T Ranger *Revolt in Southern Rhodesia, 1896–7: A study in African resistance* (1967); Ndlovu-Gatsheni (n 223 above) 50–58. The *First Chimurenga* (1896–1897) was an initial attempt at resisting the establishment of white colonial rule. It was unsuccessful. More than 70 years later the *Second Chimurenga* became a full-scale war of liberation when, between 1975 and 1980, it was intensified by forces of the Zimbabwe African National Liberation Army the Zimbabwe People's Revolutionary

their political and economic position as the new ruling class. In the wake of the first significant attempt by the indigenous population to resist colonial rule, it was expedient for the colonial state to assert its authority and reassure itself that the colonial project was on a secure footing. In the decade or so following the suppression of the first *Chimurenga* the colonial state conducted periodic campaigns to suppress a restive black population as well as to render particularly black men pliable, through coercion if necessary, to provide the colonial state with labour that would not pose any threat to colonial authority and white settlers.<sup>229</sup> The black peril served to create a justification for placing an emerging black labour force under white masculine surveillance and a disciplinary regime that required not just servility but also clearly marked boundaries of social interaction when blacks come into close contact with whites.

Apart from providing labour in mines and on farms black men were needed for domestic service.<sup>230</sup> Serving white households as 'houseboys' meant black men spent long periods with white women – often in the absence of white males – and provided the closest contact between whites and blacks. This close association between 'houseboys' and their 'madams', in conjunction with cases of substantiated and frequently unsubstantiated rape, created the imagined phenomenon of black men with uncontrollable sexual urges violently preying on white women, thus crystallising the black peril and giving it existential reality, as the statement from WS Bazeley, a Native Commissioner, shows:

Continual association with European women is dangerous for the adult male natives. Some mistresses [meaning white women] forget that the average male native has strong sexual passions and act carelessly in his presence. It is

Army (respectively the armed wings of the Zimbabwe African National Union and the Zimbabwe African Peoples' Union), leading to the defeat of white rule and the birth of Zimbabwe on 18 April 1980: J Mitsi et al 'War in Rhodesia, 1965–1980' in Raftopoulos & Mlambo (eds) (n 223 above) 141-166.

- 229 The coercive techniques were varied. Some were indirect, such as burning crops, seizing land and stock and levying taxes on the dwellings of black inhabitants – the Hut Tax – to create economic conditions compelling black inhabitants to sell their labour in order to make a livelihood: Ndlovu-Gatsheni (n 223 above) 64-65. Others were more direct, such as forced provision of labour to the mining sector: C van Onselen *Chibaro: African mine labour in Southern Rhodesia, 1900–1933* (1976); J Bonello 'The development of early settler identity in Southern Rhodesia: 1890–1914' (2010) 43 *International Journal of African Historical Studies* 341 at 348-351.
- 230 Pape notes that in 1904 in Southern Rhodesia there were 6 991 black domestic workers (90% of whom were male) who translated into more than one worker for every white person in the entire colony: Pape (n 222 above) 701.

undoubtedly true that in most 'Black Peril' cases, and in nearly all cases of *criminal injuriae*, the culprit is or has been, a domestic servant.<sup>231</sup>

To quell the black peril the colonial state did not stop at measures to punish rape and attempted rape, which carried a death sentence and resulted in many wrongful convictions; to calm white hysteria the Legislative Assembly adopted measures to punish consensual sex between 'races' as exemplified by the adoption of the Southern Rhodesia's Immorality Suppression Ordinance of 1903. This law was formulated on the premise of black men's uncontrollable desire for white women and the latter's vulnerability and susceptibility to such desire.<sup>232</sup> The Ordinance made it an offence punishable by a maximum of two years imprisonment for any white woman to have consensual sexual intercourse with a 'native'.<sup>233</sup> Such intercourse was legally described as 'illicit' to mark its racially ascribed deviance and otherness, regardless of mutual consent. Significantly, a stiffer punishment – a maximum of five years imprisonment – was the punishment for a black man who was party to consensual sex with a white woman.<sup>234</sup>

