

**RELIGION AND HOMOSEXUALITY  
CRIMINALIZATION IN UGANDA: THE  
CONTRIBUTION OF THE AMERICAN ANTI-  
HOMOSEXUAL EVANGELICALS TOWARDS THE  
2014 ANTI-HOMOSEXUALITY LAW**

By

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## DECLARATION

As required by University regulations, I hereby state unambiguously that this work has not been presented at any other University or any other institution of higher learning other than the University of KwaZulu-Natal, (Pietermaritzburg Campus) and that unless specifically indicated to the contrary within the text it is my original work.



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As candidate supervisor I hereby approve this thesis for submission



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# CERTIFICATION

I declare that I have abided by the College of Humanities, University of KwaZulu-Natal's policy on language editing. I also declare that earlier forms of the thesis have been retained should they be required.



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GYAVIIRA KISITU

## **DEDICATION**

Most profoundly, I dedicate this work to my beloved family, friends and benefactors who have stood by me in my spiritual and academic journey. This journey wouldn't have been a success without your ever-faithful presence, moral and material support. May our loving God protect and bless you with love, peace and mercy.

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## **ABSTRACT AND KEY TERMS**

Although it was annulled within months of its promulgation, the 2014 Anti-homosexuality law in Uganda continues to generate critical questions on various aspects surrounding its promulgation. In this context, the study explored the contribution of the American Anti-homosexual evangelicals (AAEs) towards the legislation of the 2014 Anti-Homosexuality Law. The AAEs were a group of evangelical pastors from the United States who, having been invited to Uganda, campaigned against homosexuality in 2009. This was followed by enacting the 2014 Anti-Homosexuality Law (2014 AHL). A dominant claim argued and suggested that the AAEs were the prime instigators of 2014 AHL, a position that either dismissed or rendered secondary any possible contribution from the local context. The study was non-empirical and followed a qualitative research design. It employed qualitative content analysis, supported by both critical and interpretive approaches within a postcolonial theoretical framework. The study found that the AAEs did not seem to have essentially preached, taught or instructed something new which had a direct power to alter local perceptions on homosexuality, so as to independently influence the legislation of 2014 AHL. However, the study found that through their art of persuasion, established relationship with local persons of influence, power of disposition and the methodological approach on the subject of homosexuality, the AAEs' influence was exposed. Through these means, the AAEs succeeded in rejuvenating the already present and evolving anti-homosexuality sentiments within the Ugandan society. However, the study found the AAEs' influence not isolated. On the contrary, the Ugandan context as well as the AAEs, were found to have been active agents that facilitated the legislation of the 2014 AHL at different levels. Thus the study found that the extent to which the AAEs contributed to the making of the 2014 AHL, was limited to a locally supportive structure animated by a 'Surveillance System on Homosexuality' (SSH). The findings of the study critique first, a position that views the 2014 legislation on homosexuality as an overly contribution of the AAEs, with less recognition of contextual factors; Secondly, the reverse position that emphasizes the role of the local context over that of the AAEs in a dismissive approach. Therefore the thesis argues that beyond the scholarly discourse that strongly and almost exclusively focus on the role of the American anti-homosexual evangelicals, it is important to shift the analysis with the help of postcolonial theoretical insights to understand the

construction of an almost perfect match between the dominant discourse within the Ugandan local society concerning homosexuality and the teachings of the American Anti-homosexual Evangelicals and its influence on the 2014 Anti-homosexual law. Hence the study proposes critical and intersectional approaches when interrogating contemporary influences of foreign religious actors and their contribution to controversies over policy making on homosexuality in Africa.

**Key words:** *Religion, American Anti-homosexual Evangelicals, Anti-homosexual law, 2014 Anti-homosexuality Law, Anti- homosexual activism and pro-homosexual activism. Framing, Homosexuality, legislation, Surveillance system on Homosexuality. Postcolonial theory, Colonialism. Uganda.*

## DEFINITION OF KEY TERMS

**2014 Anti-Homosexuality Law.** This term is used in the study to refer to the criminalization of homosexuality under a law signed on the 24<sup>th</sup> February 2014 by Uganda's Head of State Yoweri Museveni. However, the 2014 Anti-homosexuality law was later in the same year of its promulgation nullified by the constitutional court. "The judges ruled that on the question of lack of quorum when enacting the Anti-Homosexuality Act on 20 December 2013, the actions of the ninth Parliament of Uganda were inconsistent with and in contravention of the Constitution and Parliamentary Rules of Procedure" (Stella Nyanzi and Karamagi 2015:31). The main objective of the law was to "prohibit any form of sexual relations between persons of the same sex; prohibit the promotion or recognition of such relations and to provide for other related matters". (Anti-Homosexuality Act 2014: 3).

**American Anti-Homosexual Evangelicals.** The term American Anti-homosexual evangelicals is used in limitation to the group of American evangelical pastors from the United States of America. The term is used restrictively in reference to the group of American evangelical pastors who came to Uganda for "a three-day seminar organized in March 2009 at the invitation of a Uganda based Family Life Network , a local religious based organization (Kaoma 2014a:20). This seminar operated under the theme: "Expose the Truth behind the Homosexual Agenda" (Kaoma 2014a). This group does not necessarily refer to itself as "American Anti-homosexual evangelicals". However, the study used this term purposefully for identification and focus of the study. The terminology was used in reference to group's geographical origin, which is United States of America, its attitude towards homosexuality as well as its religious identification.

**Anti-homosexual activism and pro-homosexual activism.** Activism is used in the study referring to "a doctrine or practice that emphasizes direct vigorous action especially in support of or opposition to one side of a controversial issue"



(Merriam-Webster 2017). The study uses the term anti-homosexual activism to refer to the practices that stresses direct opposition to homosexuality and homosexual practices. On the other hand, the study uses the term pro-homosexual activism to denote the practices that emphasize vigorous actions or positions in support of homosexuality and homosexual practices.

**Colonialism.** The term is used in the study to refer to the period of imperial domination in which an imperial power established and guaranteed control, subordination, and authoritative administration over the colonized territory (McClintock 1994, Jack et al. 2011). In Uganda's case, colonialism could officially be traced back to the time the country was declared a British protectorate in 1894 (Kasozi 2013:27).

**Framing.** The term framing is used in the study as an analytical model to understand how homosexuality has been explained and understood using various concepts and phrases. According to sociologists Robert D Benford and David Snow, "frames help to "organize experiences and guide action" (Benford and Snow 2000:614). For Mayer N Zald, "Frames are the specific metaphors, symbolic representations, and cognitive cues used to render or cast behavior and events in an evaluative mode and to suggest alternative modes of action" (Zald 1996: 262). In respect to the study, understanding the use of concepts on homosexuality is critical. Framing helps in facilitating and making intelligible the intended meaning, the intentions to communicate and to invoke attention towards the object of communication.

**Homosexuality.** The term homosexuality is attributed to a 19<sup>th</sup> Century German psychologist (Pickett 2015). The use of the term across contexts and disciplines is diverse. Although the term has been used to refer to same-sex erotic relationships, from a broader perspective, the term when, applied to an African context is controversial (Shoko 2010, Chitando and Manyonganise 2016). The study uses the term purposefully in respect of its attribution to the 2014 AHL in Uganda. According to the 2014 Anti-Homosexuality Law, homosexuality is a term used to refer to acts or relations performed between persons of the same sex. Such an act is

understood to include the penetration of “the anus or mouth of another person of with [one’s] penis or any other sexual contraption; the use of any object or sexual contraption to penetrate or stimulate sexual organs of a person of the same sex; the touching of another person with the intention of committing sexual homosexuality as “same gender or same sex sexual acts” (2014 AHL). The study further opted for this term for various reasons. First, in relation with how it was employed by the AAEs while in Uganda. It was observed that during the AAEs’ conference, the term ‘homosexuality’ was frequently used by the AAEs. Second, during the follow-up meeting to the AAEs’ conference and in the National Assembly, participants used the term homosexuality dominantly while debating on the subject of homosexuality. Therefore, the study opted for this term purposefully for its focus.

**Legislation.** This term refers to “the action of legislating; specifically, the exercise of the power and function of making rules (such as laws) that have the force of authority by virtue of their promulgation by an official organ of a state or other organization” (Merriam-Webster 2017). The term is used in this study to include parliamentary debate processes on homosexuality from 2009 to the promulgation into Law, the 2014 AHL. Further the term is extended to include public debates and discussions that preceded and motivated the presentation of the 2009 Anti-homosexual Bill in the Ugandan parliament.

**Postcolonial Theory.** This is being used in the study as a framework work or the lens of exploring and understanding the extent to which the AAEs influenced the legislation of the 2014 AHL. The framework enables the study not only to pay attention to the role of the AAEs as the source of influence but also the local context. Postcolonial theory (PCT) “is a broad rubric for examining a range of social, cultural, religious, political, ethical, and philosophical questions that recognize the salience of the colonial experience and its persisting aftermath” in the formerly colonized territories (Jack et al. 2011: 277). In this study, the theory is understood to consider experiences of colonialism by the Ugandan society but also how the Ugandan society continues to be suspicious of new forms of colonialism (Jack et al. 2011; Spivak 1987; Bhabha 1990).

**Religion.** Unless indicated otherwise, the term religion is used in reference to Christian religion. The study limits the term to Christian religion purposefully in relation to its focus. This is influenced by the fact that the AAEs' campaign against homosexuality in Uganda was carried out under the umbrella of Christianity. The study recognizes that a universally 'agreed on' definition of religion is still a challenge. This is because many religions exist with varying religious practices, beliefs, codes and contexts. This has also influenced the existence of various definitions and understanding of what religion entails (Koenig 2009; Garfield, *et al.* 2013:27). Despite varying approaches to religion, there exists some agreement in the scholarship that religion is one of the factors that shape human societies (Kehoe 2013:200; Robinson and Rodrigues 2014).

**Surveillance System on Homosexuality.** The term surveillance is used in this study analogically to describe an act of close observation whether directly or indirectly on homosexuality and homosexual practices with intention of control. The term Surveillance System on Homosexuality (SSH) is used referring to a seemingly coordinated, yet unseen framework through which homosexuality has come to be popularly framed, defined, and acted upon in the Ugandan society. The Surveillance System on Homosexuality is a conceptual term developed in the study alongside Sylvia Tamale's analysis on the effects of religion, reinterpreted traditional customs and statutory law's intersectionality towards African sexualities, particularly that of women (Tamale 2015).

**The Anti-Homosexuality Bill, 2009 (2009 AHB).** This term is used in the study to refer to the initial state of the 2014 Anti-Homosexuality Law when it was presented and read for the first time in Parliament. Before being made into law, the 2014 AHL was known from the legal perspective as the Anti-Homosexuality Bill, 2009. The 2009 AHB, was presented as a private member's bill by Hon David Bahati Member of Parliament Ngorwa County west, Kabale.

## **GLOSSARY OF ACRONYMS AND ABBREVIATIONS**

<b>AAEs</b>	American Anti-homosexual Evangelicals
<b>AAEs' FI</b>	American Anti-homosexual Evangelicals Framework of Influence
<b>ACHPR</b>	African Commission on Human and Peoples' Rights.
<b>AFA</b>	American Family Association
<b>AHA</b>	Anti-Homosexuality Act
<b>AHB</b>	Anti-Homosexuality Bill
<b>AHL</b>	Anti-Homosexuality Law
<b>AIDS</b>	Acquired Immunodeficiency Syndrome
<b>ATM</b>	Abiding Truth Ministries
<b>ATR</b>	African Traditional Religions
<b>CR</b>	Christian Right
<b>DAC</b>	Development Association Committee.
<b>DFATM</b>	Defend the Family and Abiding Truth Ministries
<b>EGA</b>	Exodus Global Alliance
<b>EIHAC</b>	Exposing the International Homosexual Agenda Conference
<b>ERA</b>	Equal Rights Amendment
<b>FRC</b>	Family Research Council.
<b>GALA</b>	Gays and Lesbians Alliance.
<b>GRC</b>	Global Research Centre.

<b>HIV</b>	Human Immunodeficiency Virus
<b>HRW</b>	Human Rights Watch
<b>IPU</b>	Inter-Parliamentary Union.
<b>ILGA</b>	International Lesbian, Gay, Bisexual, Transgender and Intersex Association
<b>LBAP</b>	Local Born Again Pastors
<b>LGBT</b>	Lesbians, Gay, Bisexuals and Transsexuals
<b>LGBTI</b>	Lesbian Gay Bisexual Transgender and Intersex
<b>MFA</b>	Ministry of Foreign Affairs
<b>NARTH</b>	National Association for Research and Therapy of Homosexuality
<b>NGO</b>	Non-Governmental Organizations
<b>NPHC</b>	National Population and Housing Census
<b>NT</b>	New Testament
<b>OECD</b>	Organization for Economic Co-operation and Development
<b>OHCHR</b>	Office of the United Nations High Commissioner for Human Rights
<b>OT</b>	Old Testament
<b>PCT</b>	Postcolonial Theory
<b>QCA</b>	Qualitative Content Analysis
<b>RCL</b>	Religion Culture and Law
<b>SMCHAU</b>	Strategic Meeting on Combating the Homosexuality Agenda in Uganda.
<b>SMUG</b>	Sexual Minorities Uganda

<b>SPLC</b>	Southern Poverty Law Centre
<b>SSH</b>	Surveillance System of Homosexuality
<b>SSMHH</b>	Scientific Statement from the Ministry of Health on Homosexuality
<b>WBG</b>	World Bank Group
<b>UIRFR</b>	Uganda's 2014 International Religious Freedom report
<b>UJCC</b>	Uganda Joint Christian Council
<b>UN</b>	United Nations
<b>UN-OHRLLS</b>	UN Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States
<b>ULRC</b>	Uganda Law Reform Commission
<b>UNICEF</b>	United Nations International Children Emergence Fund
<b>USA</b>	United States of America

# TABLE OF CONTENTS

DECLARATION	II
CERTIFICATION	III
DEDICATION	IV
ACKNOWLEDGEMENTS	V
ABSTRACT	VI
DEFINITION OF KEY TERMS	VIII
GLOSSARY OF ACRONYMS AND ABBREVIATIONS	XII
TABLE OF CONTENTS	XV

## CHAPTER ONE

### INTRODUCING THE STUDY: UNVEILING THE PLATFORM

1.1	Introduction	1
1.2.	A brief overview on the location of the study	1
1.3.	Background to the Study	2
1.4.	Motivations for undertaking the study	11
1.4.	Contesting the aspect of silence	11

1.4.2.	Homosexuality as a divisive force	13
1.4.3.	Viewing the Local context as active	13
1.5.	Statement of the Research problem	14
1.6.	Research question, sub-questions and objectives	15
1.7.	The Scope and Limitations of the Study	17
1.8.	Outline of the Chapters	18
1.9.	Conclusion	19

## **CHAPTER TWO**

### **METHODOLOGY AND THEORETICAL FRAMEWORK OF THE STUDY**

2.0.	Introduction	20
2.1.	Research Method	20
2.3.	Sampling and Data Collection	21
2.3.1.	Primary data	22
2.3.2.	Secondary data	28
2.4.	Overview on data analysis and Interpretation	28
2.5.	Research Paradigm	29
2.6.	The Theoretical Lens of the Study	30
2.6.1.	An analysis of the Postcolonial theory	30
2.6.1.1.	Postcolonialism	33
2.6.1.2.	Pessimistic Approach	34
2.6.1.3.	Optimistic Approach	35
2.6.2.	Analytical categories of Postcolonial theory	36



2.6.2.1.	Orientalism	37
2.6.2.2.	Power and Knowledge	39
2.6.2.3.	Language	40
2.6.2.3.	Hegemony power	41
263.	The overall relevance of the postcolonial theory to the study	42
	<i>Relationship between the methodology and the Postcolonial theory</i>	44
264.	Conclusion	45

## **CHAPTER THREE**

### **THE FRAMING OF HOMOSEXUALITY IN UGANDA AND ITS IMPLICATIONS**

3.1.	Introduction	47
3.2.	Positioning the concept of homosexuality in the study	47
3.3.	The framing of homosexuality in the Ugandan context	49
3.3.1.	Homosexuality, the unspoken, and undiscussed practice	50
3.3.2.	Homosexuality the Rejected practice in Uganda	52
3.3.4.	The coloration between the Martyrs, Mwanga II and homosexuality	53
3.3.5.	Practiced by the King yet denounced by his Subjects, a paradox	56
3.3.6.	Homosexuality ‘Out of the closet’.	57
3.3.7.	Perspectives on Homosexuality in selected Ugandan Print media	58

3.4.1.	Findings of the inquiry	59
3.4.1.1.	Homosexuality is accorded diverse interpretations and Meanings	59
3.4.1.2.	Homosexuality, a Myth	62
3.4.1.3.	Homosexuality, opposite to normative lifestyle.	63
3.4.1.4.	Homosexuality and Childbearing	64
3.4.1.5.	Homosexuality as harmful	65
3.4.1.6.	Foreignness of homosexuality versus non-foreignness of Homosexuality	66
3.4.1.7.	A Limit to Human Rights when it comes to Homosexuality	70
3.5.	Conceptualizing a Surveillance system of Homosexuality	73
	The surveillance system of homosexuality (SSH)	75
3.6.	Conclusion	78

