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Why do public authorities react the way they do to stigmatized minorities?

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Laura Stark visiting German countryside.

In March 2023, **Lady J.** (a transgender woman and my key informant) went into hiding in Tanzania's largest city. A policeman's sex videos had leaked to social media and the Tanzanian president announced that any 'homosexual' police officers in the country must be caught and jailed. Lady J. was not a police officer, but the police – possibly to deflect attention from themselves – decided instead to round up all

known civilian 'homosexuals' instead. Several years earlier, Lady J. had been jailed and badly beaten by policemen who wanted her to stop sex work on the streets, her only possible source of income. Now, Lady J.'s local government called a public meeting, recorded the names of 'homosexual' residents, yet took no further action. Most of the jailed 'homosexuals' were released within days. There was no English-language media coverage of this incident.

This story highlights a dilemma in studying the lives of LGBTQI+ persons in the global South: national laws do not tell us what is happening on the ground. Legislation is a weak indicator of everyday rights because at the street level it is used as a strategic tool in diverse ways for diverse ends. In most Sub-Saharan African countries, formal laws threaten long prison terms for LGBTQI+ persons, but in practice this almost never happens. What *does* happen to them is little known.

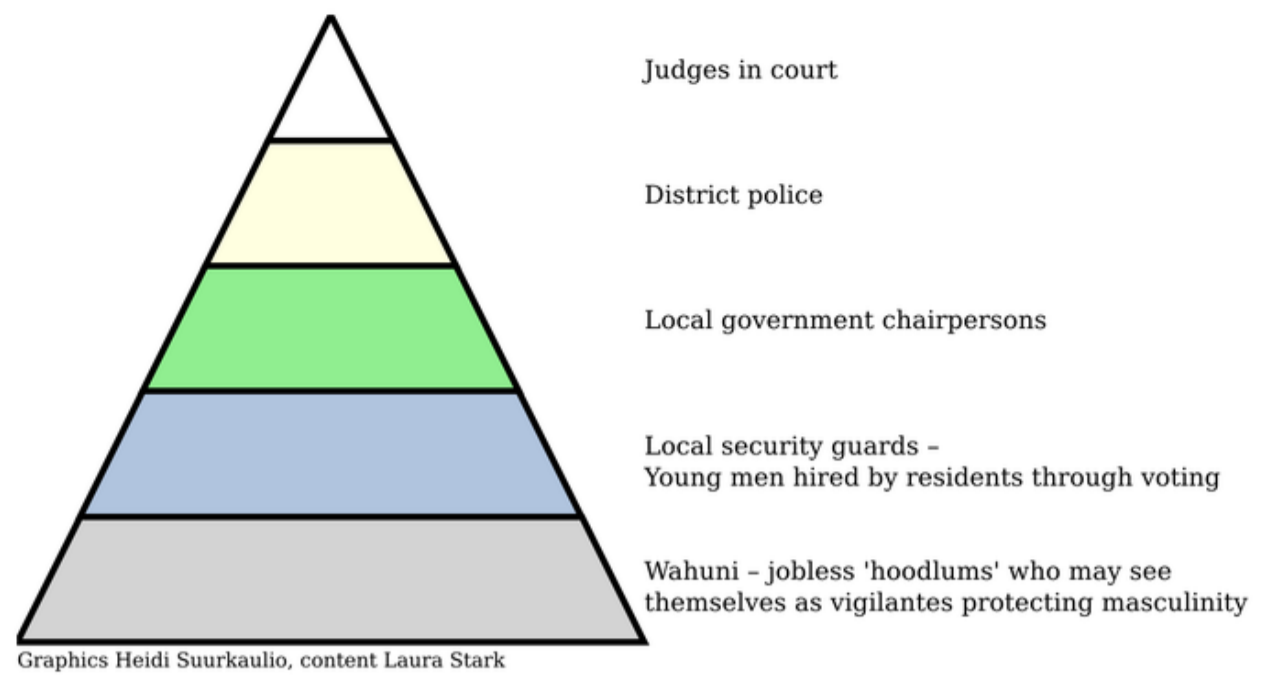
Colonial-era law in Tanzania from 1945 (updated in 1998) forbids a wide range of non-normative sexualities under the terms 'unnatural offenses' and 'gross indecency', for which the maximum penalty is between five and 20 years' imprisonment. I use the term *non-conforming genders and sexualities* (NCGSs) instead of LGBTQI+ which is rooted in Western history and does not capture Africans' local realities (Epprecht 2008:8). Most NCGSs in Africa are neither organized nor vocal in politics.

Alexia, interviewed in Dar es Salaam, 2022. Photo: Laura Stark.

Since I began interviewing NCGSs in Dar es Salaam, Tanzania in 2020, I have been interested in their everyday encounters with local authorities. In interviews, NCGS persons said they experienced their worst hardships not from top-down implementation of national law, but from unpredictable security actors: police, security guards, and self-organized vigilante gangs (*wahuni*), who stopped them, harassed them, beat them, chased them, or jailed them. **How these local security actors make informal decisions is a major factor in**



the well-being of stigmatized groups around the world. Yet little is known about this issue. What I have found so far from my research in Dar es Salaam is that 1) there are many levels of local authorities (see Figure 1). 2) None of these security actors really knew what to do with NCGSs in their area of control. They sometimes helped them, sometimes extorted money from them, sometimes used violence against them, sometimes became their sex work clients. Their behaviors seemed arbitrary both to myself and to the NCGS persons I interviewed. 3) In the end, however, most police officers did not write the reports that could lead to NCGSs being sent to prison for long periods.



Security actors in Dar es Salaam, Tanzania who deal with non-conforming genders and genders and sexualities, ranked by authority and social status.

Anthropologist David Graeber (2012) argued that public servants (including the police) who are backed up by violence rarely need to do interpretive labour, that is, they rarely need to understand what citizens are thinking. Instead, bureaucrats use violence against those who demand alternative schemas, since dealing non-violently with them would require too much effort and imagination (ibid). Using these insights, ACACIA's research questions are: 1) to what extent do local residents and bureaucrats undertake interpretive labor with NCGSs? 2) When they do not, is there anything about NCGS identities and practices that makes them unwilling to do so? (3) How, when and why do local authorities diverge from formal law when dealing with NCGSs?

My research project ACACIA (LGBTQI+ and Street-level law enforcement: *Assessing Motives, Violence and Possibilities for Collective Advocacy in East Africa*, funded by the Ministry of Foreign Affairs of Finland 2023–2026) will examine these issues in three East African countries: Tanzania, Malawi, and Uganda.

Literature cited:

- Graeber, D. 2012. Dead Zones of the Imagination: On Violence, Bureaucracy, and Interpretive Labor. The 2006 Malinowski Memorial Lecture. *HAU: Journal of Ethnographic Theory*, 2 (2), pp. 105–128.