Following accentuated fears about the black peril, the law was further tightened in 1916 by the Immorality and Indecency Suppression Ordinance, which closed a perceived gap by netting 'any act of indecency', however, consensual, and not just sexual intercourse. The 1916 law made it an offence punishable with a maximum of a year's imprisonment for a white woman who 'by words, writing, signs or any other form of suggestion, entices, incites, solicits or importunes any native to have illicit sexual intercourse with her or to commit any act of indecency with her'.<sup>235</sup> For the 'native' who was party to any of these 'indecent' consensual acts, the punishment was more severe – a maximum of two years imprisonment in addition to corporal punishment not exceeding fifteen lashes.<sup>236</sup>

It was not just law that was appropriated to police sexual racial boundaries and discipline transgressors. Colonists also employed vigilantism and other extrajudicial means. Fear of the black peril gave rise to 'sex panics' and to the legitimacy of meting out the severest punishment to black men, including extrajudicial killings, on claims that they had

231 National Archives of Zimbabwe *Report of the Departmental Committee on Native Female Domestic Labour* File S 235/475 (1932) 43 as cited in Pape (n 222 above) 699.

232 Phillips (n 222 above) 102-105.

233 Sec 1 of the Immorality Suppression Ordinance of 1903 of Southern Rhodesia.

234 Sec 3 Immorality Suppression Ordinance (n 233 above).

235 Sec 1 of the Immorality and Indecency Suppression Ordinance of 1916 of Southern Rhodesia.

236 As above.

raped – or more often on suspicion that they had raped – white women or proposed to have intimacy with white women.<sup>237</sup> But even the purported objects of protection were not spared the excesses of colonial anxieties about the black peril. White women suspected of intimacy with black men were perceived by colonial authorities as pandering to an ‘unbalanced curiosity and hysterical wish to experience comparative sexual relationship’.<sup>238</sup> Some were publicly humiliated and ostracised as ‘dangerous’ or ‘nymphomaniacs’ and some were declared ‘insane’ or deported from the colony.<sup>239</sup> Criminalising consensual sex helped to maintain a myth of white virtue as well as assuage white patriarchal sexual anxieties about losing control over white women when they succumbed to black men, thus breaching racial boundaries and abandoning white respectability.<sup>240</sup> The black peril thus served to police not only the sexualities of ‘dangerous’ black men but also those of ‘errant’ white women. It was a gendered technology for facilitating patriarchal supervision over the sexualities of white women to ensure that they remained within limits that guaranteed white male dominance and confirmed the vulnerability of white women to danger from black men. The black peril conveniently cast white males as the defenders of white female chastity.

The phantom of the black peril in Southern Rhodesia and elsewhere was a phenomenon of sex as ‘moral panic’ which was underwritten by the state with adverse consequences for the social groups that were scapegoated.<sup>241</sup> In his historical work on the state regulation of sexuality in the West, Jeffrey Weeks develops the concept of ‘moral panic’ in sexuality conflicts.<sup>242</sup> Panic is marked by cyclical tides of trenchant societal attitudes that in reality are not about protecting people from any objective harm from sex, but are successful in becoming the ‘political moment’ of sex in ways that galvanise political action and social change to

237 Phillips (n 222 above) 103, citing GS Rubin ‘Thinking sex: Notes for a radical theory of the politics of sexuality’ in CS Vance (ed) *Pleasure and danger: Exploring female sexuality* (1984) 143-178.

238 Phillips (n 222 above) 110, quoting from a report compiled by Brundell, a white police officer of the Criminal Investigation Department (CID): JC Brundell *Black and white peril* National Archives of Zimbabwe S1227/1 (1915).

239 Phillips (n 222 above) 102-103. One form of public humiliation was being ‘tarred and feathered’. This entailed white vigilantes stripping the ‘transgressor’ naked, pouring hot tar over her body and rolling her in feathers so that the feathers stuck, parading her in public and then chasing her out of town: Phillips (n 222 above) 102-103.