## **CHAPTER FOUR**

### **THE 2014 CRIMINALIZATION OF HOMOSEXUALITY IN UGANDA**

4.1.	Introduction	80
4.2.	A brief overview on homosexuality legalization globally and Africa	80
4.3.1.	Criminalization of homosexuality prior 2014 AHL in Uganda.	82
4.3.2.	Understanding the 2014 Anti-homosexuality Law in Uganda.	85
	A summary of Uganda's 2014 Anti-homosexuality	

Law-as adopted from the Anti- Homosexuality Act, 2014.	86
4.3.3. Relationship between the 2014 AHL and the 1950 Penal Code	88
4.3.4. Colonialism, legacy of Sodomy Laws and its influence towards the 2014 homosexuality criminalization	92
4.3.5. Role of local attitude on the criminalization of homosexuality in Uganda	95
4.4. Conclusion	100

## **CHAPTER FIVE**

### **LOCATING THE AMERICAN ANTI- HOMOSEXUAL EVANGELICALS IN THE ANTI- HOMOSEXUAL DISCOURSE**

5.1. Introduction	102
5.2. The American Anti-Homosexual Evangelicals	102
5.3. Understanding the historical worldview shaping the AAEs' Theological Identity	105
5.3.1. Fundamentalism	107
5.3.2. The Theological pillar of fundamentalism	109
5.3.3. Eschatological pillar of fundamentalism	110
5.3.4. The Missiological Pillar of fundamentalism	111
5.4.1. American Evangelicalism and Revivalism	112
5.4.2. American evangelicalism and civilization	114
5.4.3. Anti-homosexuality and American evangelicalism	116
5.5. Conclusion	122

**CHAPTER SIX**  
**SHAPING CONTEMPORARY UGANDAN**  
**VIEWS OVER HOMOSEXUALITY**

6.1.	Introduction	123
6.2.	Key emerging Themes	123
6.2.1.	Identity and the claimed legitimacy on homosexuality	124
6.2.2.	Active participation of local participants	125
6.2.3.	Homosexuality as defined by the AAEs	126
6.2.4.	Misrepresentation of Homosexuality	130
6.2.5.	Homosexuality advanced through Power, Authority and Influence	131
6.2.6.	A way forward: Informed pro-activism against the Gay movement and homosexuality	132
6.2.7.	Fighting homosexuality is for the good cause, therefore not regrettable.	134
6.2.8.	Challenging Homosexuality presents consequences and a need of preparedness	135
6.3.1.	Conceptualizing a Framework of Influence employed by the AAEs	136
	The analysis of the AAEs' Framework of influence	136
6.3.1.1.	The Problem: Homosexuality in Society	137
6.3.1.2.	A free-homosexuality Society	140
6.3.1.3.	The Consequence and the Choice	142

6.3.2.	Towards possible religious based advantages for AAEs as Foreign Religious Leaders in influencing policy making on homosexuality in Uganda	145
6.3.2.1.	Utilizing the umbrella of Religion and Uganda’s religiosity state	145
6.3.2.2.	Presence of New Religious Christian Movements	146
6.3.2.3.	The AAEs as ‘The Missionaries’ and the Ugandan Context as ‘The Mission land’	147
6.3.2.4.	A Locally supportive anti-homosexual Theological Discourse.	149
6.3.2.5.	A prospective support from an African theological Perspective	154
6.3.2.6.	Identity and Influence	157
6.3.2.7.	Rhetoric and influence	162
6.3.2.8.	Association with Gate Keepers as a tool of influence	164
6.3.3.	Conclusion	169

## **CHAPTER SEVEN**

### **TOWARDS THE 2014 CRIMINALIZATION OF HOMOSEXUALITY IN UGANDA**

7.1.	Introduction	171
7.2.	Key themes in the findings of this chapter	171
7.2.1.	Local Experiences and Fears over Homosexuality	172
7.3.2.	A Rhetorical Comparison frame of homosexuality.	173
7.3.3.	Theological, social, political and moral perception of Homosexuality	175

7.3.4. Friendship and Reception with intent to Learn from the AAEs.	178
7.3.5. Expression of ignorance and instant production of knowledge on homosexuality	179
7.3.6. Contemplating the revision of the anti-homosexuality regulations as a way forward	182
7.3.7. Homosexuality, As Regulated	184
7.3.8. Homosexuality, Family, parenting and children	187
7.3.9. Voices from local Anti-Homosexual Religious Leaders	190
7.4.1. The role of a pre-AAEs existing surveillance of Homosexuality	192
7.4.2. Claim to ignorance versus the intention to instruct	196
7.4.3. Uganda’s 2014 AHL, the Arm of Sovereign	199
7.4.3. Analyzing a Logical connection between 2014 AHL and the AAEs	204
7.5. Conclusion.	206

## **CHAPTER EIGHT**

### **SUMMARY OF THE STUDY AND FINAL CONCLUSIONS**

8.1. Introduction	208
8.2. The Aim, Research questions, and objectives of the Study	208
8.3. Approach to the Study	210
8.3.1. Chapter Summary	211

8.4.Value of the Study and its contribution to new Knowledge	215
8.5.Some of the General Concluding Remarks	219

### **List of Tables.**

Table 1.	Questions to the selected articles	59
Table 2.	Summary of Uganda’s 2014 Anti-homosexuality Law as adopted from the Anti- Homosexuality Act, 2014	86
Table 3.	Percentage Distribution of the Population by Religion.	156

### **List of Figures**

Figure 1.	Illustration of the relationship between power and knowledge.	39
Figure 2.	The surveillance system of homosexuality (SSH)	75
Figure 2.	The analysis of the AAEs’ Framework of Influence.	137
Figure 4.	Development Initiatives	148
Figure 5.	Pastor Ssempe at the 16 <sup>th</sup> February 2010 Press Conference	168

### **APPENDICES**

Appendix 1(a)	222
Appendix 1(b).	224
Appendix 2	227

<b>BIBLIOGRAPHY</b>	228
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# CHAPTER ONE

## INTRODUCING THE STUDY: UNVEILING THE PLATFORM

### 1.1. Introduction.

Despite having been nullified on procedural grounds, the 2014 Anti-homosexuality law continues to inspire critical enquiries on the circumstances under which it was enacted. Informed by the same milieu, this study focuses on the role of the American Anti-homosexual Evangelicals towards the legislation of the 2014 Anti-homosexuality law in Uganda. The study aims at exploring the extent to which the American anti-homosexual Evangelicals (AAEs) influenced the legislation of the 2014 Anti-Homosexual Law in Uganda (2014 AHL). This chapter presents the general introduction to the study. It begins by providing a brief overview on the location of the study. Second, it presents the background to the study. Firstly this background, locates homosexuality and homosexuality practice as a subject of global interest; Secondly, it tapers to the Ugandan context in which it presents the subject of homosexuality in relation to the AAEs and the legislation of the 2014 AHL. As a third component, the chapter provides the motivations that undergird the circumstances that led to conducting the study. In the fourth part, the study provides the problem statement; the key research question; the sub questions and the objectives of the study. In the fifth part, the study presents the limitations and scope of the study. The chapter ends by providing the general outline of the study.

### 1.2. A brief overview on the location of the study.

This study was located in Uganda. Uganda is an East African country bordering the democratic republic of Congo in the west, South Sudan in the north, Kenya in the east, and Tanzania in the South. It is a landlocked country. Of recent (especially the years from 2009 to 2014), Uganda has attracted international attention with regard to its decision to criminalize



homosexuality with more harsh penalties. The penalties included for instance; imprisonment for life, in the event one was convicted of the offence of homosexuality.<sup>1</sup> Studies and statistics show that, Uganda is predominantly Christian (Ward 2014; *Uganda 2014 International Religious Freedom Report-UIRFR* 2014). It is furthermore indicated that “85 percent [of the population of Uganda] is Christian, 12 percent Muslim, and 3 percent Hindu, Jewish, Bahai, or an adherent of indigenous beliefs” (UIRFR 2014:1). Given that the American Anti-homosexual Evangelicals (AAEs) operated under the umbrella of Christianity, it is important to briefly highlight: What space does Christianity occupy in Uganda?

The history of Christianity in Uganda predates the declaration of Uganda as a British protectorate. The first Christian group, who were the Anglicans, arrived in Uganda in 1877 having been sent by the Church Missionary Society (Kaggwa 2017). In 1879 the Roman Catholic missionaries who were also known as the White Fathers arrived from France (Kaggwa 2017). Both the Catholic Church and the Anglican Church are regarded as traditional Christian churches in Uganda. At the beginning of the 20<sup>th</sup> century new Christian movements’ churches, such as, African instituted churches, evangelical and Pentecostal churches began to emerge. In recent years, these churches have registered an increased number of memberships (Olwa 2016). Despite this development, traditional churches, that is, Catholic and Anglican, continue to be influential, attracting large numbers of followers among the majority of people (Ward 2014:130). It is therefore imperative to note that the AAEs did not meet an audience ignorant of Christianity and the Evangelical and Pentecostal forms of worship, but one that could easily provide a friendly and favorable environment.

### **1.3. Background to the Study.**

The aspect of homosexuality and homosexuality criminalization, has in recent times, drawn an enormous amount of attention to both global and local contexts (Van Klinken 2016; Beyrer 2014; Lee 2016). As an academic discourse, homosexuality has also been approached across

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<sup>1</sup>According to Uganda’s 2014 Anti-homosexuality Act a person may be commits the offense of homosexuality A person commits the offence of homosexuality if— “(a) he penetrates the anus or mouth of another person of the same sex with his penis or any other sexual contraption; (b) he or she uses any object or sexual contraption to penetrate or stimulate sexual organ of a person of the same sex; (c) he or she touches another person with the intention of committing the act of homosexuality (The Anti-Homosexuality Act,2014, article 2).

disciplines. This study approaches the discourse of homosexuality majorly from a theological perspective even though relevant knowledge on homosexuality from other fields of study such as sociology, and anthropology may be consulted.

The study recognizes that the aspect of homosexuality is one of the global topics of controversy especially when it comes to the question of whether homosexuality should be legalized or decriminalized. While international human rights groups in recent years have come up strongly campaigning for a global recognition for homosexuals' rights, and decriminalization of homosexuality, 71 countries globally still recognize homosexuality as being illegal (Carrol and Ramon 2017). The recognition of homosexuality as illegal still spreads in many African countries and recent studies would rightly confirm this. (Global Research Centre 2013; Van Klinken and Chitando 2016; Chitando and Manyonganise 2016; Kaoma 2016a).

In contrast to the global-gradual publicity, which the subject of homosexuality started gaining especially from the beginning of the second half of the 20<sup>th</sup> century, in most African countries the issue of homosexuality has not been discussed in the open for a long time until recently. Most scholars reflecting on this subject from various perspectives in an African context have acknowledged how discussions on homosexuality are often accorded a lesser attention and often easily dismissed as insignificant issues (Tamale 2014b; Gunda 2017). In many African societies there are claims that seek to denounce the historical and traditional recognition of homosexual practices. While various anthropologists have attempted to establish with factual evidence cases of homosexuality practices in some indigenous African societies, many cultural gatekeepers still perceive homosexuality to be foreign, or 'un-African', imported from the west (Nagadya and Morgan 2005; Nyanzi 2013). This has contributed to a controversial perception of homosexuality, especially where a dismissive view on homosexuality is challenged by voices that seek to reaffirm the presence of homosexuality in African societies long before the coming of foreigners (Hoad 2007; Epprecht 2013).

In Uganda, as a similar case is argued of some other African societies, open discussions on homosexuality is characterized with a 'tradition' of silence, and when it is engaged with, often conflicting ideas arise (Nagadya and Morgan 2005; Gunda 2017). This tradition of silence attempts to characterize homosexuality as an abomination, or an event that would bring curses to whoever engages it in public. It was not until the last decade of the 20<sup>th</sup> century that the silence was slowly being broken in many circles including in the Ugandan media (Tamale 2007a). The question has been whether the practice of homosexuality should be considered

African or foreign, acceptable or intolerable, legal or illegal.

From a Ugandan context homosexuality is commonly referred to as ‘*okulya ebisiyaga*’.<sup>2</sup> The expression is constructed to imply a derogative perception. It is used by voices from anti-homosexual dominant domains, to negatively describe the practice of having sexual relations with a person of the same gender. It is from this description that homosexuals are identified with terms such as ‘*abasiyazi*’<sup>3</sup> noted to be one of the stigmatizing terms labelling homosexuals in Uganda (Tamale 2007a:20). Despite this dominantly constructed identity, Ugandan homosexuals’ community has on the other hand identified itself differently. According to Sylvia Tamale’s interview with some of the Ugandan homosexuals, most of those interviewed “assumed the *kuchu* identity and considered it as the prime factor in their personal identity” (Tamale 2007a:20). ‘*Kuchu*’ literally means ‘Queer’.

In Uganda, homosexuals constitute a sexual minority group of people whose space is often suppressed by various forces that still control the open engagement on homosexuality. From the broader perception, the practice of homosexuality and its public engagement is still considered unpopular by the majority of the Ugandan society. One of the reasons that may have contributed to concealing homosexuality could be the influence from the traditional Christian religions that still consider the practice of homosexuality as being sinful. Religious traditions especially the mainline Christian traditions which include churches such as Roman Catholics, and the Anglican Church have through their theological teachings and instructions, held the practice of homosexuality as a defiance against God’s design of human sexuality. As such, they have always instructed the society to desist from the practice of homosexuality (Kawuki 2006; Ward 2015). Besides these mainline churches, other churches such as the Pentecostals and Evangelicals have been vocal in campaigning against the practice of homosexuality especially through their leading Pastors (Kaoma 2014a).

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<sup>2</sup> This term does not seem to have a direct and meaningful translation in English however, it has been publicly constructed and understood to refer to the practice of homosexual acts.

<sup>3</sup> The term as used from the anti-homosexual camps refers to those individuals of society that happen to practice acts of homosexuality.

### ***The American Anti-homosexual evangelicals and the 2014 Anti-homosexuality Law***

The term *American Anti-homosexual Evangelicals* is used in limitation to the group of American evangelical pastors from the United States of America. In a most specific way, I use the term in reference to the group of American Evangelical pastors who came to Uganda for “a three-day seminar organized in March 2009 at the invitation of a Uganda based Family Life Network-FLN” (Kaoma 2014:20). The group radically campaigns against homosexuality and the practice of homosexuality. They are therefore described in this study as the American Anti-homosexual Evangelicals (AAEs).

The conference at which the AAEs were hosted to speak centred on the theme: “*Exposing the truth behind Homosexuality and the Homosexual Agenda*” (Kaoma 2014a:62). The conference attracted High profile leaders such as parliamentarians, various church leaders, as well as people from local communities. The timing of this conference was strategic with the events that were unfolding at the time in Uganda, and actions that followed later in reference to local and global discussions on homosexuality. The conference was conducted at a time when the issue of homosexuality had generated a lot of debate worldwide especially in the African context. From the Ugandan point of view, politicians, popular religious leaders, as well as the members from various Ugandan media stations had already taken up interest in the discourse of homosexuality (Tamale 2007a). AAEs came at a time when the Anti- homosexuality activism was already engaged in active challenge to homosexuality in response to pro-homosexuality activism.

In their conference deliberations, the AAEs described homosexuality as evil and warned the Ugandan public against, what they described as, the deadly consequences of homosexuality. The key speaker of the AAEs, Scott Lively, who was regarded as an expert on the subject had elsewhere held similar anti-homosexual conferences previous to this one (Kaoma 2014a:62).<sup>4</sup> During his address in Uganda, Scott Lively “asserted that homosexuality was akin to bestiality and child molestation, and that homosexuals were out to recruit African Youth” (Stewart 2015:21). Given that the conference proceedings were broadcasted live on local radio and television channels it is believed that the AAEs message reached a wider audience in a very short time.

Following the AAEs teachings, there were drastic local demands for stricter punishments on

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<sup>4</sup> Scott Lively is the founder and president of the Abiding Truth Ministries in the United States of America and he is a Pastor. Back in his country United States he is well known for his anti-homosexual campaigns. He describes himself as Pastor, theologian and scholar who has written widely against the practice of homosexuality. Of the 2009 AAE three member delegation, Lively was the leader and spoke in the capacity of an expert on the subject of homosexuality (cf Kaoma 2014a:60-62).

homosexual offenders. Some members of the public also threatened to physically attack homosexuals (Timmermann 2015:2). The need to call upon the authorities to have new reforms over homosexual practices in the country gradually surfaced. It is also believed that the Anti-homosexual Bill of 2009 was first conceived at this 2009 March conference (Stewart (2015:21). The AAEs' conference was held at a time when the subject of homosexuality had already generated tension in the Ugandan society. According to Jjuuko two sides had already emerged in opposition to each other: "the pro-gay rights side led by youthful human rights activists [and] the anti-gay side, led by right-wing Pentecostal pastors and conservative government officials" (2013:14; Tamale 2007a). Following the AAEs seminar, tensions continued to arise between the two opposing sides. Nyanzi asserts that "While antigay camps vociferously accuse[d] foreigners of imposing homosexual practices and their normalization in society onto locals, pro-gay camps highlight[ed] the continuities between the introduction of homophobia into Uganda through colonial anti-sodomy laws and foreign impetus fomenting the Anti-Homosexuality Bill's genesis..." (2013a:1).

