

Chapter 6

The Paradox of Constitutional Protection and Prejudice Experienced by LGBTQ+ People in South Africa

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Abstract

South Africa attained democracy over 24 years ago. The changes in South Africa's Constitution allowed for protection for all citizens. Despite these freedoms and the promise of change, the country is plagued by violence, corruption and crime. These crimes affect the LGBTQ+ people of the South African population. These citizens have been protected by the Constitution; however, they continue to live their lives in a paradox, between protection and prejudice. LGBTQ+ people experience high levels of hate crimes which extend to violence, assault, bullying and cyberbullying. This chapter focuses on the legal protection and challenges experienced by South African LGBTQ+ people.

Keywords: South African Indian; LGBTQ+; hate crimes; overt discrimination; discrimination; South African law

South African people from all walks of life rejoiced at the birth of a new democracy by voting on the 27th of April 1994. This new democracy would allow for equal opportunities for all citizens, in terms of freedom, social justice and general equality (Bennett & Reddy, 2015). It signalled South Africa's reign as a regional example of hope and social rebirth. However, more than two decades after the birth of the democracy, a paradox exists within South Africa, where citizens are offered legislative freedom and protection, while there are still high

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levels of crime, corruption and human rights violations. Through the Gini coefficient used by the World Bank, South Africa is recognised as one of the most inequitable countries in the world (Keeton, 2014). Along with inequality, failures in the public sector and rampant crime, the levels of social cohesion, productivity and the confidence of citizens in the public sector have decreased (Eagle, Benn, Fletcher, & Sibisi, 2013). Despite the existence of some denialist lobbyists who claim that high levels of crimes are normal for developing countries, there is sufficient evidence to show that South Africa's crime rate is higher than the global average and that citizens feel vulnerable to victimisation and violence (Statistics South Africa, 2017, 2020).

The internationally aligned policies in South Africa aim to protect, promote and safeguard the rights of all citizens, including those who identify as lesbian, gay, bisexual, transgender, queer and additional sexual orientation or gender identities (LGBTQ+) (Hirsch, 2005; Mkhize, Bennett, Reddy, & Moletsane, 2010). A milestone move in 2006 saw South Africa becoming one of the first countries in the world to Constitutionally protect citizens against discrimination based on sexual orientation (Bhana, 2012; Thoreson, 2008). This offered citizens adoption rights, estate rights and rights to marry (Thoreson, 2008). Despite these advanced and intricate legal protections, LGBTQ+ people in South Africa continue to face discrimination and violent persecution, mainly due to the 'un-African' label of identifying as LGBTQ+ (Francis & Brown, 2017). The reported experiences of LGBTQ+ people have emphasised a disconnect between the Constitutional protection and people's real-life experiences, which range from discrimination and homophobia to acceptance (Bhana, 2012). Discrimination against LGBTQ+ people is also caused by notions of heteronormativity, patriarchy and conservative culture which exist within South Africa's diverse communities (Ratele & Suffla, 2010). Despite the legal protections, many South African people continue to believe that same-sex relationships are morally wrong (Sutherland, Roberts, Gabriel, Struwig, & Gordon, 2016).

South Africa consists of societies rich in cultural diversity, and within these societies, LGBTQ+ people have diverging experiences (Cooposamy, 2018). While there have been aspects of positive change with regards to the experiences of LGBTQ+ people, many qualitative and empirical studies have highlighted the difficulties that LGBTQ+ people continue to face (Khan, 2017; Mkhize et al., 2010; OUT, 2016). A large-scale study focusing on crime in South Africa, the Victims of Crime Survey, revealed that 9.3% of respondents felt unsafe expressing their sexual orientation freely (Statistics South Africa, 2017). Within this statistical report, South African people of Indian descent are very limitedly represented. There has also been only a very small focus on South African LGBTQ+ people of Indian descent in other research studies (Dave, 2011; Dayal, 2021; Moonsammy, 2009).

Some media representations of sexual orientation-based discrimination experiences of South African Indian LGBTQ+ people are highlighted in this chapter. In a round-up of some of these media representations, this chapter first explores the historical and causal aspects of crime and violence in South Africa. It then

proceeds to identify the prevalence of hate crimes, before unpacking the legal rights and cultural context of the LGBTQ+ communities.