240 Stoler (n 61 above) 104-106; McClintock (n 59 above) 232-257; Young (n 102 above) 136-141.

241 J Weeks *Sex, politics and society: The regulation of sexuality since 1800* (1981) 14-15.

242 As above; Rubin (n 237 above) 163.

serve politically or religiously dominant sectional interests.<sup>243</sup> Gayle Rubin explains that in the sexuality realm moral panics are phantasms directed at those who lack political power to defend themselves.<sup>244</sup> the phantasms are built on pre-existing discursive structures.<sup>245</sup> In Southern Rhodesia, colonialism, racism, white masculinity and racial capitalism were the discursive structures. The panics become 'wars' over sexuality not for the sake of sexuality itself, but as a proxy that serves a symbolic purpose.<sup>246</sup> About the symbolic nature of the wars, Rubin says:

[T]he wars are often fought at oblique angles, aimed at phony targets, conducted with misplaced passions, and are highly, intensely symbolic. Sexual activities often function as signifiers for personal and social apprehensions to which they have no intrinsic connection. During a moral panic such fears attach to some unfortunate sexual activity or population. The media become ablaze with indignation, the public behaves like a rabid mob, the police are activated, and the state enacts new laws and regulations.<sup>247</sup>

In the colonial era the black peril was a symbol for the struggle to consecrate white supremacy as well as a stalking horse for assuaging white male sexual anxieties. It was a phantasm built around a pre-existing discursive structure of hierarchical racial essences and their connections with racialised political dominance and privileges for whites, and the proletarianisation of the indigenous population. The Immorality Acts supposed the white male patriarch as the provider and protector of the white family. His own sexual conduct never came under the legislative spotlight. White masculinity was cast as the regulator of racial loins to maintain racial chastity and the purity of race. Portrayed as a danger to vulnerable white women and to the guardians of white moral continence, the black peril rationalised performative deployment of white masculine power by the social group that had monopoly over political power and state violence. Beneath the black peril was an imagined and politically contrived danger which provided an excuse for using the might of the colonial state to reinforce the legitimacy of a white, patriarchal, supremacist order in a context where lasting racial domination could not be assured. The most obvious threat to white supremacy and its racial privileges was posed by black men, as the black nationalist movements were later to show.

243 Weeks (n 241 above) 14-15.

244 Rubin (n 237 above) 163.

245 As above.

246 As above.

247 As above.

The black peril served as a trope for compulsory whiteness to construct a practice that would become 'reiterative and citational' in the socio-economic distinction between black and white and, most of all, in maintaining racial boundaries.<sup>248</sup> In the fledgling colony the white settlers were in the process of laying for themselves and future Rhodesians the foundations of an 'orientation': a 'body-at-home' invested with an epidermal schema and more specifically white Rhodesian motility.<sup>249</sup> The black peril served as one of several technologies for keeping whites 'in line' and policing white women, especially, who might become racially queer. In the Rhodesian context the appearance of social distance between whites and blacks was crucial for the survival of the colonial order:<sup>250</sup> maintaining social boundaries was essential for the making of whiteness as well as class. Becoming Rhodesian was about not only racially dominating blacks but also affecting racialised etiquette associated with 'whiteness' and middle-class respectability, which required maintaining the disciplined deportment of the 'civilised' group who did not share sexual intimacy with 'savage' groups.<sup>251</sup>

Ironically, the black peril obscured bringing to account white men for the sexual violence perpetrated on black women. The greater social menace was the 'white peril' but white men enjoyed impunity: they were the law.<sup>252</sup> In Southern Rhodesia a white male was not just a man but also master or *baas* over every 'native' male or female.<sup>253</sup> In a *baasskap* polity the sexual autonomy of black women, especially, is of little import to white males.<sup>254</sup> In white households employers, especially, were in a particularly powerful position to demand sex from black domestic workers. Rape committed by white men on black women as well as black men, on the few occasions that it attracted official attention, earned the perpetrator at most a reprimand.<sup>255</sup> The risk of conviction for raping a black person, even in the face of the clearest evidence, was non-existent. This impunity enjoyed by white males in Southern Rhodesia is explicable as an incident of the

248 Butler *Bodies that matter* (n 198 above) 2. See the discussion in sec 5.1 of this chapter.

249 Ahmed (n 158 above); Fanon *Black skin, white masks* (n 17 above) 112.

250 Phillips (note 222 above) 201.

251 B Raftopoulos & AS Mlambo 'The hard road to becoming national' in Raftopoulos & Mlambo (n 223 above) xvii-xxxiv at xxv; Ndlovu-Gatsheni (n 223 above) 39 at 64; T Burke *Lifebuoy men, Lux women* (1996) 99-104; D Kennedy *Island of white: Settler society and culture in Kenya and Southern Rhodesia, 1890-1939* (1987); Young (n 102 above) 138.