As the two camps gradually engaged each other, the initial process of sanctioning the 2014 Anti-homosexual law (AHL) was announced in the Ugandan parliament a month after the AAEs conference as a private Bill. Between 2009 and 2014, the 2009 Anti-homosexuality Bill (AHB), which would later be enacted as the 2014 Anti-homosexuality Law/Act, was severely debated. On the 24<sup>th</sup> February 2014, AHB was passed as a law.

Although the law attracted dominant support from the public, it also received condemnation from local and international human rights lawyers, Gay and Lesbians groups and countries such as United States of America, United Kingdom, and Sweden (Wahab 2016:688-689; Holley 2015:187). When local human rights groups challenged the law through the constitutional court, it was found unconstitutional on grounds of procedural technicalities.<sup>5</sup> The constitutional court did not argue that the law, in substance, was null. Rather it focused on the manner or the methodology used to pass it (Wesaka 2014). Despite the court ruling in favour of pro-homosexual activism, the legislation of the 2014 AHL in itself has raised critical questions especially regarding the fact that the law was presented for debate only just as the AAEs had held the anti-homosexuality conference in Uganda.

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<sup>5</sup> "On 11 March 2014 ten petitioners filed their Constitutional Petition No. 08 of 2014 [T]hey alleged that this law violated Ugandans' constitutional rights to privacy and dignity; freedom from discrimination; freedom from cruel, inhuman and degrading treatment; freedom of expression, thought, assembly and association; and the presumption of innocence until proved guilty" (Jjuuko and Nyanzi 2015:30; However, despite these allegations the constitutional court judges only declared the Anti-homosexuality Law invalid due to the lack of quorum at its passing by parliament (Jjuuko and Nyanzi 2015).

One of the points of contention in this study is how the arrival of the AAEs in Uganda with the promotion of their anti-homosexual campaign is related to the timing of the law. Or could this be attributed to mere coincidence? However, whether this was in fact a coincidence or not, the seeming coloration between the AAEs' conference and the legislation of the 2014 AHL raises questions that require critical investigation. For instance,

- I. Why was the Anti-homosexual Bill introduced and endorsed for debate in the Ugandan parliament in 2009 shortly after the AAEs' conference but not during the preceding years?
- II. If it is given that the AAEs influenced the legislation of the 2014 AHL, in what ways would religious discourses and theologies, as used by the AAEs, influence decision making in the Ugandan local context?
- III. (Or) In what compartment and to what extent could the AAEs as, foreign religious leaders, be able to impart influence to a Ugandan society that claims to be an independent state?

Such questions are also provoked by a dominant opinion, especially from the international society, as well as from a body of scholarship that the AAEs were responsible for influencing the legislation of the 2014 AHL (Smart 2015). Kapyra Kaoma is one of the distinguished scholars who has written extensively on the influence of AAEs in Africa. He describes the AAEs as the "*American Culture warriors*" who have invaded Africa. With reference to Uganda's case, Kaoma is convinced that the AAEs have exported the anti-gay culture to a previously unbothered society, which climaxed into the 2014 AHL (Kaoma 2014a). '*In God Loves Uganda*', a documentary that attempts to expose how the American Evangelical movement has penetrated the Ugandan society and thus contributed to the promotion an anti-homosexual religious based culture, Kaoma views the current religious based wave of homophobic expressions in Uganda as an influence ignited from an outside source.

I love Uganda. It is a very loving country, caring country, but something frightening is happening that has the potential to destroy Uganda...And it is coming from the outside. If we do not move fast, I foresee a lot of deaths happening. The fire has already been set and I think it is important to trace it back to where it is coming from (Kaoma in Williams 2013).

Referring to how the Uganda society responded to Scott Lively who was the chief speaker of

the AAEs, at the 2009 anti-homosexual conference in Uganda, Kaoma noted:

What shocked me is how the audience was responding. They really believed everything that he said. 'How the gays were responsible for what happened in Nazi Germany. They are the ones who are behind it'. Come on. I thought that was enough, then he moves on to say, 'Wait a minute, you know what, they have taken over the UN'. Or 'They have taken over America. Now they are coming to Uganda and they are going to recruit your children to turn them into gays. Because their goal is to destroy human society.' (Kaoma in Williams 2013).

Following the introduction of the Anti-homosexual Bill in 2009 the argument of the AAEs' responsibility was not only proposed in scholarship but also mostly by western media coverage (Gentleman 2010; Sharlet 2010; Kron 2012). For instance, Jeffrey Gentleman's in his article to the *New York Times* in 2010 attempted to establish a relationship between the event of the AAEs' conference and the 2009 anti-homosexual Bill.

One month after the conference, a previously unknown Ugandan politician, who boasts of having evangelical friends in the American government, introduced the Anti-Homosexuality Bill of 2009, which threatens to hang homosexuals, and, as a result, has put Uganda on a collision course with Western nations (Gentleman 2010).

It is argued that the influence of AAEs on policy making concerning homosexuality was not only realised through the organised anti-homosexual conference and teachings but also through other mechanisms of support (Kron 2012). Similarly, Jeff Sharlet attempts to expose how the AAEs have held the Ugandan context subject to influence:

For years, American fundamentalists have looked on Uganda as a laboratory for theocracy, though most prefer such terms as "government led by God." They sent not just money and missionaries but ideas, and if the money disappeared and the missionaries came and went, the ideas took hold. Ugandan evangelicals sing American songs and listen to sermons about American problems, often from American preachers. Ugandan politicians attend prayer breakfasts in America and cut deals with evangelical American businessmen (Sharlet 2010).

Although the dominant view attempts to pin the 2014 AHL against the AAEs, a postcolonial theoretical view which, suggests that former colonized societies would hardly run out of agency to resist foreign influence or to articulate their own worldviews would contradict this position (Ashcroft et al 2006). From a postcolonial perspective, and in cases where the term "post" is understood as "after colonialism began rather other than after colonialism ended", the Ugandan society would be actively involved in a discourse that links for instance to its cultural worldview (Ashcroft and Ahluwalia 2001:15). This is because aspects such as culture and

identity are some of the channels through which a postcolonial society may be argued to be sensitive to feelings of imperial domination. From a postcolonial critical position therefore, it could be argued that former colonized societies are not silent but responsive to a range of engagements such as “the struggle to control self-representation, the struggle over representations of place, history, race and ethnicity; and the struggle to present a local reality to a global audience” (Ashcroft and Ahluwalia 2001:15).

In affirmation of a postcolonial critical position, some scholarship has opposed a view that AAEs were the instigators of the 2014 AHL legislation in Uganda (Ward 2015; Tamale 2014a; Boyd 2013; Sadgrave *et al.* 2012). This opposition could be seen as an attempt to raise the seemingly silenced voice of the local context in the wave of recent homosexuality criminalization in Uganda

Kevin Ward for instance, challenges international attention and coverage, which frames the 2014 AHL, as an exclusive product of the “American Pentecostal and evangelical constituencies” (Ward 2015:127). From Ward’s point of view, far from attributing the legislation of the 2014 AHL to the AAEs, the focus should be directed to the major religious communities (the Roman Catholic churches and the Anglican church of Uganda). He strongly argues that these two churches are persuasive in the Ugandan public domain to the extent of swaying dominant opinion on homosexuality. However, not only does Ward underestimate the role of the AAEs, but also appears to disregard (as central) the possible impact of an increasing presence of the Ugandan Pentecostal and evangelical churches altogether. This also neglects the possibility that the AAEs could have used the increasing publicity of the local Pentecostal and evangelical churches in Uganda to their advantage.

Lydia Boyd approaches the debate on the 2014 AHL from a sociological question of freedom and human rights (2013). Boyd perceives the rejection to homosexuality as a sociological contestation on the understanding of freedom, human rights and sexual ethical conduct. The scholar responds by exposing how the Ugandan discourse on homosexuality is shaped by “a deep ambivalence over an emergent construction of sex and sexual desire that emphasizes individual autonomy, choice, and agency, and which conflicts with other models for ethical sexual conduct in Uganda” (Boyd 2013: 699). The work therefore makes a sharp turn from some scholarship, and studies influenced by western media that have interpreted the current homophobic surge in Uganda as a transposition of the AAEs’ anti-homosexual tendencies (Scarlet 2010; Kron 2012).

Sadgrave *et al.* propose another approach that primarily recognizes the role of contextual



factors at the expense of overlooking any roles played by the AAEs. The scholars are motivated by a discovery that “current debates have not adequately explained how and why anti-homosexual rhetoric has been able to gain such popular purchase within Uganda” (Sadgrave *et al.* 2012:103). Although Sadgrave *et al.*’s study locates itself at a time when the 2014 AHL was still under debate, it does not attribute this legislation to the AAEs. One of the inputs made by the scholars is the exposition of homosexuality discourse in Uganda as a socio-cultural issue animated by economic gains of elite actors. The scholars therefore suggest that anti-homosexuality campaigns are broadly inspired and animated by an existing “contradistinction between morality and money” (2012:105). In this framework, the scholars suggest many religious leaders and political elites are key role players (2012). It is observed that the scholars rightly advocate for recognition of contextual factors that give light to the “complex networks of exchange and reciprocity, through which social and romantic relationships are more widely constituted,” (2012:106). However, their study does not interrogate the possibility, and role of other external influence beyond the situated worldview in advancing the momentum of anti-homosexuality rhetoric in Uganda (2012). The question that remains unattended is; to what extent can the contextual factors be independent of external factors in influencing anti-homosexuality rhetoric in a country such as Uganda today?

This current study observes that while a view that perceives the AAEs as the prime instigators of 2014 AHL legislation, succeeds in dismissing the role of contextual factors, its challenging alternative risks a similar consequence, as it underestimates possible contributions of the AAEs. This creates a gap in the scholarship that seeks for an inclusive and critical approach that gives attention to both contextual and external influences towards the legislation of the 2014 AHL. Such an approach would be instrumental in exploring the extent to which the two opposing positions contributed to the legislation of the 2014 AHL.

Sylvia Tamale attempts to offer a background in which an inclusive approach could be exploited (2014a). While Tamale recognizes the active role of renewal evangelical movements in influencing social change in many African societies, she nevertheless pays attention to the role of local contexts. In Uganda for instance, Tamale argues, the patriarchal state is still active through the use of “religion, statutory law and reinterpreted traditional customs” to “structure sexual morality in a way that it congeals into a state of domination” (Tamale 2014a:150). This seems to be the case even though the influence of renewal evangelical movements in Uganda is increasingly felt in the society (Olwa 2016). Tamale therefore argues for a cautious study on how the local environment seem to be motivated in staging religious and politically-driven homophobia, which also possess the potential to contribute to the present homophobic upsurge.

Despite Tamale's contribution in this regard, the scholar does not go further in probing the extent to which local and foreign factors contest each other in influencing local opinions in Uganda on issues of sexuality or homosexuality criminalization (Tamale 2014a).

It therefore appears, that neither the dominant position that places emphasis on the role of AAEs nor its opposite, which criticizes its approach, raises interest in exploring the extent to which the AAEs contributed to the legislation of the 2014 AHL. While the dominant opinion succeeds in silencing possible contextual contributions, the opposing position succeeds in silencing the dominant voice by exclusively amplifying the voice of contextual factors. In this case both positions run into a similar dismissive risk. Both positions fail to offer a critical exploration on the power of influence that the AAEs' could have demonstrated in the process leading to the promulgation of the 2014 AHL without necessarily underestimating other possible sources of influence.

This study attempts to contribute an inclusive critical approach on the role of the AAEs towards the legislation of the 2014 AHL. The focus of this study neither intends to dismiss the view that the AAEs influenced the legislation of the 2014 AHL nor to deny blindly the possible contribution of the local context. However, motivated by the dominant dismissive position, which views the legislation of the 2014 AHL as an exclusive influence of the AAEs, and does not pay attention to the contribution of the local factors, this study intends to explore the extent of AAEs' contribution. This is also done while paying attention to the possible role of the local context. By critically exploring the extent of the AAEs towards the legislation of the 2014 AHL, the study aims to contribute an inclusive approach which appears to be lacking in the debate. The study therefore intends to contribute towards an ongoing discussion that focuses on how the development of public discourses and policies on homosexuality in Africa is influenced under the umbrella of religion. In the following section I present the motivations for conducting this research.

#### **1.4. Motivations for undertaking the study.**

##### **1.4.1. Contesting the aspect of silence**

My interest to conduct research on the aspect of homosexuality in Uganda started while writing my masters' thesis in 2014. My master's thesis is entitled: *The Politics of knowledge on African Sexualities and its effect on women's health: a case of female genital mutilation (FGM) among the Sabiny in Uganda*. In this study I discovered that one of the reasons why FGM persists,

despite growing anti-FGM advocacy, was that there was a serious lack of communication between pro-FGM camps and the Anti-FGM camps. Both camps are dismissive of the other. The study also found out that both camps neglected the aspect of women's health while attempting to describe the other as ignorant and silent of what FGM means for a woman's wellbeing. Observations illustrated that the tradition of not broadly and openly engaging with a social phenomenon from local contexts contributed to the ongoing ignorance regarding the dangers of FGM to women's health. Homosexuality, like FGM tends to suffer from a similar experience. Homosexuality in Uganda and the awareness of its presence and practice is still overshadowed by a tradition of silence. This gives an uncontested impression that contextual factors are actually silent and dormant when it comes to shaping the way in which homosexuality is perceived and acted upon in Uganda. In my experience of working with human rights organizations in Uganda, I have found this to be one of the hindrances to proper engagement with the society and this slows down the understanding of sexual minorities' rights. It was therefore my ardent expectation that a scholarly work on the aspect of homosexuality, written from a Ugandan context would facilitate in availing some information on how the local context engages with the subject of homosexuality.

In the literature review on homosexuality in relation to this study, I have discovered that there is a scarcity of scholarship on the aspect of homosexuality written from within the Ugandan context. Here, I refer specifically on the scholarship that which seeks to analyses the debate on the 2014 AHL as an equal contestation between the local and the foreign actors. Most of the available scholarship tend to emphasize the nature of silence surrounding the aspect of homosexuality in Uganda; this is stressed to the extent that the Ugandan society only become active contributors only after provocation by a foreign force (Tamale 2007; Kama 2014a; William 2013, Nazi and Karamagi 2014). As such, this could be one of the reasons that contributes to an ongoing perception that homosexuality is a subject coated with silence in Uganda and as such, argued to be a foreign practice (Nyanzi 2013a).

Regarding the aspect of homosexuality criminalization, the few studies which have attempted to demonstrate the activeness of the local context, have nevertheless, restricted enquiry especially to sociological, cultural and human rights perspectives. The theological approach on homosexuality criminalization as an equal contestation between foreign and contextual factors in Uganda is a less exploited gap. As a Ugandan, I felt motivated to contribute to the generation of scholarship that addresses the aspect of homosexuality written from within the Ugandan

context. In this way, I intended to contribute to this gap. Not only does this study seeks recognition of a possible and equal contribution of both the local and foreign actors on the legislation of the 2014 AHL, but also to recognize the effect of a supposed silence of the Ugandan society on homosexuality.

#### **1.4.2. Homosexuality as a divisive force.**

As I reflect on the aspect of homosexuality and how it is perceived and acted upon by Ugandan actors, it appears to me that it is a divisive subject. As a contentious subject it could be considered capable of generating divisive opinions that may contribute to the criminalization of homosexuality in Uganda. While recent homosexuality criminalization in Uganda painted the country as a largely homophobic environment, such descriptions are viewed by many from within the Ugandan society as misjudgments and manifestation of ignorance of the Ugandan cultural and moral worldview (Museveni 2014). This is not only between the international and local contexts, but also experienced between various actors in the Ugandan context such as, the ordinary people, religious leaders as well as politicians. Within the country, politicians still discredit one another on grounds of whether one supports homosexuality or not. From the Christian perspective, the church leaders in Uganda have often held diverse opinions over homosexuality. While some church leaders seem to support pro-gay activism, others condemn such actions along with the practice of homosexuality. For example, Bishop Ssenyonjo, an Anglican clergy was excommunicated for his involvement with homosexuals in Uganda (Williams 2014). However, the supposition that the AAEs were responsible to the legislation of the law as it is given by the dominant international perception, contradicts experience from the local context and dismisses the power of action that may be embedded by the divisive nature of homosexuality within the context of Uganda. Without denying the contribution of the AAEs, and not taking for granted the possible contribution of local contexts, I felt the desire to take the debate further by proposing to analyse critically, the extent to which the AAEs influenced the legislation of the 2014 AHL in Uganda.

#### **1.4.3. Viewing the Local context as active**

Homosexuality is still a controversial issue in Uganda. Although the 2014 anti-homosexual law was found null and void on procedural grounds, there have been signs suggesting a possibility of introducing it again for debate in parliament. Despite the nullification of the law, the

existence of active pro-homosexuality camps and anti-homosexuality camps did not cease to exist. From both the media and scholarship it is indicated that these camps are not represented by foreigners but by local people. The question that arises is; what propels local people to revolt aggressively against homosexuality to the extent of calling stricter forms of punishment on those caught practicing homosexuality? This is seemingly an insurgence they have not done for decades since the introduction of the colonial sodomy laws. How could such revolts be explained? There is a necessity to pay a more critical attention on how the understanding of homosexuality has evolved with time to the present day. Although the local contexts are not immune to foreign influences as it could be the case with the AAEs in Uganda, there seems to be some limitations regarding AAEs' influences. These limitations could be used to explore the role of local contexts. It seems that any dismissive approach on the factors that led to the 2014 homosexuality criminalization in Uganda, risks not giving recognition to limits of influence on this phenomenon. This study therefore, would seek to offer an inclusive approach that takes recognition of the limits of influence for both the local and foreign interventions toward the legislation of the 2014 AHL. In the following section, I present the statement of the Research problem.