Hate Crimes in South Africa

Hate crimes are acts of prejudice that are committed against individuals, groups or organisations based on the groups they belong to (IACP, 1998; Marais, Nel, & Govender, 2022). These acts include hate speech, intentional unfair discrimination and other hate crimes, which occur across a variety of different settings (Triangle Project, 2006). These hate crimes are intended to dehumanise and demean individuals and groups of people (IACP, 1998). They also lead to mental health challenges and experiences of trauma on the part of the victims (Marais et al., 2022). Hate crime is a global challenge.

Within South Africa specifically, 7.3% of citizens who participated in the 2017 Victims of Crime Survey revealed that they feared being at the receiving end of hate crimes (Statistics South Africa, 2017). Hate crimes that occur most prevalently in South Africa include those that are based on nationality, race and sexual orientation. Within South Africa, homophobic views and vocalisations of hate speech against LGBTQ+ people are still prevalent, and some studies even reveal that there may be a rise of these negative views towards LGBTQ+ people (TMG Digital, 2016). Hate crimes against female-presenting people with LGBTQ+ identities are also seen to be higher than those against others (Nel & Judge, 2008). These hate crimes against women mostly occur in the form of corrective rape, murder and abuse of lesbian women (OUT, 2016).

In South Africa, hate crimes are criminal offences, and the National Policy Guideline for Victim Empowerment has introduced frameworks that address them. Due to the range of hate crimes present, legislature is constantly evolving, and currently, there exist some gaps in the frameworks which address them (Department of Justice and Constitutional Development, 2008; Department of Social Development, 2009; Nel & Judge, 2008). In 2016, updated hate crimes legislation was presented for passage (De Barros, 2018). These legislations have led to legal punishments for those who are perpetrators of hate crimes; which in turn led to renewed faith of citizens in the criminal justice system (Mitchley, 2018).

Causes of Hate Crimes in South Africa

Hate crimes in South Africa occur due to a myriad of reasons (Demombynes & Özler, 2005; Statistics South Africa, 2017). Within this section, some of the debates surrounding the causes of hate crimes will be introduced. South Africa's history of Apartheid forms the backdrop of hate crimes and victimisation: from the mid-1950s to the late-1980s, rights of citizens were categorised in a racial hierarchy and the freedoms of certain race groups were restricted (Schönteich & Louw, 1999). Apartheid presented many challenges for citizens, such as the prevention of interracial marriages, the prevention of cohabitation among

different races as well as limitations to the political expression of citizens (Kane-Berman, 1993). Around 1993, a period of transition occurred, which signalled the end of Apartheid (Schönteich & Louw, 1999). During this time, tensions existed within communities in South Africa, with a heightened amount of protests and crime (Schönteich & Louw, 1999). The intra-community conflict that occurred during Apartheid and towards the transition period led to an increase in the levels of crimes in under-resourced areas (Christopher, 1994; Ramphele, 1993). What's more, as Apartheid was rooted in Christian Calvinism, during this time the country saw an overvaluing of identities that aligned with values presented by patriarchy, traditional gender roles and conservatism (Cameron, 2001; Potgieter, 2006). Due to these factors, same-sex marriages and relationships were considered illegal, with sex between men being criminalised and identified as 'sodomy' (Cameron, 2001; Gunkel, 2010). People in same-sex relationships were often discriminated against, and if they openly expressed their identities, they were likely to experience job losses and family rejection (Wells & Polders, 2006).

