

Colonialism left immensely pernicious impacts on former colonies. These inimical impacts continue to effect many nation-states on the African continent, and persist even after the conclusion of colonialism in the 1960s. A prime example of colonialism, still remaining, regards the treatment of women and LGBTQ+ individuals. The colonial empires that are now nations, enforced incredibly abhorrent laws, forcing many to conform to their Christian, heteronormative, and patriarchal standards. One example centers around the English legal scholar William Blackstone, who in the 1770s wrote on “crimes against nature,” creating rhetoric that would transcend centuries. The phrasing of “crimes against nature,” continues to influence laws enacted in the 21st Century, including, but certainly not limited to, Uganda’s Sexual Offences Bill of 2019; where in clause 11, it defines unnatural offences and the criminal sentence one could be liable for if convicted. These draconian laws in Uganda today are not standalone nor should be taken as such. Many African nation-states today criminalize homosexuality with steep penalties, but these laws were not always the societal norm. The influence of colonialism is still found in de jure laws as well as de facto sentiments. De jure laws criminalize LGBTQ+ people and their actions, even if it inhibits their human rights, and one has to look no further than Uganda’s Anti-Homosexuality Act of 2023 as well as Nigeria’s Same-Sex Marriage Prohibition Act of 2013. These are just two crucial examples of current sentiments that influence the legal criminalization of LGBTQ+ people, and although the Anti-Homosexuality Act of 2023 was amended before it passed, it originally sought out to not only criminalize those who engage in same-sex actions, but also those who present as ‘gay.’ However, there are also nation-states that provide enumerated protections for LGBTQ+ people like South Africa and Angola, where the South African Constitution and then Angola’s revised penal code allow for greater protection for women and LGBTQ+ people. Here, the complexity associated with de jure laws has been illustrated; some protect while others directly criminalize, but there is one area where these differences seem to vanish. This is in the de facto sentiments, where nation-states like South Africa that have enumerated protections often do not have the necessary checks to ensure that, when gender and sexuality intersect, those facing greater oppression are protected. This is abhorrently exemplified with the immense cases of corrective rape, most of which are never tried for the intersecting cause, where gender and sexuality are the motivating reason for the rape. South Africa’s Constitution provides protections for LGBTQ+ people and women, yet there is a disconnect when these two intersect. Ultimately, illuminating the crux of the issue, where there is the theory of constitutional protections, the praxis reveals the inaction and lack of protections truly present. In all, there are clear direct influences of colonialism today in Africa, and although there are protections enumerated, typically those protections do not hold weight against the de facto and ‘customary’ practices, most of which were imposed through colonialism. However, it also must be mentioned that colonialism has not stopped, and there are still efforts by certain groups to recolonize Africa, largely on the premise of religious ideology. A prominent example concerns far-right Evangelicals from the U.S. who are actively pouring money into African nation-states to influence the laws and legislation being passed, and their efforts are being met with immense success. Many of these groups see African nation-states as a hotbed for religious

revivalism. Due to the fact that many African nation-states are still developing and grappling with the execrable impacts of colonialism and neocolonialism, it is yet another nail in the coffin if not the coup de grâce for LGBTQ+ people in Africa. Where their identity and pre-colonial histories that were once commonplace and in different places praised in society were stripped away and forced into the forgotten histories of native people, suffering continued criminalization and violence because of their identity.