### **1.5. Statement of the Research problem**

The American anti-homosexual evangelicals (AAEs) are perceived as the prime instigators in the legislation of the 2014 Anti-homosexuality Law in Uganda. As a result, the role of contextual factors and Local actors is either dismissed or reduced to a secondary contribution. This study seeks to explore and understand the extent to which the AAEs influenced the legislation of the 2014 AHL in Uganda.

The assumption upon which the study draws its focus is that, the AAEs may have played a more central role than other factors in influencing the Ugandan public opinions on the issue of homosexuality; that the legislation of the 2014 AHL was a consequence of the AAEs' 2009 presence, who held an anti-homosexuality conference under the theme "Exposing the Truth Behind Homosexuality and the Homosexual Agenda" (Sanchez 2009). This assumption unveiled critical questions: What role did the AAEs play and how did the Ugandan society respond? What tools of power did the AAEs employ in order to exert influence on the Ugandan public? How does the fact that the Anti-homosexual Bill was introduced and endorsed for debate in the Ugandan parliament in 2009 shortly after the AAEs' conference, help to understand and describe the extent of the AAEs' influence on the 2014 AHL? In which ways and to what extent could the AAEs as foreign religious leaders be able to impart influence to a

Ugandan society that claims to be an independent state?

The study takes into consideration that Uganda is argued to be an independent state with the ability to make its own policies without the influence of outsiders (Museveni 2014). Further, inspired by a postcolonial critical perspective, the study takes cognizance of the fact that Uganda as a formerly colonized society would be assumed to be actively responsive to policy making over homosexuality, and as such be sensitive to foreign influence. This could be argued on the basis that postcolonial societies are associated with a range of engagements such as, “the struggle to control self-representation, the struggle over representations of place, history, race and ethnicity; and the struggle to present a local reality to a global audience” (Ashcroft and Ahluwalia 2001:15). In view of the motivations and the research problem, this study sought to answer the key research question below:

## **1.6. RESEARCH QUESTION, SUB-QUESTIONS AND OBJECTIVES**

### ***Key research question***

To what extent did the American Anti-homosexual Evangelicals influence the legislation of the 2014 anti-homosexual law in Uganda?

### ***Sub-questions***

1. What is the historical and contemporary perception of homosexuality within the Ugandan context?
2. How have the AAEs shaped contemporary Ugandan views about homosexuality?
3. In what ways did the AAEs activities during their 2009 conference in Uganda and their address to the Ugandan members of parliament on homosexuality influence local decision making directed to homosexuality criminalization?
4. What possible religious based advantages do foreign religious leaders have over local religious leaders that can be utilized to influence policy legislation in Uganda?

### ***Objectives***

The main objective of the study is to understand to what extent the AAEs influenced the legislation of the 2014 Anti-homosexuality Law in Uganda. In reference to this study, this objective may be achieved through the following ways:

- I. A qualitative content analysis of the framing of homosexuality and homosexuality practice in Uganda from a historical and contemporary perspective. Second, through a critical evaluation of the colonial and post-postcolonial state of homosexuality criminalization in Uganda. The aim is to explore how homosexuality has been perceived and acted upon historically and how it continues to be framed and acted upon in contemporary Ugandan society. In an effort to advance this aim further, this study will attempt to identify and understand local indicators that would either have influenced or lacked the power to influence the legislation of 2014 AHL exclusive of the AAEs role. This is done in chapter three and chapter four.
- II. A critical review of the worldview that shape the AAEs' views regarding homosexuality and its practice. The aim is to explore and understand the tools of power that could be used by the AAEs to aid influence on the Ugandan public in respect to homosexuality. This is done in chapter five. In Chapter six, the study through an inductive thematic analysis on the 2009 AAEs' conference in Uganda, presents the findings emerging from the AAEs' message thematically. The presentation of the findings is followed by a discussion of these findings. The aim is to understand how the AAEs attempted to shape contemporary Ugandan views about homosexuality.
- III. An inductive thematic analysis on the reaction of the local audience who gathered at the follow-up meeting that was organized a week after the AAEs conference and on selected Uganda government documents on the subject of homosexuality, published after the 2009 AAEs' conference. The presentation of the themes is followed with a discussion. The aim is to explore and understand how the Ugandan context expressed views on homosexuality after the AAEs' conference and what impact would such views have on the legislation of the 2014 AHL. Further, it is to understand the extent to which such views reflect an influence of the AAEs or a relationship with the way homosexuality is understood and framed within the Ugandan context. This is done in chapter seven. The analysis is done in consideration of the conclusions reached in chapter two, three, four and six.
- IV. An inductive and rhetorical analysis on the message of the AAEs, its mode of delivery as well as the AAEs disposition before the Ugandan public is analyzed. This section employs more of the critical approach. The aim is to understand possible religious based advantages that foreign religious leaders such as the AAEs have over local religious

leaders that could be utilized to influence public opinion and making of policies in Uganda. This is done in chapter six.

### **1.7. The Scope and Limitations of the Study.**

This study is limited to exploring the extent to which the American Anti-homosexual Evangelicals ‘influenced the legislation of the 2014 Anti-Homosexuality Law (2014 AHL) in Uganda. Those referred to as ‘American Anti-homosexual Evangelicals (AAEs)’ in this study are those religious Christian pastors from the United States of America who identify themselves with the American evangelical conservative movements, radically campaigning against homosexuality, and the practice of homosexuality. The focus is particularly emphasized to the group of Evangelical conservatives whose ministers came to Uganda for “a three-day seminar organized in March 2009 by the Uganda-based Family Life Network (FLN)” as noted by Kaoma (2014a:20). This study recognizes that the AAEs is a broad movement whose views on homosexuality may not be exhaustively and collectively represented by the group that came to Uganda in 2009. However, given that the group of the AAEs who came to Uganda comprised of senior members and leaders of the AAEs, their perception on homosexuality could be argued to be critical in demonstrating the general perception of the AAEs on homosexuality from a broader perspective. Although the study alludes to the extent of the AAEs influence to the making of the 2014 AHL, it also seeks to address the role of the Ugandan context and the local actors. Through an examination of this, it would meaningfully describe if possible limitations exist regarding the AAEs influence towards the making of the 2014 AHL in Uganda.

The study is not focused on establishing whether the AAEs influenced the making of the 2014 AHL or not. Neither is it interested in examining the implications of the 2014 AHL. However, it explores the extent of the AAEs influence on legislating the 2014 AHL. This study is qualitative and non-empirical although it does make use of some already published quantitative data in its discussions and analysis.<sup>6</sup> This study does not engage in interviews. It was foreseen that although interviewing people especially those mentioned in this study would be significant for the study as some are still alive, it could be difficult to establish the authenticity of their views in evoking the exact impression they had during the AAEs’ presence in 2009 and the their perception for the criminalization of homosexuality by then. This is because this study, is

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<sup>6</sup> This is further elaborated in Chapter two where I present the methodology



conducted from 2015 with a high probability that many people would have forgotten the details of the AAEs presence. However, to address this limitation, the study used authentic written statements of key sources such as religious leaders, politicians, Ugandan government official documents and statements on homosexuality debates as well as other primary data sources such as videos which were produced and published around the time when the AAEs held their conference.<sup>7</sup>

## **1.8. OUTLINE OF THE CHAPTERS.**

**Chapter one.** This is the introductory chapter of the entire study. It presents the background of the study, location, contextualizes the debate on homosexuality, motivations, problem statement, key research question, objectives of the study, the scope and limitation of the study and outline of the chapters in the thesis.

**Chapter Two.** Chapter two presents the methodology and theoretical framework.

**Chapter three.** This chapter explores how homosexuality has been framed in Uganda from both a historical and contemporary perspective. It aims at contributing towards an understanding of the history and contemporary perception of homosexuality in Uganda thus contributing to answering the first objective of the study.

**Chapter four:** This chapter explores the criminalization of homosexuality in Uganda. It seeks to explore the 2014 AHL from a legal perspective.

**Chapter Five.** This chapter introduces and discusses the background of the American Anti-homosexual evangelicals (AAEs). It explores the worldview that shapes the AAEs' views regarding homosexuality and its practice.

**Chapter six.** The chapter focuses on the 2009 Anti-homosexuality Conference which was held by the AAEs in Uganda. It specifically presents and discusses the findings from the analysis done on the AAEs message which focused on the theme; "exposing the truth behind homosexuality agenda". The chapter contributes to answering the second and fourth objective of the study.

**Chapter seven.** This chapter presents the findings that reflect the views on homosexuality from the Ugandan context following the AAEs' conference. The findings are drawn first, from the

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<sup>7</sup> This is further explained in details in chapter two where I discuss the methodology of the study.

reaction of the local audience who gathered at the follow-up meeting that was organized a week after the AAEs conference and from selected documentations from the Ugandan government published after the AAEs conference. The chapter contributes to answering the third objective of the study.

**Chapter eight.** This is the concluding chapter of the entire thesis. It revisits the focus and the aim of the study and states the overview approach and the organization of the study. It revisits the key research question, the sub questions, and the objectives of the study. It also presents an overview of the chapters in summary, and highlights chapter conclusions. The chapter further presents the contribution of the study to new knowledge and some concluding remarks.

## **1.9. Conclusion.**

This chapter has presented the general introduction of the thesis. It has provided an overview of the background to the entire study, in which the existing debates within the focus of the study were highlighted. It is noted that the co-existence of both homosexuality intolerance and calls for decriminalizing homosexuality from different global contexts to another, is an indication of how homosexuality continues to be a controversial subject. Not only is this evident in scholarship but also demonstrated in the media. Ugandan cases are therefore not found to be unique but a reflection of what appears globally with regard to debates on homosexuality. The chapter has also indicated that the study is informed by both personal and academic motivations. The chapter has further provided the problem statement, key research question, methodology and the outline of the chapters in the thesis. This chapter is followed by the Methodology and Theoretical framework chapter.

## CHAPTER TWO

### METHODOLOGY AND THEORETICAL FRAMEWORK OF THE STUDY.

#### 2.1. Introduction.

The previous chapter presented the background of the study. The current chapter presents the methodology and the theoretical framework that guides the study. The chapter is divided into two main parts. The first part is the description of the methodology used in conducting the study. Here, attention is given to the nature of this study, research methods, data collection and analysis. The second part of the chapter focuses on the theoretical framework. It presents the theory and discusses its relationship with the methodology, and its relevance in achieving the key objective of the study. It concludes by demonstrating how the methodology relates to the theory.

#### 2.2. Research method.

The study is non-empirical. Non-empirical studies as Mouton holds, are those that are based on theory (Mouton 2004:57). In non-empirical research, “the researcher is not directly involved with the research participants” (Strydom and Bezuidenhout 2014:191). This limits the researcher’s possibility of affecting “social behaviour” being studied as Babbie observes (2011:327). The study opted for a non-empirical research, given its nature and focus. It was foreseen that although an empirical research would have been equally significant, it could be difficult on the other hand to establish the authenticity of people’s views on the AAEs’ presence in 2009. It is important to note that the study was dealing with a subject matter that would have demanded, in case of an empirical research, the use of oral history technique of data collection. “Most oral history today is personal memory which is a remarkably slippery medium for preserving facts (Hobsbawm, 1997: 206). Oral history technique of data collection, depends much on the participant’s ability to remember the details of past events. This technique was considered unviable for this study in terms of the feasibility and reliability of the participants’ stories (Batty 2009). In the case of this study, it is conducted from 2015 with a high probability that many people would have forgotten the details of the AAEs presence.

Secondly, homosexuality is not a publicly discussed subject in Uganda. Given the researcher’s

experience of the local context it was therefore anticipated that although some people would be willing to discuss the subject of homosexuality they may not be very free in engaging on the subject as to the core interest of the study. Moreover, as critics of oral history maintain, the reliability and validity of participants stories in case of oral history, is not only limited to the participants ability to remember accurately the past event in question, but also on his or her interest on the subject (Thompson 2000, Batty 2009). It is with this foresight that a non-empirical research was opted for the study. However, this did not affect the value and feasibility of the study in achieving its objectives. The study had both primary and secondary data sources upon which it relied.

The study is qualitative and applies qualitative research methods. Qualitative research as Hancock explains, “is concerned with developing explanations of social phenomena. That is to say, it aims to help us to understand the world in which we live and why things are the way they are” (1998:2). In qualitative research, “subjective experiences and meanings” of a social phenomenon plays a crucial role (Strydom and Bezuidenhout 2016:172). One of the advantages of carrying out a qualitative research is that it exposes the researcher to “richness and depth of data, gathered from complex and multi-faceted phenomena in a specific context” (Strydom and Bezuidenhout 2016:172). Further, scholars such as Neuman have argued that a study based on qualitative research design enables the researcher to “capture all the details of a social setting in an extremely detailed description and convey an intimate feeling for the setting and the inner lives of the people” (2011:424). However, a qualitative research incurs some disadvantages. For instance, this kind of research given its methods of data collection tends to be time consuming and has a subjective inclination (Neill 2007). Further, even though it exposes the researcher to subjects of research so as to have an understanding of a phenomenon as per their experiences, it nevertheless risks possible inclusion of the researcher’s bias given the researcher’s “apparent presence in text and interpretation” (Creswell 2007). To overcome these challenges, the data for this study was consciously collected, analyzed, interpreted, while making sure that what was presented reflected the weight of the data. Throughout the study the researcher’s opinions and prejudices were constantly kept in check and exposed to verification by the collected data.

### **2.3. Sampling and Data collection.**

The sample from which the data was derived was purposefully selected. The selection was informed by the focus of the study, the key research question, objectives and the postcolonial

theoretical framework. This included: raw data in the form of video recordings, and documentation from the Ugandan government as well as secondary data from existing literature relevant to the study. This is further elaborated below.

### **2.3.1. Primary data.**

The primary data was drawn, first, from two video recordings filmed undercover by Kapya Kaoma, a senior researcher for the Political Research Associates (PRA).<sup>8</sup> The videos were published by the Political Research Associate in 2014. In qualitative research, data can be drawn from diverse sources; among them are the video recordings. Video recordings can be very good sources of raw data (Lehn and Heath 2006).

They provide the resources through which we can capture (versions of) the conduct and interactions...actions and activities to detailed, repeated scrutiny, using slow- motion facilities... They expose the fine details of conduct and interaction, details that are unavailable in more conventional forms of data, and yet details that form the very foundation to how people see and experience [a particular phenomenon]. Unlike other forms of data, audio-visual recordings also provide the researcher with the opportunity to share, present and discuss the raw materials on which observations and analysis are based... (Lehn and Heath 2006:102).

The first video is entitled “Exposing the International Homosexual Agenda Conference, Kampala Uganda March, 2009” (Political Research Associates- PRA 2009a).<sup>9</sup> The video recording runs for 2 hours, 43 minutes and 34 seconds. It focuses on the seminar held by the AAEs.

The key participants in this first video were the American Anti-homosexual evangelicals who addressed the anti-homosexual seminar in March 2009. They were white male pastors from the United State of America. Among them were, Scott Lively of *Defend the Family and Abiding Truth Ministries* and Don Schmiede of the since-disbanded *Ex-Gay Group Exodus International*. These, in conjunction with Family Life Network, a religious based local organization in Uganda, led the anti-homosexual seminar in March 2009.

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<sup>8</sup> 7 Political Research Associates is a research Institution. It describes itself as “ a progressive think tank devoted to supporting movements that are building a more just and inclusive democratic society...it seeks to advance progressive thinking and action by providing research-based information, analysis, and referrals” (Kaoma 2009:ii).

<sup>9</sup> 8Available from <<https://www.youtube.com/watch?v=e9F9k4guN3M>> accessed on 23rd November 2016.

The seminar was attended by members of the public who included “high-profile religious leaders, parliamentarians, police officers, teachers, and concerned parents” (Kaoma 2012). The teachings of the AAEs during the seminar are analyzed according to the presentation given by Scott Lively, the Chief Speaker. In the video the Chief Speaker Scott Lively, teaches and discusses the case of homosexuality before the Ugandan public.

The AAEs’ presentation involves the introduction of the Chief Speaker, which the speaker does himself; the introduction of the subject of homosexuality; the discussion and teachings on the subject of homosexuality and the Chief Speaker’s responses to the questions from the audience. Given that the video focuses mainly on the chief speaker, it is thus open to sample bias. The study considers that it may not necessarily and conclusively represent the views of the wider American Anti-homosexual Evangelicals’ population in the United States about homosexuality in Uganda. However, given the public role played by Scott Lively and Don Schmiede as outspoken anti-homosexual religious pastors and activists in the United States, the teachings and discussions offered by these two pastors is acknowledged to reflect much of the views held by the AAEs’ population in the United States.