The lack of legislative recognition by policymakers and authorities in South Africa has made the reporting and prosecuting of hate crimes challenging (De Barros, 2018). This legislative lack of recognition has been compounded by other challenging aspects such as socioeconomic status and lack of resources of citizens. Through the onset of urbanisation, crime rates in cities exceed crime in rural settings, with the crime rate increasing with the size of the city (Roelofse, 2009; Statistics South Africa, 2020). In larger cities factors such as unemployment, overcrowding and the rise in consumerism are believed to be factors that contribute towards higher crime rates (Chalfin & McCrary, 2017; Hsieh & Pugh, 1993; Pratt & Cullen, 2005; Rufrancos, Power, Pickett, & Wilkinson, 2013). The South African economy sees very high unemployment rates. All these factors have played intersectional roles in the perpetration of hate crimes. What's more, empirical evidence has shown that South African people are apprehensive to report hate crimes, where the Victims of Crime Survey of 2016/2017 state that a decline was noted (from 64.2% in 2011 to 57.3% in 2016/2017) in satisfaction levels experienced by the public in the South African Police Service (Statistics South Africa, 2017). Currently, only 7.7% of citizens have trust in the police services (Statistics South Africa, 2017). It will be unsurprising then, that the 2020 Victims of Crime Survey (Statistics South Africa, 2020) showed that not all crimes experienced get reported to the police.

In order to reduce hate crimes, an optimal criminal justice system that responds quickly to reported crimes is needed. This criminal justice system needs staff members who are fully equipped with knowledge on the updated legislation, in order to effectively apprehend and prosecute lawbreakers for their actions (Chalfin & McCrary, 2017). However, though efforts have been made on a national scale, this ideal justice system has not yet come into existence.

The 2016/2017 Victims of Crime Survey reveals that there is low satisfaction of South African citizens with the criminal justice system. The households' satisfaction with courts decreased from 64.5% in 2011 to only 44.9% in 2016/2017. Only 20.9% of the households felt that there was no corruption within South African courts, and the majority of households (45.8%) believed that sentences

that were passed in courts were too lenient (Statistics South Africa, 2017). The Victims of Crime survey also revealed that South African people were disappointed that cases involving violent crimes took too long to finalise, which did not give people who reported these crimes effective justice (Statistics South Africa, 2017). These factors result in a decreased level of crime reporting, which in the case of hate crimes would result in a reduction in the prosecution of hate crime perpetrators. Within a province in Gauteng, Nel and Judge (2008) found that a staggering 73% of hate crimes do not get reported by people who experience them, due to a lack of confidence in the justice system and a belief that the reporting of hate crimes would not be given the attention that it needed. People who experience hate crimes also fear that during the process of reporting the hate crimes, they will be at the receiving end of secondary victimisation by a system that should ultimately be safeguarding them (Nel & Judge, 2008).

To promote a culture where hate speech and hate crimes are stopped, the media's role in showing the importance of seeking support is essential (Khan, 2018). Therefore, I'll go on to explore some of the media representations in South African online news and lifestyle platforms.

Media Representations of Discrimination

Gender and sexual orientation-based discrimination experienced by South African LGBTQ+ people have been written about in many opinion pieces in the media. These articles display how these experiences negatively affect the lives of people who are at the receiving end of gender and sexual orientation-based discrimination. As the focus on these experiences of South African Indian LGBTQ+ people has not been emphasised as much in media, in this chapter an attempt is made to provide a focus on South African Indian LGBTQ+ people, by using media articles from the South African *Indian Spice*, *Independent Online* and *Mamba Online* e-zines.

“Calling Me a Faggot Is Not OK”

The non-acceptance of LGBTQ+ people is often based on factors related to patriarchy, conservative cultures, heterosexism and religion (Ratele & Suffla, 2010). LGBTQ+ people walk the tightrope of fear and acceptance – where they are sometimes free to express themselves, and at other times experience overt and covert discrimination (Bhana, 2012). It is noteworthy that there are intersectional influences that lead to these experiences of discrimination of LGBTQ+ people (De Waal & Manion, 2006). In addition to legal attitudes that criminalise sexual orientation expression – a barrier which in theory has been overcome in South Africa – aspects such as community values, race, biological sex, economic background and other key identities, all play a role in how discrimination or freedom is experienced by LGBTQ+ people in South Africa and in other places (De Waal & Manion, 2006). In understanding the experiences of hate crimes, these key identities play a role in helping us understand how hate crimes are

experienced, reported and processed, with each person relating to hate crimes in different ways (Meyer, 2008).