252 Pape (n 222) above 712-714.

253 On *baas*, see ch 4 sec 4.3.

254 On *baasskap* society, see ch 4 sec 4.3.

255 Pape (n 222 above) 713-714.

enabling doctrine of 'right' in colonial rationality.<sup>256</sup> It was an inherent part of *cursus solitus naturae* in the establishment of a colony, which could be extended to the right to sexually invade subject races.<sup>257</sup> As a 'category of nature', black women could be conquered and penetrated,<sup>258</sup> particularly since, as a sexually 'degenerate' class, black women had no virtue to protect.<sup>259</sup>

## 7 Black women's sexual degeneracy and colonial continuities in Caldwell et al: A performative study of African women

Colonial discourses rooted in race and bodily alterity ascribed degenerate sexuality to 'dark races' in gendered ways.<sup>260</sup> The narrative around Saartjie Baartman's public display in Britain and France in Chapter 4 sought to capture the racial and gendered nativisation of black women's sexuality. European imperialism discursively summoned both race and gender to construct primordially hypersexual black women.<sup>261</sup> The use of race and gender as a technology for debasement was interimbricated with class.<sup>262</sup> Degeneracy was crucial to the idea of progress and the self-definition of white middle-class respectability.<sup>263</sup> Degeneracy was ascribed not merely to black people but also to other 'dangerous classes' such as the working class, the Irish, Jews, prostitutes, feminists, gays, lesbians and criminals.<sup>264</sup>

In this section I seek to highlight that the construction of black women as sexually degenerate persists, outliving its European imperial and colonial moments. When representing African sexualities it is not only nineteenth-century colonial excesses that need checking, but also their

256 On the notion of 'right' in colonial rationality, see ch 3 sec 3.1.

257 On *cursus solitus naturae*, see ch 3 sec 3.1.

258 See ch 3 sec 3.

259 On black women as sexually 'degenerate', see ch 3 sec 3.

260 S Tamale 'Researching and theorising sexualities in Africa' in Tamale (n 214 above) 11 at 15; Lewis (n 214 above) 205; L Commons 'Savage sexuality: Images of the African woman in Victorian literature' (1993–94) 3 *Latitudes* 3; SL Gilman *Difference and pathology: Stereotypes of sexuality, race and madness* (1985); SL Gilman 'Black bodies, white bodies: Towards an iconography of female sexuality in late nineteenth century art, medicine and literature' (1985) 12 *Critical Inquiry* 204; Loomba (n 18 above) 128–145.

261 Ch 4 sec 3.

262 McClintock (n 59 above) 5 75–131.

263 As above; Young (n 102 above) 136–141.

264 McClintock (n 59 above) 5; Young (n 102 above) 129.

endurance and seepage into contemporary epistemologies of African sexualities. To a large degree colonial seepage is manifested in studies of the epidemiology of the African HIV/AIDS epidemic by some Western researchers. I use a widely critiqued study on representations of African sexualities in the era of HIV/AIDS conducted by John Caldwell et al to make this point.<sup>265</sup>

Caldwell et al focused on the sexual behaviour of women to explain the sexuality of Africans against a backdrop of an HIV/AIDS pandemic in sub-Saharan Africa. Though it does not mention race, its subjects are black Africans. The study yields black women who are particularly licentious, engage in transactional sex and do not derive any pleasure from sex. Ultimately, the study found that black Africans are given to inherent sexual permissiveness on a continental scale and are lacking in sexual moral standards. The study portrays an Africa where sexual behaviour does not form an important part of the moral system; there is contempt for chastity and having sex is 'simple and straightforward' and as ordinary as 'eating and drinking'.<sup>266</sup> In marriage it is not love and mutual commitment to each other that matter but lineage and reproduction.<sup>267</sup> Prior to and within marriage, the study found that sex is a highly commodified activity. Any sexual restraint on the part of Africans is explicable only by the spread of Christianity or Islam.<sup>268</sup> Female premarital and extramarital sex is dominant and acceptable since such conduct is not regarded as sinful or central to morality.<sup>269</sup> When compared with Eurasia, Caldwell et al found African sexual behavioural beliefs (or lack of them) and licentiousness to be so distinct and different as to warrant describing sub-Saharan Africa as an 'alternative civilisation'.<sup>270</sup>