The second video was a recording of a group of Ugandans attending a *Strategic Meeting on Combating the Homosexual Agenda in Uganda* (Political Research Associates- PRA 2009b).<sup>10</sup> This was a follow-up meeting on the previously held meeting by the AAEs. It was organized a week after the AAEs conference. The video runs for 2 hours, 9 minutes and 18 seconds. This video was selected for analysis because it directly related with the 2009 AAEs’ previous conference. Many of its participants in the video, confirmed to have attended the AAEs’ conference. In this video unlike the one of the AAEs’, the seminar was conducted and attended mostly by Ugandans (PRA 2009). Therefore, the views expressed in this video were recognized as relevant for answering the key research question of the study and in exposing the local people’s experiences.

### **Procedure and analysis of the videos**

The two video were each watched several times. This was done so as to familiarize with the message, the tone of the speakers, and how the message was being communicated to the audience. This is key for the researcher to succeed in capturing the “nuances and subtleties” in the data (Silver and Patashnick 2011: 8). Before I started transcribing, I divided the videos into parts to create moments for rest or pause in between. According to the basic rules employed in

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<sup>10</sup> The video is available from <[https://www.youtube.com/watch?v=-e5\\_vxGjetI](https://www.youtube.com/watch?v=-e5_vxGjetI)>accessed on 23rd November 2016.

transcribing data, “a break of 5-10 minutes per hour in front of the screen is recommended” (Dresing *et al.* 2015:40).

In transcribing audio or audio-visual data, researchers transfer the recordings into written forms so as to make the data accessible for analysis (Dresing *et al.* 2015:21). The focus of the transcription was based on the key research question. During transcribing and analysing audio-visual data, “appropriate tools will depend on a variety of factors, including the nature and status of records, disciplinary traditions and individual project dynamics...” (Silver and Patashnick 2011:8). In this study, the video recordings were transcribed manually in form of detailed verbatim, guided by the underlying transcribing rules as outlined by Dresing *et al.* (2015). I opted for a detailed verbatim transcript so as to capture thorough annotations of speakers such as gestures and emphases. This would further facilitate the understanding of the speakers’ impression and intention to the audience. It should be noted that, “in simple transcripts, para-verbal and non-verbal elements of communication are usually omitted” (Dresing *et al.* 2015:23). This is because unlike the detailed, simple transcripts put much emphasis on the content (Dresing *et al.* 2015). However, the detailed transcription approach is also time-consuming as compared to the simple approach.

Further, I used manually generated transcripts other than computer generated, to facilitate a deeper familiarization and thorough understanding of the data. As Silver and Patashnick hold, manual means of transcribing data tend to be more flexible in the sense that detailed “nuances and subtleties” are easily accessed and captured by the researcher (2011:8). In all the transcripts, validity and liability was checked. Watching and transcribing of the videos was made in a sound free environment, where I could hear and observe well without external distractions. I used computer external speakers throughout transcribing. While transcribing I used the pause-playback keys of the computer, to control the speed upon which the video was running. This helped to align the speed at which the video was playing, with my listening, watching and writing ability. Further, the transcripts were exposed to a thorough validity check. This included proof reading of the transcripts loudly, checking and correcting spelling and punctuation errors, while I listened to the video again. This is an important stage in data validation when transcribing audio-visual data. Its importance arises from the fact that “every first version of a transcript contains mistakes. These errors are usually checked and corrected in a second round in which you read and listen [to the video] at the same time. These errors stem from the listener’s natural tendency to complete or correct the speaker’s statements while listening” (Dresing *et al.* 2015:44).

From each video a final copy of transcript was generated. The transcript of the first video, which focused on the AAEs' seminar, generated the themes presented and discussed in chapter six. These are the first set of findings. The transcript of the second video which focused on the follow-up meeting by the Ugandan community after the AAEs conference, contributed to the generation of themes, presented and discussed in chapter seven. These are the second set of findings.

In developing the themes, the study was guided by the stages of thematic analysis as proposed by Braun and Clarke (2006). After a careful and thorough re-reading of the transcripts, categories were generated to which initial themes were assigned. The coding was done manually, and this was in relation to the Key Research question. After the initial coding, each of the themes with its categories was systematically reviewed. This was done to establish if the categories were placed in the right theme. Further, it was done to establish the coherence and pattern among themes, and also to check on possible repetitions of categories. The categories and themes that seemed to have been repeated were accordingly merged to form the final set of categories and themes. It was exhaustively taken into account that none of the categories relevant to the research question was left out.<sup>11</sup>

The third source of data was a 2013 documentary film by Roger Ross Williams known as *God Love Uganda* (Williams 2013). The video which is 83 minutes long attempts to “explore the role of the American evangelical movement in Uganda, ... where American missionaries have been credited with creating schools and hospitals, but also blamed for promoting dangerous religious bigotry” (Ross, Williams (2013)). This video was chosen as a primary source of data, given its ability in enabling the study to understand the circumstances that surround the AAEs' interest and presence in Uganda. Moreover, in this video participants who include Ugandan religious leaders are seen and heard articulating their personal views over homosexuality and their personal experience of the intervention of the AAEs in Uganda.

### ***Procedure and analysis of the third video data source***

I had watched this video several times while still doing my masters' research. As a source of data for this research I watched it again two more times while paying attention to the relevant message; the context and the actors that would contribute towards answering my key research question. Having familiarized myself with relevant information from the video, I started the phase of transcribing. Unlike in the first two videos, in this video I was selective and followed

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<sup>11</sup> A complete set of themes which emerged from this analysis is appended and identified in Appendix 1 (a).



a simple transcribing approach. This is because, although the video had relevant information for the study, it was also capturing some other information outside the focus of the study. The primary focus was the content, guided by the research focus and objective. To be able to minimize bias I formulated guiding questions that helped me to direct the focus to what was relevant. In qualitative research, questions should be formulated in such ways that create narrative incentives” (Dresing *et al.* 2015:11). The relevance of the questions and the formulation was dictated by the research focus and objectives. I was guided by the awareness that “the accuracy of the transcription plays a role in determining the accuracy of the data that are analyzed and with what degree of dependability” (Stuckey 2014:6). I formulated the following questions;

- I. Who are the AAEs?
- II. How is the role of the AAEs depicted in the video in relation to the Ugandan context?
- III. What theological affirmations guided and motivated the AAEs and their choice to come to Uganda?
- IV. What is the central message of the AAEs in the video and what characterizes this message?
- V. What local participants associated with the AAEs in Uganda and how do they describe their experience regarding the role of the AAEs in Uganda?

After the transcription I did a thorough crosschecking of the video in order to be sure that all possible relevant information was written on the transcript. The information gained from this data was used where appropriate in various chapters to aid discussions and analysis in the thesis.

The final set of primary data was acquired from official documents published by the Ugandan government through its State Institutions. These documents include,

- I. The current Ugandan Constitution which was promulgated in 1995.
- II. The Penal Code Act Cap 106 which was formerly known as the 1950 Penal Code. The 1950 Penal Code was drawn based on both the “Indian Penal Code of 1860 and the Australian Penal Code”, a case which was similar to all legislations used in British colonies (Regan 2014:7).
- III. The 2009 Uganda’s Anti-Homosexuality Bill (AHB).

- IV. The 2014 Uganda's Anti-Homosexuality Law/Act (AHL/AHA).
- V. The 2009 Hansard-Uganda Parliament sessions' Document.

The Hansard-Uganda Parliament sessions' document is the official edited verbatim report of proceedings of the Parliament of Uganda. The document is in English and was presented to me in Microsoft Word format. The 2009 Hansard-Uganda Parliament sessions document is the official file consisting all parliamentary proceedings that were recorded as debated in 2009 by Uganda's parliament. Although the aspect of homosexuality continued to be debated from 2009 to 2013, I chose to focus on 2009 purposely. My motivations for focusing on this year was in consideration of the limitations of the study and the central role that the year of 2009 plays in the analysis of the AAEs influence in Uganda.

I took consideration of the fact that the AAEs came to Uganda and campaigned on the subject of homosexuality in the early months of 2009. This meant that the memory and details of the AAEs' conference would be more present within the Ugandan parliamentarians in 2009 than it would be in subsequent years. I heeded that in subsequent years after 2009, many views and perceptions of the parliamentarians on the subject of homosexuality may have shifted due to interest on the topic. However this was also due to temporal effects. Further, it was observed that in other years (other than 2009), the aspect of homosexuality was less debated.

My interest in all the recorded parliamentary proceedings, was on the debates around the subject of homosexuality. The rest of the information was disregarded. Uganda's Hansard-Uganda Parliament sessions documents consist of large volumes of words, pages and information. This particular document consists 1887006 words and 3821 pages. To be able to navigate around this huge text I considered a criterion where I focused on paragraphs that showed insistences when the subject of homosexuality was mentioned, debated or referred upon. In order to arrive at this, I used the 'Find text' mechanism of Microsoft Word using the keyword: Homosexuality. This keyword generated 90 results which directed my navigation into the text. The 90 results was the number of instances that the keyword appeared in the whole Hansard-Uganda Parliament sessions document. I used these instances to focus my reading and to select the final text for analysis. The final text was generated, and constituted 13799 words. This formed the transcript for analysis from the Hansard-Uganda Parliament sessions' document.<sup>12</sup>

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<sup>12</sup> This analysis contributed to the formation of themes that formed part of the discussion in chapter 7. These themes

I obtained some of these documents from Uganda's parliament library. Others were gained from Uganda Printing and Publishing Corporation. This was because I identified myself as a researcher on the subject of homosexuality in Uganda.

### **2.3.2. Secondary data.**

The study used secondary sources of data. These included Published and unpublished relevant literature. The relevant literature was searched under keywords. These included, homosexuality and criminalization; homosexuality and Uganda; Homosexuality criminalization in Uganda; Religion and homosexuality; American evangelicals and homosexuality and American evangelicals in Uganda. The literature was accessed from text books, Journal articles, Magazines and Newspapers. Further both library search and online search criteria were used. On online search criteria, Google scholar was used, ATLA Religion Database, JSTOR: Journal Storage, PubMed and WorldCat.

## **2.4. Overview on Data Analysis and Interpretation**

### ***Data collection techniques and analysis***

The study uses a number of techniques for collecting data. These are: Literature review, questionnaires, attentive observation and listening to audio-visual media, transcribing, coding, mapping of categories, and formulation of themes.

The study uses qualitative content analysis (QCA). Qualitative Content Analysis is employed "to explore and identify overt and covert themes and patterns embedded in a particular text" (Bezuidenhout and Cronje 2014:234). In line with QCA, the study uses a thematic inductive approach or what can be described as thematic inductive analysis. This falls under qualitative research methodology which enables the research to get adequate understanding of the phenomenon from the perspective of the subjects of the study. It involves a systematic identification, coding and mapping of important categories within the text from which major themes are identified for analysis (Hayes 2000; Braun and Clarke 2006; Fereday and Muir-Cochrane 2006). One of the advantages of thematic analysis is the flexibility it offers the researcher in interpreting experiences of people as expressed in the data and in the formulation of themes and code (Braun and Clarke 2006). However despite this, researchers using thematic analysis have to be aware of the rigorous check on the validity of what counts to be themes and

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are appended and identified in appendix 1 (b).

codes. This is because the flexibility of the thematic analysis would easily let in anything (Braun and Clarke 2006:5).

The study further used a rhetorical analysis in order to understand how communicators make their messages meaningful and influential to the audience. Miyawaki, describes rhetoric as “a form of communication that includes both the art and practice of effective speaking and writing, often with the intent of persuasion” (2017:1477). It is “[t]he act of persuasion; [t]he analysis of acts of persuasion; [a] worldview about the persuasive power of discourse” (Leach 2000:207).

## **2.5. Research Paradigm.**

The paradigm of this study is informed by both the critical and interpretivist approaches. The notion of ‘paradigm’ is used by researchers to denote “a cluster of beliefs and dictates which for [a] scientist in a particular discipline influence[s] what should be studied, how research should be done, and how results should be interpreted” (Bryman 2012:630). As a worldview of beliefs, a paradigm plays a great role in regulating the nature of questions that the research asks, the probable answers, explanations and acceptable results (Mligo 2013:90). By drawing from both the critical and interpretivist approaches I do not under look the fact that the two approaches offer researchers certain distinct methods in doing research (Cilliers 2014). However, in relation to this study, the contribution they offer at particular levels of research, is not mutually contradictory. Rather it is complimentary as it is used as secondary material to answer the key research question. Moreover, various scholarships have shown that although paradigms may differ, there is a possibility of employing a multiple paradigm approach while recognizing both their contrasts and interplay (Hassard 1993; Schultz and Hatch 1996; Podjed 2011). This may assist in addressing some of the limitations of a particular approach, that is, for the benefit of research.

The nature of this study is critical which makes some aspects of a critical approach relevant. From its epistemological approach, the critical approach attempts to challenge the status quo by building on knowledge production in order to expose possible myth and unjust practices. This is similar to the interpretivist approaches as it challenges too, and scrutinizes popular knowledge while placing into consideration the social context (Cilliers 2014:27). However, in order to understand the extent to which the AAEs influenced the legislation of the 2014 AHL

in Uganda, there is a need to, - Explore and understand what knowledge on homosexuality and homosexuality criminalization is demonstrated first by the AAEs during the 2009 conference and second, by the Ugandan community after the conference and during subsequent debates in the Ugandan parliament. This makes the interpretivist approach relevant. Through the interpretivist approach, the study remains interested in exploring participants' experiences.

In an interpretivist approach, knowledge of reality is not separated from people's experiences. In fact, the people in their context are the primary source of knowledge who, through their experience of reality within their context, interpret and understand the world around them (Jack and Westwood 2006:486). The interpretivist approach was chosen as it possesses the ability in enabling the study to explore how different people through different contextual experiences, make sense of the phenomenon of homosexuality and homosexuality criminalization. In the attempt to understand the extent of the AAEs' influence towards the legislation of the 2014 AHL, the study seeks to explore connections between the legislation of the 2014 and the AAEs as well as how the legislation of the 2014 AHL is related to the local context. From a phenomenological point of view, it is crucial within the interpretivist paradigm to "gain an understanding of human actions" in order to understand why they act the way they do (Cilliers 2014:28). Having presented the methodology, the following part presents a theoretical lens of the study.

## **2.6. THE THEORETICAL LENS OF THE STUDY.**

This study is guided by postcolonial theory. In the discussion, attention is given to particular analytical models of postcolonial theory that can be used in examining the extent to which the American Anti-homosexual Evangelicals (AAEs) influenced the legislation of the 2014 Anti-homosexual Law (AHL) in Uganda. Furthermore, consideration is given to various components of the theory which are key in aiding the understanding and relevance of the theory to the study.

### **2.6.1. An analysis of the postcolonial theory.**

Postcolonial theory (PCT) "is a broad rubric for examining a range of social, cultural, religious,

political, ethical, and philosophical questions that recognize the salience of the colonial experience and its persisting aftermath” in the formerly colonized territories (Jack *et al.* 2011: 277). A number of scholarships that have pinpointed this discourse show that the emergence of the postcolonial theory is located towards the end of 20<sup>th</sup> century (Gayatri Spivak 1987; Ashcroft 1989; Homi Bhabha 1990). However this is not to argue that the subject matter against which postcolonial theory emerged is itself recent. Among the theorists from whom postcolonial theory draws its major influence are Edward Said and Michel Foucault. These writers show how the “other” becomes estranged or monstrous in discourses of power which draw lines of demarcation between “we” and “they,” between “normal” and “abnormal,” between “Westerner” and “Oriental.” (Zaidi 2011:204).

Postcolonial theory recognizes that the colonized was affected by the process of colonialism. The process of colonialism is understood as that which guaranteed control, subordination, authoritative administration and religious instructions against the wishes of the colonized. Through such processes, postcolonial theory postulates that the colonized was compelled to desist from his or her cultural, religious, political and social life/organization. Instead they should embrace the new cultural, religious, political and social life of the colonizer. According to postcolonial theory, the process was characterized by unequal exercise of power and influence (Ashcroft *et al.* 1989). While the colonized appeared before the colonizer as inferior and less powerful to resist colonialism, the colonizer appeared to the colonized as powerful and far more informed in ways of life (Bentley 2015).

Jack *et al.* contends the effects of colonialism and how formerly colonized societies react to the aftermath of colonialism. This is the subject matter of the postcolonial theory (Jack *et al.* 2011). One of the key central ideas suggested by postcolonial theorists is the argument that formerly colonized societies still have to deal with the effects of colonialism. Postcolonial theory therefore would be used as a vehicle which “investigates the complex and deeply fraught dynamics of modern Western colonialism and anticolonial resistance” experienced in non-Western societies (Prasad 2003:5). Therefore it can be stated that *colonialism* is affected when certain powers rule or dominate others. For instance, in terms of the formerly colonized countries such as Uganda, Britain was a power that sought to control and dominate the Ugandan societies during the Western era of colonization. In this case, after the Ugandan independence, the decolonized Uganda would be described as a ‘postcolonial’ country. In loose terms ‘postcolonial’ would mean the end of colonialization, thus the beginning of postcolonialism.