Naufal Khan, the openly gay publisher of *Indian Spice* e-zine, expressed that he has been openly experiencing sexual orientation-based discrimination throughout his life. He reveals: 'I have over the years been called a number of distasteful names due to...my sexual orientation' (Khan, 2018). And, 'Calling me a faggot is not ok' (Khan, 2018). Khan (2018) shares that derogatory names were used to make him feel uncomfortable in social settings. Within the South African context, several other names are used to discriminate against gay men, such as ungqingili, inkwili, moffie and faggot (Graham & Kiguwa, 2004).

LGBTQ+ discrimination happens at interpersonal, personal, institutional and community levels (Thompson & Zoloth, 1990). Victimization experienced by LGBTQ+ people is not only verbal, but physical violence may also occur. LGBTQ+ people are beaten up, have objects thrown at them or objects used to harm them (OUT, 2016). Other forms of physical violence may be extreme forms of sexual violence such as corrective rape and sexual assault (Morris, 2017). Another reason LGBTQ+ people report for feeling unsafe is that their homes and property may be damaged due to spiteful hate crimes directed at them (Morris, 2017). A large-scale study focusing on the beliefs of residents in Gauteng, a South African province which is densely populated, found that 12% of participants believed that hate crimes were an appropriate way of dealing with people who identified as gay (Mahomed & Trangoš, 2016).

OUT LGBTQ+ Well-Being (an LGBTQ+ advocacy, research and healthcare organisation based in South Africa) conducted a large-scale study called the Hate Crimes Against LGBTQ+ people in a South Africa Survey (OUT, 2016). Their study revealed that 44% of the participants experienced all possible forms of discrimination. Of these forms of discrimination, the most common form of discrimination they experienced was verbal insults (20%), followed by being threatened with physical violence (17%). The study also revealed that the minority LGBTQ+ people of Indian descent experienced particularly high levels of discrimination, with 38% of them experiencing verbal insults, 17% being threatened with physical violence, 11% being sexually harmed and also 11% being abused by members of their families (OUT, 2016) – making studies on LGBTQ+ people of ethnic minorities, such as this one, especially relevant. These experiences of bullying of LGBTQ+ people, in varied settings, including schools, are often written about in media articles. One such example is an article by Jagmohan (2017), who interviewed the mother of a South African Indian gay man. The interviewee revealed that her son had experienced bullying regularly, which made him struggle with his sexual orientation. In the interview, she mentioned that her 'child had battled with constant bullying [...] and a struggle to accept his gay identity' (Jagmohan, 2017). She also says: 'At high school he had a torturous life and was physically beaten' (Jagmohan, 2017).

LGBTQ+ discrimination within South African school settings is noted by many researchers (Bhana, 2012; Francis & Reygan, 2016; Siwela, Sikhwari, & Mutshaeni, 2018). In the OUT (2016) survey, 56% of LGBTQ+ participants reportedly experienced sexual orientation bullying in schools. The bullying is

often tied to the idea that within school heteronormative teaching methodologies perpetuate gender binaries, which results in students taking on traditional gender roles (Francis, 2017). Students who do not align with these traditional roles are often picked on (Francis, 2017).

The mechanics of LGBTQ+ bullying can be explained using the social identity theory: LGBTQ+ people are seen as an out-group, making them targets of discrimination and persecution as their identities are seen as incompatible with that of the in-group. The latter then resort to discriminatory methods to make the lives of the out-group members challenging (Terry & Hogg, 2001).

“People Don’t Trust the System”

The process of reporting hate crimes in South Africa presents unique challenges to people experiencing them, and there is often hesitation in reaching out to law enforcement officers when reporting these crimes.

One of these unique challenges is the difficulties present in the categorisation of hate crimes and the policies that are directly applicable to these crimes. Until changes in hate crimes legislation, which took effect in 2016, and were amended in 2018, policymakers were ‘flying blind’ when it came to processing hate crime reports (De Barros, 2018). Due to this, crimes that were reported were often classified in a different way, resulting in data related to hate crimes being incomplete or inconclusive (Lepodise, 2018). The existent empirical data were usually presented in studies done by South African non-governmental organizations (NGOs), who assisted those who experienced hate crimes by offering support in reporting and dealing with the impact of hate crimes (Lepodise, 2018). A five-year report by the Hate Crimes Working Group (HCWG) states that NGOs are at the frontline in terms of supporting those who experience hate crimes, with 43% of those who experience hate crimes contacting NGOs first, and only 26% going directly to the police, with the remainder contacting other organisations or healthcare facilities (Lepodise, 2018).