The Caldwell et al study has been the subject of criticism precisely because they employed an analytical framework that produced harmful stereotypes. Diversities, variations and transformations within African sexualities are erased in favour of generalisations that obscure and distort multiplicities and complexity in sexualities.<sup>271</sup> The effect of the approach

265 J Caldwell et al 'The social context of AIDS in sub-Saharan Africa' (1989) 15 *Population and Development Review* 185.

266 Caldwell et al (n 265 above) 194-196.

267 Caldwell et al (n 265 above) 196-200.

268 Caldwell et al (n 265 above) 208-209.

269 Caldwell et al (n 265 above) 222.

270 As above.

271 Commentaries criticising Caldwell et al include; M Le Blanc et al 'The African sexual system: Comment on Caldwell et al' (1991) 17 *Population and Development Review* 497; BM Ahlberg 'Is there a distinct African sexuality? A critical response to Caldwell' (1994) 64 *Africa* 220; OMN Savage & T Tchombe 'Anthropological perspectives on

adopted by Caldwell et al is to stereotype African sexual behaviour. In their work on gender and stereotyping Rebecca Cook and Simone Cusack pose the question: Why do people stereotype?<sup>272</sup> They point out that we can stereotype for good or bad reasons. Furthermore, even when we have good or paternalistic reasons, stereotyping others can have unintended negative outcomes for the group that is stereotyped, including injury to the human dignity of members who comprise the group.

To public health policymakers wishing to combat the spread of HIV the findings by Caldwell et al, if based on good science, would be a benevolent stereotype. The stereotype can be used to inform the development and direction of preventive strategies. By creating Africans as a category of people that are sexually promiscuous and have little regard for the consequences of their sexual behaviour the findings would provide a stereotype that is vitally useful in devising a public health response through ‘maximising ease of understanding and predictability’ of the sexual behaviour of Africans.<sup>273</sup> On the other hand, if based on bad science, even if there was no intention to cause injury, the Caldwell et al findings would serve not so much to maximise ease of understanding and predictability about the sexual behaviour of Africans but to ‘assign difference’.<sup>274</sup> Irrespective of what the intentions of the researchers might have been, the effect has been to label and stigmatise Africans.

The Caldwell et al findings about the sexual behaviour and practices of particular groups of mostly women in specific African locations were interpreted by the authors in a manner that conflated a particular location with the entire country of location and ultimately the African continent. What Caldwell et al fail to show is that there are different African sexualities that are tethered to different social contexts and different subjectivities. African *sexualities* are much more than the singularly permissive, transactional heteronormative *sexuality* in which there is no right or wrong that Caldwell et al underscore as the paradigm of Africa sexuality. Arnfred puts a spotlight on the nativising effect of the study

sexual behaviour in Africa’ (1994) 5 *Annual Review of Sex Research* 50; S Heald ‘The power of sex: Reflections on the Caldwell’s “African sexuality” thesis’ (1995) 65(4) *Africa* 489; S Arnfred “‘African sexuality’/sexuality in Africa: Tales and silences’ in S Arnfred *Re-thinking sexualities in Africa* (2004) 59 at 60; Tamale ‘Researching and theorising sexualities’ (n 260 above) 17; S Nyanzi et al “‘African sex is dangerous!’ Renegotiating “ritual sex” in contemporary Masaka District, Uganda’ in Tamale (n 214 above) 599; K Kaoma ‘The unmasking of the colonial silence: Sexuality in Africa in the post-colonial context’ (2016) 155 *Journal of Theology for Southern Africa* 49.