The term postcolonial has the prefix ‘post’ attached to it which attempts to accord it with a new

meaning. McClintock (1994) suggests that the term postcolonialism attempts to portray a moment of ‘change’, ‘development’, ‘improvement’ or a transition from oppression to self-governance. If used metaphorically it would, as well, describe that period “between old and new, end and beginning” (1994:254). It is agreed upon by many postcolonial theorists as an easily assumed misleading concept in relation to its meaning. Critics point out the uncertainty imbued in the term postcolonial when thought of, or used in literature (Brians 1998). One of the major points of contention associated with the term is its literal assumption of “the national culture after the departure of the imperial power[s]” (Ashcroft *et al.* 1989:1). In this case, the term may be literally taken to consider the experiences or literatures written by individuals who happen to live in the geographical locations that were once colonized. The question here has been for instance: where does postcolonialism locate other literatures on the subject of colonial experience which happen to be written from societies besides those colonized by imperial powers such as Britain, France, German or Portugal? Could the reflections on the subject of colonialism other than those that were colonized be postcolonial? Is the postcolonial limited to geographical terms or does it go beyond geographical and existential limitations?

Critics further point out what seems to be an exclusive literal reference to colonization when the term postcolonial is employed. Colonization which in most cases is interpreted as political dominance is seen as an inadequate term especially in the context where societies consider further reflections on cases such as economic, religious, ideological and cultural dominance (Dube 2000:128). These cases have come to be seen as channels through which colonies were colonized, exploited and to some extent continue to experience the effects of colonialism. Aware of these limitations the study uses the expression of colonialism consciously. It uses it not only to refer to the past experiences of imperial control but to include the multiple dimensions of present domination and struggles which can be traced back to the time of imperial control.

The study therefore concurs with a position that current discourses of religious, cultural, political, and economic struggles in Uganda are postcolonial issues through which the colonized societies assert their experiences of imperialism.<sup>13</sup> From this perspective, we cannot underestimate how religion may continue to influence society including in the formation of policies. The situation becomes even more complex in formerly colonized societies such as Uganda when the power of religion is expressed along with foreign actors who may be regarded

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<sup>13</sup> The concept imperialism is defined by Said to mean the practice, the theory, and the attitudes of a dominating metropolitan center ruling a distant territory” (1994 :9)

as superior, more educated and informed. The AAEs presence in Uganda was a combination of these factors. Besides being religious leaders, they were foreign white visitors from the United States of America, a country regarded politically and economically superior to Uganda. Therefore it could be held that the presence of AAEs in Uganda would make great use of colonial tools of influence such as the expertise on knowledge and religious discourse on homosexuality to convince their listeners.

#### **2.6.1.1. Postcolonialism.**

“Postcolonialism (or often post-colonialism) deals with the effects of colonization on cultures and societies” (Ashcroft *et al* 2007:168). It is a concept that attempts to study, and reflect on how colonization influenced the ways of life of the colonized societies. But of recent, the term postcolonialism has gained a wider perspective. Shands contends that “[w]hile postcolonialism is a term that has been used primarily in discussions of the geographical areas of the former colonies of the British, French, German, and Portuguese empires, today, the term has turned out to have relevance in a much wider context” (Shands 2008:8). It would be important to note that critical reflections on the effects of colonialism has widened the spectrum of postcolonialism to include not only the formerly colonised societies but also those affected by colonialism even indirectly (Shands 2008). In respect to formerly colonized societies but more specifically, Uganda, the discourse of postcolonialism would attempt to reflect on questions such as: What effects did colonialism have on the people of Uganda as far as their cultural, religious, economic, political and social organizational structures are concerned? How does colonialism continue to influence the Ugandan society in contemporary time? And how do the people interpret and respond to it?

The topic of the 2014 homosexuality criminalization cannot be held outside these lenses. In many African societies homosexuality is still debated as to whether it is an imposed phenomena that came along with forces such as colonialism or it is a long suppressed sexual expression that has nothing to do with colonial domination. In respect to Uganda, postcolonial theory would therefore offer a discursive framework to investigate whether homosexuality criminalization was actually a response to the re-reading of past experiences of colonialism. It is important to note that postcolonialism attempts to read contemporary experiences of the formerly colonized societies through the lens of past colonial experiences. Through Mbembe’s framework, as explained by Mongin *et al.*, postcolonialism “derives [its experiences] both from



anti-colonial and anti-imperialist struggles on the one hand, and from the heritage of Western philosophy and of the disciplines that constitute the European humanities on the other” (Mongin *et al.* 2016:33). The term postcolonialism is not easily understood as it may seem to be. It is a controversial term given the diverse area of enquiry that inform its relevancy to particular contexts. In postcolonial literature, reflections on postcolonialism have prompted positions that either take an optimistic or a pessimistic view within the postcolonial theory.

### **2.6.1.2. Pessimistic Approach.**

The Ugandan context presents various views on homosexuality and its criminalization. In the context of 2014 AHL, there exists voices who view pro-homosexuality activism as colonialist. As such, the 2014 AHL is presented as defiant response against feelings of domination, demonstrating that colonialism is still an active force in contemporary Uganda. While such experiences can expose the agency of the Ugandan society to act towards the ‘felt’ colonialism, they also demonstrate that colonialism still has the ability to influence action in Uganda. Such experiences inspire a pessimistic view on postcolonialism. It arises from experiences that seem to reveal new forms of colonialism and their confirmation in ex- colonized societies. Supporters of this approach view postcolonialism as illusive to what it is supposedly meant to imply (Gikandi 1996). From the critics’ point of view, postcolonialism ought to imply no-more colonialism- an experience they deny as a false tale. Ghanaian novelist Ama Ata Aidoo claims, “colonialism has not been ‘post’-ed anywhere...[That] applied to Africa, India, and some other parts of the world, ‘postcolonial’ is not only a fiction, but a pernicious fiction, a cover-up of a dangerous period in our people’s lives. For unlike ‘neocolonial,’ for instance, ‘postcolonial’ posits a notion of something finished” (Ama Ata Aidoo 1991:152).

But a pessimistic view is not all that is demonstrable by the Ugandan context when it comes to homosexuality criminalization. The debate on homosexuality criminalization has also given rise to reflections on whether Uganda is a sovereign country that can enact its own laws. The enactment of the 2014 AHL is seen not only as a desperate response to colonial domination but as a demonstration of independence. The demonstration of independence is not only expressed in political circles but also in religious circles. In this case, some Christian local religious leaders in Uganda view themselves well placed to interpret and apply biblical teachings on homosexuality without interference from their foreign counterparts. This directs an optimistic approach to postcolonialism.

### **2.6.1.3. The Optimistic Approach.**

Rukundwa and Van Aarde contend that “[f]rom an optimistic point of view, postcolonial theory is a means of defiance by which any exploitative and discriminative practices, regardless of time and space, can be challenged.” (2007:1171). Drawing from an optimistic framework, postcolonial studies are identified with the credit of outlining the ex-colonizers’ legacies believed to be effective even in postcolonial era. Voices that seem to read contemporary experiences as expressions of colonial legacies are not silenced but given a chance for a close analysis. For instance, if a Ugandan national would argue that “we criminalize homosexuality because it was imposed on us by our colonial masters” and that it is not part of our culture, the implication of this argument would be given a chance to assert itself in the discourse of postcolonialism. Similarly if the AAEs would be argued to have influenced the Ugandan society to come up with the 2014 AHL, the significance and extent of this influence would equally be subject to a postcolonial enquiry. The inquiry would not only be interested in how the AAEs influenced but also how the Ugandan community responded. In fact, both parties would be participative.

One of the dangers of reading the 2014 AHL in Uganda as influenced by the AAEs, would be to offer a simplistic analysis. This analysis would suppose that while the AAEs ‘influenced’ the Ugandan public on the 2014 AHL, the local people in their context were inactive participants. Although it would be equally absurd to deny how the experiences of colonialism attempted to silence the colonized societies, it is important to recognize that the colonized societies did not run out of the agency to resist effects of colonialism in the future (Ashcroft *et al.* 2006). Moreover, even within the postcolonial society such as Uganda, it would be difficult to deny the presence of political, religious or cultural elites who would happily cooperate with the AAEs in selling out their vision of “exposing the homosexuality agenda”. Apart from insisting on the cooperation that may be present between the AAEs and the local elites, the activeness of the local context can be analyzed as an internal revivalism. This could be either a concern for cultural, political, social or economic transformation. Therefore, this view is valuable for the study since it advocates and recognizes that postcolonial societies within Uganda can assert their voices on contemporary discourses using their knowledge which is informed by pre-colonial experiences. Further, the critique also endorses the fact that postcolonial societies through their pre-colonial “knowledges” can still represent themselves

as different from the new experiences brought about by modernity and globalisation.

Stuart Hall explores postcolonialism by illustrating it using the concept ‘postcolonial’. Hall declares:

So, postcolonial is not the end of colonization. It is after a certain kind of colonialism, after a certain moment of high imperialism and colonial occupation—in the wake of it, in the shadow of it, inflected by it—it is what it is because something else has happened before, but it is also something new.” (Hall 1999:230).

Following Hall’s point of view, postcolonialism would be an experience that finds its presence in the wake of colonial occupation. It seems to describe that moment or feeling that emerges as a result of imperialism. Can we then speak of postcolonialism as distinct from imperialism or colonialism? In some instances one could, while in another may not. It is possible to speak of postcolonialism as distinct from imperialism since according to Hall postcolonialism is not merely a synonymous term with imperialism or colonialism. On the other hand one could not categorically provide a distinction between the two. This is because there exists a cordial causer-effect relationship. While postcolonialism would be explained as having been effected by the dawn of imperial powers over the people of other nations, imperialism would, on the other hand, be understood as the founding parent of postcolonialism. This raises an interesting view for the relationship between the AAEs coming to Uganda and the legislation of the 2014 AHL. It would imply that if we view the AAEs as an imperial power, then this would be a new manifestation of imperialism in the changing space and time. It would further imply that the AAEs have something in common with colonial powers as experienced during colonialism. It would further imply that the process that led to the legislation of Uganda’s 2014 AHL must have tangible evidence that leads to the AAEs since it would be supposed to carry something of its founding parent.

### **2.6.2. Analytical categories of postcolonial theory relevant to the study.**

Postcolonial criticism investigates politics, power, economics, religion, and culture dynamics of operation in postcolonial societies. It considers that the expansion of Europe in seeking new areas of conquest also meant the importation and consequential development of new identities. These new identities were key in facilitating the colonial hegemony over the colonized

societies. The analytical categories of postcolonial theory guide the study in viewing the AAEs as operating within the colonial legacy framework. In this framework the colonizers exerted control over the colonized by demonizing the life styles of the colonized that they thought to be inferior and replaced them with those they thought to be modern, and free of evil. Similarly, the AAEs attempted to discourage the Ugandan community from embracing homosexuality. By doing so, the Ugandan community would resort unquestionably, to a heterosexual lifestyle which the AAEs emphasized to be in accordance to God's principles.

#### **2.6.2.1. Orientalism.**

In analyzing the AAEs presence in Uganda in view of establishing the extent of their influence towards the legislation of the 2014 AHL, the study uses the concepts of orientalism as provided by Edward Said (Said 1978). Particularly, the study pays attention to the content of the message as it was delivered by the AAEs, its mode of delivery and the worldview behind it. According to Said, Orientalism could be discussed as a corporate institution for dealing with the Orient by making statements about it, authorizing views of it, describing it, by teaching it, settling it, ruling over it: in short, Orientalism is used as a Western style for dominating, restructuring, and having authority over the Orient ( Ashcroft, B et al 2000:153).

Orientalism provides an avenue to see how the AAEs constructed the society of Uganda in relation to the rest of the world as far as homosexuality is concerned. It could be argued that the impact of the AAEs message would have some reference with how the society of Uganda was viewed by the AAEs. The AAEs viewed the society to be at a 'crossroad', arguing that homosexuality promoters were on the course to destroy traditional family structures. In this way, the AAEs' coming signifies the attitude of reaching out to the 'Other' believed to be incapable of overcoming the challenge independently. The category of the 'Other' according to Said, is a tradition of Orientalism. It carries along a colonialist tendency of "identifying the East as 'Other' as inferior to the West" (Barry, 2013:192). The otherness is conceived through the assumption that locates the East to the opposite side of what the European West symbolized. Whilst the West stood as a symbol for scientific knowledge, discoveries and technical advancements, the East symbolized, for instance, questionable levels of knowledge and lack of technical advancement. The East was always understood as the opposite of West. According to Barry, colonized societies "became the repository or projection of those aspects of themselves which Westerners do not choose to acknowledge (cruelty, sensuality, decadence,

laziness, and so” (Barry (2013:192). At the same time the East came to be viewed as an unprogressive homogenous society whose only source of progress was to learn the ways of Western cultures. Western culture then came to symbolize political imperialism, at which the empire ruled, advised and directed its subjects.

As an analytical model of postcolonialism, orientalism revisits the colonial and attempts to introduce what was described as civilization and modernized cultural standards. This model also seems to point to the theory that the story of Western missions were undertaken in order to modernize the Orient which gave way to the development of the postcolonial thought. In this way, the approach to homosexuality as used by the AAEs coupled with how they introduced themselves before the Ugandan suggests a power that may be capable to exert certain levels of influence. As it succeeds in influencing the Ugandan society, the AAEs’ approach is thus seen as a reflection of the “European civilization and culture” (Said 2006:24). It can be argued that, European civilization and culture continues to play “culturally and even ideologically as a mode of discourse with supporting institutions, vocabulary, scholarship, imagery, [and] doctrines...” (Said 2006:24).

Orientalism is also about power relations. It consolidates power at the control of one party against the other. Amidst this power relation, is the constant location of superiority and dominion of the less powerful. The study considers that this power of dominion and influence which is identified with the West other than the East in Said’s orientalism, is manifested by the AAEs through various tools such as religion, disposition, and language. This suggests rightly that Western religious leaders such as the AAEs, enjoy power and privilege over the Local people and local religious leaders. The contrast of power between the local religious groups and the foreign religious groups brings the debate to the question of boundaries and borders. Do boundaries and borders have any role to play in influencing how power is exercised in local contexts?

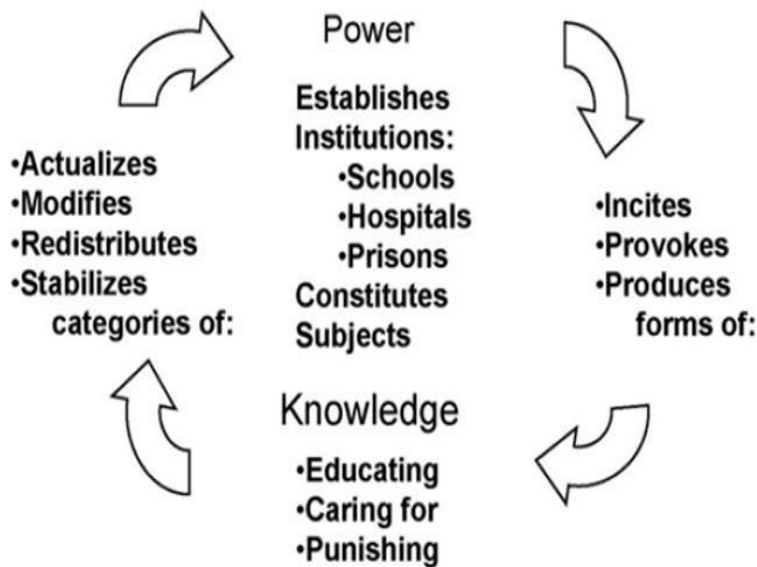
The concept of boundaries and borders has been crucial in the imperial occupation and domination of indigenous spaces. And the question of borders and borderlands has now become a pressing issue in an age of increasingly hysterical border protection. Cultural borders are becoming recognized as a critical region of colonial and neo-colonial domination, of cultural erosion, and of class and economic marginalization” (Ashcroft *et al.* 2006: viii).

In contemporary Uganda it is only geographical borders that matters but also religious, cultural, tradition, politics and economic borders. The question of borders is paid attention in the study

in examining how it may empower the AAEs in influencing the Ugandan society. The study takes into consideration that, between the AAEs and the Ugandan society exists a difference of culture, tradition, politics and economic borders. This difference is argued to influence behavior and relationships between the AAEs and the Ugandan society at different levels. In regard to the influence of borders, the study argues that the extent to which the AAEs influenced the Ugandan society could depend on how each side interpreted its existential life against that of the other. This would make easier the flow of knowledge and acquisition of knowledge from one group to the other.

### 2.6.2.3. Power and Knowledge.

Postcolonial theory offers an analytical model of influence that emerges from the relationship between power and knowledge. According to Said, knowledge is associated with power.<sup>14</sup> In this case to have knowledge guarantees [P]ower which has the ability to establish, incite, provoke and produce forms of [K]nowledge. In turn, the produced forms of knowledge actualizes, modifies, redistributes and stabilizes [P]ower (Foucault 1977). In the figure below the analytical category of power and knowledge is illustrated to demonstrate its operation (Juniper 2007).



<sup>14</sup> Said was greatly influenced by Michael Foucault theory of knowledge and power. Foucault believed that power is everywhere in human institutions and is demonstrated through claims of knowledge(s) as truth. For Foucault “Knowledge linked to power, not only assumes the authority of 'the truth' but has the power to make itself true. All knowledge, once applied in the real world, has effects, and in that sense at least, 'becomes true.' Knowledge, once used to regulate the conduct of others, entails constraint, regulation and the disciplining of practice. Thus, 'there is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time, power relations” (Foucault 1977 as quoted in Margaret Wetherell, Stephanie Taylor, 2001:25) Power according to Foucault is an “Act concentrated within power-establishing institutions such as schools, prisons, hospitals...that monitors and coerce society” (Magdalena Karolak 2013).