A legal victory linked to the reporting of hate crimes emerged in 2016, and again in 2018, when the South African Department of Justice revised a Bill designed to protect individuals from hate crimes, which was then approved by Cabinet (De Barros, 2018). This Bill was named the *Prevention and Combating of Hate Crimes and Hate Speech Bill*, and it has the criminalisation of hate crimes as its focus (De Barros, 2018). The Bill hopes to ensure swift punishment for those who perpetrate hate crimes, and it also aims to reduce the confusion surrounding the reporting of hate crimes. What’s more, this Bill aims to provide improved training and knowledge to law enforcement officers when it comes to the managing and prosecution of people who commit hate crimes. According to an online news article by De Barros (2018), the Bill defines hate speech as the infliction of hate ‘on the basis of age, albinism, birth, colour, culture, disability, ethnic or social origin, gender or gender identity, HIV status, language, nationality, migrant or refugee status, race, religion, or sex, which includes intersex or sexual orientation’.

Despite formalisation in hate crimes legislation, LGBTQ+ people continue to face challenges in reporting hate crimes. The OUT survey from 2016, the same year the Bill was introduced, reported that an astounding 88% of LGBTQ+ people do not report discrimination experiences to the police. Most LGBTQ+ people polled mention that this is often due to the fact that they do not believe that their reports will be taken seriously. What's more, some LGBTQ+ people do not openly reveal their sexualities in their communities, and they fear that reporting incidents of discrimination may cause their hidden sexualities to become known by members of the community they live in (OUT, 2016).

In an article in *Indian Spice* e-zine, Khan (2018) encourages LGBTQ+ people in South Africa to reach out for help and persevere in reporting hate crimes. He believes that often, people do not know how to report hate crimes, and they need to be educated. This is where he sees an important role for himself: the sharing of information and knowledge on experiences and legislation related to hate crimes. 'I want the LGBTQ+ community to know that you DO have a voice and there are options [... to] protect yourself from hate speech and much more' (Khan, 2018).

Another reason for the under-reporting of hate crimes remains the scepticism from South African citizens, who believe that what exists on paper does not always translate to real-life experiences (De Barros, 2016). In an online news article about the reporting of discrimination experiences, De Barros (2016) argues: 'Discrimination is experienced in everyday life and I don't know if this will stop it. [...] They pass these Bills but implementation is the problem'.

LGBTQ+ people also believe that they may be discriminated against by the court systems, which are meant to be protecting them (OUT, 2016). The OUT (2016) survey, which has a special section focusing on the experiences of LGBTQ+ people with the justice system, states that 25% of LGBTQ+ people withdrew cases of hate crimes, and a further 7% were too afraid to report to court. Those who withdrew cases or failed to report to courts may fear secondary victimisation. The reporting of hate crimes may also lead to secondary victimisation if they are not handled correctly (Nel & Judge, 2008). This secondary victimisation occurs when those who report hate crimes and discrimination are blamed by community members for the crimes that are reported, leading to social, emotional and psychological effects (Campbell & Raja, 2005). But it does not stop there: in addition to these personal and legal challenges, there are also reports that some LGBTQ+ people feel discriminated against when using healthcare services (OUT, 2016; Polders & Wells, 2004).

In essence, Lerato Phalakatshela, Hate Crime Manager at OUT LGBTQ+ Well-Being, in an interview with De Barros (2016), simply states the sad reality that: 'People don't trust the system' (De Barros, 2016). This was further affirmed by Dawie Nel, the Director of OUT LGBTQ+ Well-Being, who also mentioned the very long response time for receiving assistance from law enforcement officers (De Barros, 2016). '...it took more than 30 phone calls to get hold of the investigating officer' (De Barros, 2016).