272 Cook & Cusack (n 99 above) 13.

273 As above.

274 Cook & Cusack (n 99 above) 16-18.

when she argues that, rather than introduce something new in their findings of African sexuality, the Caldwell et al study is a 're-vitalisation' of old images of black female sexuality, especially as 'excessive, threatening and contagious'.<sup>275</sup>

Ahlberg implicates significant methodological flaws in the Caldwell et al study that in the end assure decontextualised and distorted findings.<sup>276</sup> Ahlberg points out, for example, that sources suggesting that African communities attach importance to moral restraint were dismissed by Caldwell et al as unreliable.<sup>277</sup> In their findings on the fecundity of African women the possibility that the high fertility rate among African women could be explained in terms of unmet contraceptive need rather than a culture that values high fertility does not appear to have exercised the minds of Caldwell et al.<sup>278</sup> In any event a question to ask is: Why should the Eurasian model serve as the paradigm of civilisation and morality when seeking to represent African sexualities? Ultimately, the use of the 'Eurasian model' as a control to evaluate African sexualities and reach outcomes that are singular and totalising fits neatly into Said's discourse of orientalism.

As a piece of fieldwork and ethnography about Africa the shortcomings in the Caldwell et al study highlight a deeper philosophical problem: the problem of a prior prejudiced discourse, methodology and epistemology which Mbembe implicates as a veritable impediment to the production of knowledge about Africa and Africans.<sup>279</sup> The study traded patient, in-depth research for an instant judgement about Africans, singularly failing to distinguish between cause and effect or to interrogate fairly and meticulously the subjective meanings of actions and silences.<sup>280</sup> It succeeded in reproducing Africa as a continent that is not just powerless but inherently bent on self-destruction, hence pathological and resolutely resistant to rationality.<sup>281</sup> The HIV/AIDS pandemic was explicated on a lack in Africa and Africans – the primordial or 'Dark Continent discourse' – with little attempt to interrogate whether the pandemic could be explicated on the basis of external factors such as global economic inequalities.<sup>282</sup>

275 Arnfred (n 271 above) 67.

276 Ahlberg (n 271 above).

277 Ahlberg (n 271 above) 223 226-228; Caldwell et al (n 266 above) 196. On methodological flaws, see also Kaoma (n 272 above) 53.

278 Ahlberg (n 271 above) 225.

279 Mbembe (n 83 above) 7-9.

280 As above.

281 Mbembe (n 83 above) 8.

282 Ahlberg (n 271 above) 60.

Especially in its subtext, which reduces black African social formations to a specific category of one geographic simple society whose inhabitants are given to reckless sexual abandon, the Caldwell et al study confirms Mbembe's diagnostic thesis about the negative image of Africa in the West.<sup>283</sup> The thesis is that the persistent portrayal of Africa as primordial chaos long after the primal colonial moment is not the result of 'the intrinsic difficulty of translating what is seen (as opposed to what is hidden) about Africa and African experiences into human language but, instead, the outcome of prior discourse that is not about Africa for itself but rather a subtext about something else, some other place, some other people'.<sup>284</sup> It is a Saidian *re-presence*.<sup>285</sup> Subliminally, the appeal to a Eurasian model and the lapse into dichotomies that are not validated enabled Caldwell et al not so much to engage in a careful, in-depth study about the social context of HIV/AIDS in Africa but to use Africa and the HIV/AIDS pandemic as the mediation that allows the West to hierarchically distinguish itself from Africa.<sup>286</sup> Caldwell et al constructed a particular black African sexuality and sexual behaviour which, when contrasted with the supposed choice and restraint exercised by Westerners, finds Africans functioning not as individuals but as tribes-people labouring under the albatross of predetermined, group-specific, degenerate sexual behaviour that precludes choice and reason in societies yoked to kinship.<sup>287</sup> Through its portrayal of a black African lifeworld of intractable sexual permissiveness and the authors' prescriptive discourse of moral economism and exhortation, the Caldwell et al study is a continuation of the nativist discourse long inaugurated during the colonial era.

283 Mbembe (n 83 above) 3.

284 As above.

285 Said (n 1 above) 21 as quoted in sec 2 of this chapter.

286 Mbembe (n 83 above) 3.

287 Mbembe (n 83 above) 10-11.