**Figure 1.** *Illustration by Juniper (2007:280).*

Figure 1 above illustrates the relationship between power and knowledge and how this affects the community, and its institutions. This relationship depicts that the exercise of power enables the production of knowledge. Both power and knowledge seem to work hand in hand in the production of something new. In the context of legislating the 2014 AHL the exercise of power and knowledge is not exclusively attributed to the AAEs but also to the members of the Ugandan society. Local religious leaders, as well as politicians are some of the examples of those in the Ugandan society that are assumed to be knowledgeable and thus possess the power to influence the society. Moreover, it is common that Individuals who assume positions of power are also assumed to be knowledgeable. Therefore, the study uses this analytical model to explore how Local Actors and Institutions in Uganda would be a source of influence to the legislation of the 2014 AHL. The study considers that individuals in society are able to use power and knowledge in relation to the tools they use and the positions they occupy in society. Here, the role of local religious leaders, politicians and institutions such as the Ugandan parliament are examined. On the other hand, the possible influence of the AAEs is also explored. In this case, the study critically explores and analyzes the power of influence which could have been imbedded within the AAEs' presence in Uganda; their background; their relationship with the Ugandan context; their demonstrated knowledge on homosexuality and in the tools they used in disseminating information. Among the questions the study pays attention to in this perspective include: How did the AAEs demonstrate their possession of knowledge on homosexuality and how was this unique within the Ugandan context? In what ways and to what extent was the AAEs' knowledge on homosexuality consequential in shaping local opinions on homosexuality in Uganda? Among the tools that seem to be critical and wielded by the AAEs, is that of Language.

### **2.6.2.3. Language.**

Language is one of the symbols that distinguish a particular nation, society or a community from the other. Various understandings of language maintain that language is rooted in peoples' culture through which it develops and is communicated. Robert Stock maintains that “[l]anguage is valuable both as a measure of societal diversity and as an indicator of dynamics of history, politics, and cultural change” (Stock 2013:80). Language can be a tool used to aid

influence but also an analytical model through which the extent of the influence is analyzed. In establishing the extent to which the AAEs influenced the legislation of the AHL, the understanding of the language used by the AAEs and its impact in the Ugandan context is crucial. Before going through how language impacts the Ugandan context, it is important to pay attention to how language was used under colonialism.

During colonialism, language played a distinguished role. For instance, the use of the English language in British colonies communicated a certain level of literacy and superiority. In his well-documented speech, “Thomas Babington Macaulay (1800-1859) a British historian and Whig politician” rhetorically attempted to convince the Indian elites and the colonial administration that English language was essentially superior to both Arabic and Sanskrit (Dauben, *et al.* 2014:379). He argued that English occupied a superior space in literature and that it was unchallengeable in its communication of knowledge. The superiority associated with English over other languages meant that: As far as knowledge was concerned, it [knowledge] had to be communicated and understood through the categories of the English language. Speaking in English therefore, communicated not only knowledge but also the power to influence. It is through this medium that the colonized came to be known, and talked about, and taught new worldviews. In analyzing the extent at which the AAEs may have influenced the making of the 2014 AHL, it is vital to examine the tools they used among which is that of language. It is also imperative to explore how language played in effecting the influence of the AAEs in similar lenses as how it helped to legitimize colonialism in the past.

The AAEs’ influence would be further analyzed by examining it along the discourse of hegemony power as offered in postcolonial theory.

#### **2.6.2.4. Hegemony power.**

Conventionally, hegemony as power has been closely associated with “a condition of disequilibrium of power” in which one of the parties “becomes so powerful that can exercise dominance” over the other (Antoniades 2008:3). The concept of “hegemony” or “hegemony power” is attributed to Antonio Gramsci who attempted to “illustrate how systems of power are constructed through knowledge” (Tamale 2015:155). Hegemony power works very closely in luring its audience to conviction with regard to particular beliefs or social values. This kind of power could be well utilized by “institutions of civil society such as the church, schools, the mass media” (Stoddart 2007:201; Gramsci 1999). The aspect of hegemony power in the study,



investigates how AAEs attempted to lure in their audience, so that they believe in their message concerning homosexuality and how the local context would as well employ the same hegemony power to contribute towards the 2014 AHL. It investigates the strategies and nature of arguments that were used by the AAEs during their conference as well as the power of the institution they represented. It should be noted that the AAEs introduced themselves as Pastors who have a special place of respect, trust and reverence in society. The analytical model of hegemony power in the study not only directs attention to the role of AAEs but also to other avenues that would equally influence the Ugandan public. Applying this analytical model provides the study not only to focus on the AAEs, but also to pay attention to contextual contribution of other sources of social actions that possess the ability to produce hegemony power in society.

### **2.6.3. The overall relevance of the postcolonial theory to the study.**

The Postcolonial theory offers an opportunity to explore the role of AAEs in Uganda who represented Western expertise on Christian sexual morality and homosexuality. The study explores the extent to which the AAEs influenced the legislation of the 2014 AHL in Uganda. In line with the postcolonial theory, the AAEs encounter with the Ugandan society is viewed as the same encounter that the empire has with the targeted colony. The discourse on homosexuality is seen as the field that animates this encounter. In this regard, the disposition of the AAEs in the Ugandan context, the language, the theologies and the means of communication employed by the AAEs in disseminating their agenda are critically explored as tools of influence. The theory offers the possibility to explore how the AAE located themselves within the Ugandan context [which may have been perceived as naïve as far as homosexuality was concerned, and therefore needed urgent liberation,]. It also provides tools to analyze how the Ugandan public responded after the encounter with the AAEs. Through a postcolonial interpretivist approach the study explores whether the 2014 AHL in Uganda was either a response to views of the AAEs on homosexuality or a result of contextual contentions on the discourse of homosexuality in Uganda.

While postcolonial theory can be used to interrogate various aspects of colonial encounters and contemporary governance systems, the study employs the theory to find answers on critical questions such as: What colonial power extension did the AAEs demonstrate in Uganda, through their preaching, teaching, and disposition? What effects could such power have on a

sovereign State such as Uganda in informing local discourses and government policy on homosexuality? What role did the Ugandan context play?

Drawing from the subject matter that concerns the postcolonial theory, this study situates its inquiry along positions that argue that the effects of colonialism are still felt in postcolonial societies (Gikandi 1996; Hall 1999:230; Ashcroft *et al* 1989). The study agrees with positions that challenge the speaking of postcolonialism as if were a totally new phenomenon exclusive to the influences of past experiences of colonialism. Therefore, in this study, postcolonialism would be treated as an open-ended phenomenon that tends to read the contemporary experiences of people through the lens of imperial control.

To argue that postcolonialism ought to be explained in terms which recognize the changing experiences of colonialism; and that, past experiences of colonial domination influence contemporary experiences, is to assert that postcolonialism is not something of the past. In Uganda for instance, such an assertion is affirmed by some signs that point to foreign influences on institutions such as: education, religious based organizations, and politics, among others (Kaoma 2014a; Sadgrove 2012; Tamale 2014a). Examining the influence of AAEs through the postcolonial theory is an opportunity to explore how colonial knowledge, attitudes and power, still manifest itself in the Ugandan context.

Colonialism in Africa has been greatly critiqued to have had diverse influence not only on the political organization of African societies but also on matters of sexuality, religion and morality (and among others). Through its power of influence, colonialism attempted to deny the complexity of social, cultural, religious and political organization of African societies. This could have been achieved by describing them in homogenous terms such as barbaric and primitive, thus validating standardized approaches of civilizing them. Descriptions such as ‘normal sexuality’ in contrast to ‘abnormal sexual behavior’, ‘true religion’ in contrast to ‘idolatry’ gradually became references of difference. Such categories became key in explaining how people from African societies differed from those in European societies. For instance, with regard to African sexuality, Vaughan in her work, *Curing Their Ills: Colonial Power and African Illness*, mentions:

There were two variations on this theme of African sexuality...For some, including many missionaries, African sexuality was, and always had been, ‘primitive’, uncontrolled and excessive, and as such it represented the darkness and dangers of the continent. For others, the supposed ‘primitiveness’ of pre-colonial African sexuality was reassuringly ‘innocent’; the danger lay rather in the degeneration of this sexuality which was seen to have come about through the social and economic changes of

colonialism (Vaughan 1991:129)

Vaughan's sentiments are rightly confirmed by the assertions of Lambkin, a British colonial administrator during the colonial period in Uganda. Lambkin was greatly convinced that female Ugandan sexuality was different from that of their counterparts which were of European descent. He described it as full of "strong passions...unrestricted" and a danger to society since, according to him, it contributed to the spread of syphilis during that period. (Vaughan 1991:133).

It is therefore imperative to note that as colonialism found its way into Africa, it attracted African elites such as chiefs. Additionally, it became easy for universalized moral behaviors and sexual standards to take root through the assistance of African elites. As a consequence, indigenous people eventually started questioning the legality, authenticity and progressivity of their pre-colonial systems. Local systems of attaining education for instance got new descriptions such as traditional or informal systems of education. Individuals who could not read and write were categorized as illiterate. However those who quickly grasped the foreign skills of reading, writing, and speaking English belonged to the literate class. Similarly, sexual reproductive health which used to be conducted especially during initiation events got discouraged from religio-cultural grounds.

Colonial administrators also saw it necessary to reorganize African societies administratively by giving them new written forms of regulations, and by instituting local chiefs as colonial administrative assistants. Local chiefs would in turn help to effect colonial rules and regulations. To some extent the current debates on the issue of homosexuality in Uganda depict the far rooted complexities related to how sexuality was understood prior to colonialism, and how it was sought to be transformed during and after colonialism. This further expose the impressions which colonialists as foreign visitors, had on local societies and how local communities perceived the foreigners. The debates further assert the legitimacy of contextual knowledge over that which is driven under the influence of neo- liberalism, globalization and transnationalism. Such debates could be engaged even more deeply through a postcolonial theoretical framework.

### ***Relationship between the methodology and the Postcolonial theory***

The relationship between the postcolonial theory and the paradigm used in this study can be demonstrated from both an ontological and epistemological perspective. Postcolonialism

critiques colonial assumptions; this is to say, that the colonized societies were hegemonic with primitive knowledge of reality. Knowledge developed through a colonial lens for the colonized society claimed universal principles (Ashcroft, *et al.* 2006). The AAEs are analyzed as representatives of a power who seek to civilize, educate and offer knowledge of protection from homosexuality to the Ugandan society. The Ugandan society on the other hand is seen as the recipient of the AAEs' knowledge. As one of its analytical concerns the study explores how the actions of the AAEs differed or resembled that of colonialists, Western ethnographers, or early Christian missionaries. A postcolonial critique to the universalization of knowledge which contributed to legitimizing colonialism questions the agenda of actors such as colonial ethnographers, colonialists, early Christian missionaries, who have all participated in constructing, communicating, tolerating or denying certain knowledge from the local context. Postcolonial theory proposes Said's concept of Orientalism which aims to explore, unravel and understand how Western scholars such as historians, geographers, linguists, writers and artists constructed knowledge of the "Orient" (Jack and Westwood 2006:488).

The notion of the "Orient" is highly disputed by Said as it was intended to represent an existing reality. In fact, for Said, the "Orient" is a mere cultural construction of the Western scholars which is detached from the object it attempts to represent. From both critical and interpretivist approaches, the failure to recognize the role of the context, in the generation of knowledge leads to suspicion of what is called "knowledge." This is also true from a postcolonial perspective. From a postcolonial perspective failing to recognize the role of the local context in generating knowledge, would expose an exercise of power and control by which the Orient is dominated and governed.

From this perspective, an interpretivist approach like the critical approach (as used in qualitative research methods) questions the authenticity of any kind of knowledge and its acquisition criteria insofar as it claims universalism and fails to consider contextual experiences of the people (Cilliers 2014). It could be viewed in this sense that colonial institutions which claimed to transform the colonized into colonizers ways of thinking and understanding the world, are scrutinized and viewed with skepticism.

#### **2.6.4. Conclusion.**

This chapter has presented the methodology and theoretical framework upon which the entire study has been done. The chapter has demonstrated why qualitative non-empirical research

methodology and postcolonial theory were chosen to guide the study. In discussing the theory, particular concepts of postcolonial theory have been specially selected in accordance with their relevance in guiding the study. The chapter has recognized the diverse implications and complications surrounding the meaning and construction of the term postcolonialism as it may be applied in a formerly colonized society such as Uganda. The chapter has highlighted the need to not only explore the AAEs but also the local context given that all can produce hegemony power that can influence the legislation of the Law. This approach avoids taking for granted contextual factors. In the chapter that follows, the study explores critically how homosexuality as a discourse and practice has been framed in Uganda according to historical and contemporary perspectives.

# **CHAPTER THREE**

## **THE FRAMING OF HOMOSEXUALITY IN UGANDA AND ITS IMPLICATIONS**

### **3.1. Introduction.**

The previous chapter discussed the methodology and the theoretical lens which underpins the study. This chapter explores how homosexuality has been framed in Uganda, both from a historical and contemporary perspective. It aims to contribute towards an understanding of the history and contemporary perception of homosexuality in Uganda. This will add to answering the first objective of the study. The chapter suggests that to understand the extent to which the AAEs influenced the legislation of the 2014 AHL in Uganda, there is a need to critically explore how homosexuality has been historically framed. The discussion of the chapter is organized under three major themes: Positioning the concept of homosexuality in the study; the framing of homosexuality in the Ugandan context from a historical perspective, and the framing of homosexuality from a contemporary perspective, focusing on perspectives on Homosexuality in selected Ugandan Print Media.

### **3.2. Positioning the concept of homosexuality in the study**

While the study opted for the concept of ‘homosexuality,’ it should be noted that ‘homosexuality’ in many African societies is a contested concept; for instance, in terms of its usage, association, meaning and originality (Shoko 2010, Chitando and Mateveke 2016, Msibi 2011). Msibi argues that the term “evolve[s] out of a specific cultural history, and [it] cannot be assumed to mean the same thing to everyone in the same way” (Msibi 2011:56). For some individuals the concept is associated with taboo, violence and contamination while to others it simply refers to a particular sexual orientation (Chitando and Manyonganise 2016). Even within a single community of people, the concept would draw different interpretations. For instance, Tabona shoko’ study among the Shona people of Zimbabwe reveals “divergent definitions of homosexuality and its relationship to same-sex practices” (Shoko 2010:636). The study indicates that while among the Shona some people believe “that homosexuality is a “foreign phenomenon,”...caused by the influence of Westernization” some others maintain that

“homosexuality existed in Shona culture even before the “coming of the White people.” (Shoko 2010:635-636). Therefore, as Msibi holds, the use of concepts such as homosexuality should take concern of their “sense of clarity as to their meaning and contextual relevance” (Msibi 2011:56).

As expressed in chapter one, the concept of *homosexuality* is purposefully used in the study. The overall motivation for using this concept is its dominant use by the AAEs, as well as in the local discussions on same-sex relationships. The concept is also a dominant keyword that featured in Uganda’s parliamentary debates of 2009, in the Anti-homosexuality Bill as well as in the final 2014 Anti-homosexual Law. The study therefore opted for this term for clarity and direction in relation to its focus.

Whilst the study focuses on the Ugandan context, homosexuality is a contentious subject globally. The subject attracts both tolerant and intolerant debates across the globe (Mooney *et al.* 2015). In these debates, homosexuality as a subject of interest has not escaped from being framed in an effort to express particular points of view. This has appeared for instance in international reports, documentaries, scholarship, media outlets both local and international, as well as in religious teachings (United Nations Human Rights Council 2011; African Commission on Human and Peoples’ Rights 2014; Williams 2014; Tamale 2007b; Gentleman 2010; Kaoma 2014a).

In Africa, as the case may be in other continents, the subject of homosexuality is controversial (Van Klinken and Chitando 2016; Shoko 2010). The controversy on homosexuality is enhanced by diverse and often conflicting perspectives that cut across social, moral, political, religious, and cultural issues. These play a key role in the framing of homosexuality. In Zimbabwe for instance, “Politicians call them [homosexuals] the “festering finger,” endangering the body of the nation; churchmen say God wants them dead; the courts send them to jail” (Shoko 2010: 634). The question of human rights has also been used to frame homosexuality as either acceptable or denounced in African societies (Van Klinken 2016:2). While to some the acceptance of homosexuality would be regarded a human right, to others its rejection would be equally a human right (Van Klinken 2016). In a country like Uganda, the aspect of homosexuality has become a political weapon used by politicians to either de-campaign their political opponents or woo votes from voters (Nyanzi and Karamagi 2015:35, Tamale 2013:31).

Elsewhere in Zimbabwe, homosexuality is generally seen as “a result of moral decadence that has gripped society and [originates from] promiscuous sexual behaviour” (Shoko 2010:635). Such a position would reflect a moral and social perspective. A theological perspective, would highlight that the understanding and interpretations of the concept incurs diverse implications. For instance, although a Christian bible is used as a tool to interpret Christian basic teachings on homosexuality, (depending on who does the interpretation and the informing worldview) interpreters often come to different conclusions. While in some instances the Christian bible is used to condemn homosexuality, in others it is used to challenge the same condemnation (Punt 2006; Gunda 2010; Chitando and Van Klinken 2016). This brief overview can help to shed light on how homosexuality as a subject draws diverse opinions across African societies. As such, it could be understood and acted upon differently from one society to another depending on how it is dominantly framed. In the following part the study focuses on the Ugandan situation. It attempts to discuss the framing of homosexuality in Uganda and the implication of this framing in society regarding homosexuality.