Upon reporting hate crimes, LGBTQ+ people further mention that they did not find the police very helpful (OUT, 2016), and this led to low confidence in

reporting hate crimes. In an older study by [Polders and Wells \(2004\)](#), 33% of LGBTQ+ people reported negative experiences when reporting hate crimes at police stations. Judging by the statistics from these two separate studies, it appears that not much has changed between 2004 and 2016, and that South African LGBTQ+ people continue to experience difficulties when reporting hate crimes – despite the major legal reforms.

“Fear, Humiliation, Shame”

The problems with reporting hate crimes may be due to institutional limitations. However, there are also personal factors at play that impact hate crime reporting, and a person’s inhibitions and fears during the reporting process may restrict one from seeking assistance after incidents of discrimination ([De Barros, 2018](#)). The fear of reporting hate crimes is high among LGBTQ+ people: [OUT \(2016\)](#) reported that 55% of LGBTQ+ people displayed high levels of fear of being discriminated against due to their sexual orientation. De Barros, based on the views of those assisting those who experience hate crimes, writes: ‘emotional changes were noted, including fear, humiliation, shame, loss of trust and powerlessness’ ([De Barros, 2018](#)).

Hate crimes are also reported differently by people of different genders, as especially men who experienced hate crimes felt embarrassed about reporting them ([Louw, 2014](#)). These men felt that there are social pressures to behave in strong and assertive ways, and reporting experiences of discrimination causes these men to feel ashamed and ‘lesser than’ ([Louw, 2014](#)). People who experience hate crimes may also experience self-blaming attitudes, where they may start to believe that they are the cause of their negative experiences, which results in them being embarrassed to speak to other people ([Hill & Zautra, 1989](#)).

The fear of reprisals from those who perpetrate hate crimes is also a constant fear of people reporting hate crimes ([OUT, 2016](#); [Sampson & Phillips, 1996](#)). People who report crimes feel exhausted by the fact that they may need to challenge societal views and community attitudes in the process of seeking justice. They believe that they may not be able to cope with repeated victimisation and trauma, should they be discriminated against ([Louw, 2014](#)). What is evident is that discrimination against LGBTQ+ people leads to emotional and self-esteem difficulties in people who experience them ([OUT, 2016](#)), often leading to very serious life challenges.

“It All Starts With a Joke...Next...Someone Has Committed Suicide”

The negative psychological, emotional and interpersonal challenges faced by LGBTQ+ people due to discrimination have been noted in many studies across different countries. Hate crimes may involve threatening messages which cause LGBTQ+ people to feel unsafe and unwanted in their communities, and LGBTQ+ people feel restricted and inhibited in their daily interpersonal relationships due to the negative impacts of hate crimes. The South African Hate

Crimes Working Group concluded that 50% of people experiencing hate crimes experienced emotional challenges; 7% experienced mental health effects; 35% experienced economic impacts and among 27% of LGBTQ+ people, negative living environments were experienced (Lepodise, 2018).

Muhsin Hendricks, a religious leader from South Africa, shares in an interview with Sheldon (2016), that hate crimes lead to challenges within communities, testing social cohesion and leading to a threatened feeling of physical and psychological well-being. Muhsin speaks of the impact of religion as well: 'There are a lot of lives being destroyed based on sexuality and religion, and that needs to change' (Sheldon, 2016). Though the legal changes are necessary and commendable, there needs to be constructive change within communities in order to allow for LGBTQ+ people to feel safer and accepted within their communities.

Most LGBTQ+ people live in communities that are heterosexist, and they are surrounded by symbols and attitudes that often marginalise them (Herek, Gillis, & Cogan, 1999). This marginalisation can also lead to feelings of internalised homophobia. This type of homophobia is defined as 'the gay person's direction of negative social attitudes toward the self, leading to a devaluation of the self and resultant internal conflicts and poor self-regard' (Meyer & Dean, 1998, p. 161). This internalised homophobia is often learned before LGBTQ+ people may be aware of their sexual orientation, as they may be raised in societies where they come into contact with homophobic messages; and the experiences of levels of self-devaluation is an inevitable part of identity development (Herek et al., 1999; Meyer, 1995). For LGBTQ+ people who are affiliated with communities that do not affirm different sexual orientations, a higher level of internalised homophobia is noted (Barnes & Meyer, 2012).

Internalised homophobia is also shown to decrease self-esteem, reduce motivation and may also affect intimacy and affection (Gormley & Lopez, 2010; Meyer & Dean, 1998). An extreme psychological challenge of internalised homophobia is its tendency to cause depersonalisation, where people who experience discrimination may feel detached and isolated from others (Rosenberg, 2000). The Right to Care organisation, an NGO in South Africa, echoes the view of researchers that LGBTQ+ people are more prone to suffering mental health challenges, substance abuse and extreme stress (Iguar, 2018). It has also been identified that discrimination and microaggressions lead to workplace challenges among South African gay men (Dayal, 2021). A 2019 study on 27 South African corporate companies and multinational organisations highlighted that despite progressive company policies protecting LGBTQ+ people, many of the policies are administrative and that practically, work needs to continuously be done to ensure that diversity policies are being implemented (The South African LGBTQ+ Management Forum, 2018, 2019). This, again, shows the paradox of institutional progressiveness and cultural resistance.

The damaging impact of media in perpetuating discrimination against LGBTQ+ people was highlighted by Khan (2018), in his online review of a recent South African movie focusing on the South African Indian community. The movie, *Broken Promises*, showcased examples of heteronormativity and homophobic dialogues, in which gay men were used for comic relief. Using gay men in

overly effeminate roles tends to create narrow views of gay men. These gay men are made out to be out-group members, and seen as deviant and subordinate. Negative associations with LGBTQ+ characters were also identified with movies made in India's Bollywood cinema (Kaur, 2017). This may lead to incidents of discrimination and hate speech, and even emotional challenges. Khan (2018) vehemently states: 'It all starts with a joke and the next thing you know someone has committed suicide' (Khan, 2018). In another news article, a South African Indian mother speaks of the emotional pain her son endured due to homophobic abuse and repeated bullying: '[He] attempted suicide twice. He consumed all of his anti-depressants' (Jagmohan, 2017).

The South African Human Science Research Council in a 2016 study revealed that 31% of LGBTQ+ people have thought of suicide, and this statistic is well above the national average, further indicating the vulnerability of LGBTQ+ people (Iguar, 2018). The South African Depression and Anxiety Group, an NGO providing counselling and support, reveals that LGBTQ+ people may be twice as likely to attempt suicide (SADAG, 2017). Among those who have thoughts of suicide, SADAG (2017) believes that Indian gay men experience cultural pressures and pressures from Indian media representations of men and gay men, that make them more vulnerable to mental health challenges. Many NGOs and other support organisations in South Africa work together to encourage a culture of support and reduced discrimination. However, it is also important for parents to note the damaging impact of discrimination on their children. As a concerned South African mother states in an interview with *Independent Online*: 'Parents need to listen to their children. We need to stop criticising and let people live' (Jagmohan, 2017).

Families have an important role to play in promoting self-acceptance among LGBTQ+ people. Family support allows for a positive self-image and greater psychological well-being (Ryan, Russell, Huebner, Diaz, & Sanchez, 2010). LGBTQ+ people show a reduction of mental health challenges if they have a safe space to live in. Family members and community members have an instrumental role to play in creating this safe space.

Conclusion

South Africa's history of violence and oppression is well documented in all forms of academic literature and mainstream media (Hirsch, 2005). During the time of South Africa's democratic transition, South Africa served as a beacon of hope for many nations. However, over two decades post-democracy, South Africa continues to experience crime and violence at a high rate. Despite sound legislation and Constitutional protection, South African citizens continue to face difficulties. Among South African citizens experiencing challenges, LGBTQ+ people in South Africa are particularly vulnerable (Khan, 2017). Hate crimes against LGBTQ+ people happen at alarming rates (OUT, 2016). These hate crimes result in a sense of fear and humiliation, and intense mental health and emotional challenges among those who experience hate crimes. Due to infrastructure

concerns and a lack of confidence in the justice system (OUT, 2016; Statistics South Africa, 2017), there are a lower amount of crimes being reported. In order to sustain social cohesion and remedy tears in the social fabric, societies need to stand together in promoting the acceptance of all members.

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