### **3.3. The framing of homosexuality in the Ugandan context.**

According to Chong and Druckman framing is a “process by which people develop a particular conceptualization of an issue or reorient their thinking about an issue” (2002:104). To frame, as Entman states, “is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described” (1993:52). Homosexuality has not been exempted from this process.

The process of framing is one of the ways by which knowledge on homosexuality has developed in Uganda. Various role players in Uganda such as ethnographers, colonialists, Christian missionaries, as well as local communities have all participated in constructing, communicating, tolerating or denying certain knowledge’s about homosexuality practices in Uganda. This has been evident in their works or in myths and stories that attempt to explain, teach or give a narration on homosexuality in Uganda. In doing so, homosexuality and the practice of homosexuality in Uganda has historically been identified and explained under particular terms. This carries along certain implications, given that while “frames define what issue is at hand” they also “determine how to discuss that issue and therefore limit the way we



view that issue” (Namusoga 2017:55).

### **3.3.1. Homosexuality, the unspoken and *undiscussed* practice.**

In Uganda, as it is with the discourse of sexuality, under which homosexuality locates itself, homosexuality has historically been spoken of in ‘soft’ and ‘silent tones’ supposedly with intent to limit possible curiosity and public attention around it (Tamale 2007b). But this may not be a surprise. Uganda is a context characterized by societies with patriarchal structures. Thus it would not easily escape this temptation of silencing homosexual tendencies by leaving the act to operate underground. In fact, from a historical perspective as Thabo Msibi notes, this was part of [t]he political economy of heterosexuality” through which “indigenous homosexualities” were silenced (Msibi 2011:64). For Bernard Matolino, this silence was almost automatic (2017). Matolino holds, “...in most traditional African societies people were not categorized according to their sexual orientation...those engaged in same-sex relations were never considered as existing outside the norm, hence homosexuality was never an issue” Matolino 2017:60).

This tendency to keep homosexuality undercover with minimal recognition has been the same in Uganda, whether in government documents such as the 1995 Uganda Constitution, colonial documents such as the 1950 Penal code, on the streets and within religious spaces. Rendering silence over homosexuality can be seen as a frame which intends to keep the aspect of homosexuality as far as possible from people’s memories. Homosexuality in this case remains obscure, and can easily win a characterization of ‘the unknown’ or ‘less known phenomenon’. This is so because when a phenomenon is selected and given salient framing it becomes easily known and remembered (Iyengar, 1990; Namusoga 2017).

Where-in government documents homosexuality has been referred to, the language has been vague. Politicians as well as religious leaders who have happened to speak about homosexuality in public have always used coded and consciously chosen language, presumably that which is thought to be favored by the public domain. These ‘soft’ tones are particularly exposed through certain linguistic expressions which attempt to describe what homosexuality and homosexual acts entail. For instance, expressions such as “the unspeakable acts”, “the unnatural acts”, or even stating it as “acts too shameful or so bad to name” have always been

used in reference to homosexuality (Nyanzi and Karamagi 2015; Lunyiigo 2011; Faupel 2007). The ‘unspeakable and *undiscussed*’ frame in reference to homosexuality is related to the historical role played by early explorers and ethnographers. It cannot be overlooked that the works of early European explorers and ethnographers in Uganda and the rest of Africa became points of reference in generating knowledge on homosexuality (Faupel 2007, Tamale 2007b).

Early European explorers such as Richard Burton who also attempted to carry out geographical ethnographies on the prevalence of homosexuality exonerated societies of the African-south as having been merely introduced to the practice. In his work entitled *Terminal essay*, published in 1886 Burton states: “Roman civilization carried pederasty also to Northern Africa, where it took firm root, while the Negro and Nereid races to the South ignore the erotic perversion, except where imported by foreigners” (Burton 1886:222). Other studies such as that done by the renowned Catholic theologian and ethnographer John Faupel also frame the Ugandan society and those south of the Sahara as inherently devoid of homosexual practice. Rahul notes that Faupel’s study does much to “accord with a more general trope in the colonial archive of sodomy as endemic amongst Arabs but unknown in sub-Saharan Africa” (Rahul 2014:9). Richard Burton as well as John Faupel both suggest that historically, homosexuality was ‘unknown’ and only came to be known to the people of Uganda by introduction. This type of framing has continued to form a radical background even to contemporary arguments that view homosexuality as a foreign phenomenon in Uganda. This, combined with the derogative expressions attributed to the practice would most probably be one of the indicators as to why societies such as Uganda dominantly express hostility towards the practice. This particular framing therefore forms a favorable environment for the Ugandan society to revolt against homosexuality especially in incidences where the practice attempts to come out of concealment. A review of literature on the history of homosexuality in Uganda further suggest that early explorers and ethnographers did not act alone in disseminating knowledge on homosexuality but in close affirmations with the colonial government and early Christian missionaries.

One of the contributions of the British colonial administration and the early Christian missionaries in Uganda was to develop a certain feeling among the Ugandan society that homosexuality was absolutely unwelcome and rejected (Msibi 2011, Ward 2015). While the British colonial government declared the supposed homosexual acts as *unnatural* through the Penal codes, thus punishable by law, the Christian missionaries framed it as a *sin* and demanded acts of repentance (Long 2003, Ward 2015). Homosexuality was in this case well expressed as

a ‘vice’ from which the Ugandan society needed to be protected at all cost (Long 2003:256). One could then hold that the British colonial government was one of the powers that triggered a belief that it was not enough to simply disregard homosexuality, but necessary to establish formal legal frameworks against the practice (Msibi 2011:68; Asal and Sommer 2016:13). The implication of this was that homosexuality criminalization in Uganda gained a formal framework as well as a background of reference. This could have been assimilated by the Ugandan society. An explanation for this assimilation would be, that sodomy laws that had been introduced and supported by a colonial power had become friendly to dominant heterosexual norms of the Ugandan society. It is not surprising that contemporary arguments within the Ugandan society could easily refer to colonial sodomy laws and traditional Christian teachings as a reference for the continuous rejection of homosexuality. The aspect of rejection triggers a view that frames homosexuality as a rejected practice in Uganda.

### **3.3.2. Homosexuality the Rejected practice in Uganda.**

The frame of homosexuality as a rejected practice, is well placed in the Ugandan 19<sup>th</sup> century event in which Christian male converts were executed by their King, Mwanga II.<sup>15</sup> This event is one of the much cited in scholarship to argue for the historical presence of homosexuality in Uganda (Msibi 2011; Tamale 2007b; 2014b; Nyanzi and Karamagi 2015). Elsewhere, the execution of the Christian male converts who are said to have incurred the punishment for rejecting their Kings homosexual advances, has been used to argue that Christianity has always resisted practices such as homosexuality (Faupel 1984, 2007). In this, the study refers to the event arguing that it frames homosexuality as a rejected practice in Uganda. This argument will be discussed with regards to the coloration between the Martyrs and the King (Mwanga II) in light of homosexuality.

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<sup>15</sup> The King I refer to here by the name of Mwanga II and in the rest of the thesis is also known as Ssekabaka Mwanga II. He was a late 19th century king of Buganda kingdom. The kingdom of Buganda forms part of the present day Uganda. Mwanga II reigned as king between 1884-1886 and 1889-1897 (Lunyiigo, 2011; Faupel 2007)

### 3.3.4. The coloration between the Martyrs, Mwanga II and homosexuality

Firstly, it is important to understand who the Ugandan Martyrs are, and why are they called as such. The name ‘Uganda martyrs’ is a Christian based title given to a group of Ugandan Christian converts who were executed for defying the orders of their King in the late 19<sup>th</sup> century. About 45 Christian men of which consisted 22 Roman Catholics and 23 Anglicans were put to death and later came to be recognized as Ugandan martyrs. Ronald Kassimir writes, the “execution of Christians in 1885-1887 by the political leadership of Buganda, including both Kabaka<sup>16</sup> Mwanga II and Katikkiro (roughly 'Prime Minister') Mukasa, occurred within ten years of the arrival of the first Christian missionaries to Buganda in 1877” (Kassimir 1991:359). According to the story of Ugandan martyrs, it is held:

“He (Kabaka Mwanga II) became angry at the missionaries’ encouragement to the Christian page boys (known as readers) to refuse his homosexual advances. When he began to associate that refusal with disloyalty in foreign relations, he resolved to act. Mwanga II commanded that all Christian converts renounce their faith. When many refused to comply, he ordered that they be executed. One group—composed of Anglicans and Catholics—was burned to death in the place for the royal punishment of traitors at Namugongo on June 3, 1886. All of those executed became known as the Uganda Martyrs (Knighton 2015:428)

The aspect of Ugandan Christian martyrs, has in recent times taken a more emphatic explanation alongside the issue of homosexuality in Uganda. The prominent view is that: “young men who served as pages at the court of the Buganda King (Mwanga II) but who after their conversion refused to submit to the King’s sexual demand,...were then murdered in a massacre in 1886” (Van Klinken and Chitando 2016:4). This event that had taken place on 3<sup>rd</sup> June 1886 and is remembered annually, especially in Uganda, as a triumph of Christianity over calls to embrace homosexuality in Uganda. Christian leaders both local and foreign often use this story to teach rejection of homosexuality while referring to the Ugandan martyrs as models to be emulated (Faupel 1984; 2007, Rao 2015).

In 1964, Pope Paul VI while canonizing the Ugandan martyrs commended the Ugandan martyrs as heroes towards the fight against immoral practices such as homosexuality. In his homily, delivered on the occasion of canonization, the Pope described homosexuality as an “infamous crime”, “unspeakable”, rejection of which by the Martyrs demonstrated that “a new people

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<sup>16</sup> Kabaka is royal title among the Baganda of Uganda used for a King. In this work both titles, that is, king and Kabaka will be used alternatively to refer to the same.

needs a moral foundation, needs new spiritual customs firmly planted, to be handed down to posterity” (Pope Paul VI 1964). From the Pope’s expressions on the Ugandan martyrdom (in reference to homosexuality), it could be understood that there was a demonstrable conflict between homosexuality and Christianity. In this regard, homosexuality conflicted with Christian based principles of morality and was therefore considered to be immoral. A society that rejects homosexuality would in this case be a community of new people with moral foundations. On the other side, the society that condones homosexuality would persist as one that lacks moral foundations and spiritual customs. The Ugandan martyrs were thus presented as symbols and exemplars of moral- social order while those who practiced homosexuality as the King did, were perpetrators of immorality.

Early Christian missionaries demonstrated kinship when it came to documenting stories of early converts expressing how they rejected homosexuality. In the ethnological text *Black Martyrs*, Thoonen makes reference to the testimony of Andrew Kiwanuka one of the Catholic converts who happened to have survived the 19<sup>th</sup> century massacre of Christian men in Uganda.

At that time, the Kabaka [King] practiced the works of Sodom. Moslems and pagans were prepared to do those things with the king, but the Catholics absolutely refused. For that reason the Kabaka began to detest us, and deliberated with the pagans and Moslems about putting us to death, us the Catholics...with my own ears, I heard him [Mwanga II ] utter words of anger because the young Catholics refused to sin; I for one was often importuned by him but refused (Thoonen 1941:105)<sup>17</sup>

The historical testimony of Andrew Kiwanuka suggests that sodomy, which has been interpreted as homosexuality, was to be refused especially by those professing the Christian faith. The event of Ugandan martyrs has not been used by only religious leaders as a sign of rejecting homosexuality in Uganda. Politicians, too, have been vocal on the subject. According to Francis Kagoro, in 2010 the Ugandan president, while delivering his speech on the Uganda martyrs’ celebration (which occurs every 3<sup>rd</sup> June) asserted: “These young men (martyrs) stood for cleanliness, truth and righteousness, I hear there was homosexuality in Mwanga II’s palace. This was not part of our culture. I hear he learnt it from the Arabs. But the martyrs refused these falsehoods and went for the truth, which is why we are honouring them today” (Kagoro 2010). This is one of the suggestive positions which seek to present the aspect of homosexuality

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<sup>17</sup> The testimony is given by a Roman Catholic convert and seems to speak from a Roman Catholic point of view. However, it is not to state that only Roman Catholics were put to death as the martyrdom also included Anglican converts. I purposely refer to this work because it is one of the first studies done on the Uganda Martyrs, attempting to show how the execution of Uganda martyrs is linked to their rejection of homosexuality. This work has influenced subsequent key works for instance that of Feupel African Holocaust (1984; 2007) in which this subject is further detailed.

in reference to the former Buganda King and the execution of the 45 Christian men in Uganda.

The coloration between Martyrs, Mwanga II and homosexuality seems to be one of the existing operational frameworks through which homosexuality would be easily criminalized or rejected in Uganda. This operational framework could be further reasserted through an argument that Mwanga II practiced “un-natural acts”; that he often practiced the “un-natural acts” with the pages of the royal court; that when the pages were introduced to Christianity, they became ‘aware’ of the “so undesirable practice” and their incompatibility with the Christian faith to the extent that they rebelled against the King’s order which intended to force them to fall victim to the “un-natural acts” with the Kabaka (Van Klinken and Chitando 2016:198; Mubiru 2012:105; Hoad 2007:1). The argument has also been used to authenticate the assumption that homosexuality has always been rejected by certain members of the Ugandan communities especially as far as Christianity is concerned. It is important to note that while attempting to establish the influence of the AAEs towards the legislation of the 2014 AHL, there is a need to consider the coloration between the Martyrs, Mwanga II the 19th century Buganda King and homosexuality, and its implication in the debate. This coloration seems to be an historical power of influence in the Ugandan society that continues to regulate perceptions towards homosexuality and its practice in Uganda.

The history of homosexuality has attempted to dominantly present the practice as a battle ground between the Buganda King and the Ugandan Christians of the 19<sup>th</sup> century. This creates an atmosphere of rejection towards homosexuality rather than tolerance and acceptance. By centralizing homosexuality claims against the person of Mwanga II without extending it explicitly to his subjects, could imply that homosexuality was a one-man conceived or acquired practice, rather than a culturally lived or tolerated practice. In other words, even though this aspect has been used to justify the presence of homosexuality in the Ugandan society, the study argues that it conceals the discourse from the society as it focuses on the person of the King. This also insinuates a belief that, other than Mwanga II, his subjects were not necessarily practicing homosexuality, which in itself frames homosexuality, a rejected practice. This observation is reinforced by claims made by Harry Johnston as quoted in Hoad’s work, concerning Mwanga II with regards to homosexuality and his subjects: “Perhaps he might still have been King had not his vicious propensities taken a turn which disgusted even his negro people...” (Hoad 2007:5).

Sir Harry Johnston’s assertion presupposes that the King and his people had different perceptions over homosexual practices. While the King apparently ‘embraced’ the practice and

attempted to lure some of his subjects into it- as it is argued- the practice was perceived with contempt by his subjects. This creates a paradoxical frame.

### **3.3.5. Practiced by the King yet denounced by his Subjects, a paradox.**

It is important to analyze what implication the claim possesses- that the King practiced homosexuality yet his subjects are loosely mentioned to have practiced it in similar terms and passion. This unfolds an irony where a King would revere a practice, yet the same practice is covered up, rejected or despised by his subjects. This would contradict the dynamics of power and influence between the King as a ruler and his subjects. In many monarchs, for instance that of Buganda in Uganda, traditional kings were believed to possess unquestionable authority, enough to influence the subjects. John Faupel notes that the “The only limitations to his power lay in the sacrosanct customs established by his ancestors and handed down to him but if these acted as a check upon the King himself, they were at the same time a motive for loyalty on the part of his subjects, over whom the King claimed absolute and complete authority (Faupel 2007:10)”. Given the enormous power for the King as Faupel documents, what could have hindered an expression of this practice within the entire kingdom, other than remaining within the corridors of his palace, with some chiefs and pages? In fact, to the extent that chiefs practiced homosexuality, is also limited to the extent that those chiefs in question were initially pages introduced to the practice in the palace (Nanyonga, 2005:217).

A theoretical view on power and influence holds that “leaders not only tell their subordinates what to do by way of command but also influence their behavior and conduct” (Tripathi and Reddy 2006:287). To some extent therefore, we could hold that the King’s homosexual tendencies would automatically be instructed to his subjects. In such a scenario, one could ask if it was possible for the Subjects to dishonor a practice of their King without contradicting the order of the norms. While this analysis does not intend to deny the practice of homosexuality in society, it nevertheless attempts to highlight that an exceeding emphasis on the matter in the palace, without a balanced exploration of its practice beyond the palace, raises significant questions.

Given that the pages resisted homosexual tendencies only after being introduced to Christianity, could it be possible that without the influence of the Christian religion, the practice would never have been publicly noticed or even condemned in Uganda? This triggers some

implications in light of contemporary quests on homosexuality criminalization in Uganda. If we argue that foreign religious views of Christianity on homosexuality played a role in influencing the pages' attitudes towards their King over homosexual tendencies, to what extent then can the same religious views, preached by foreign Christian pastors such as the AAEs be exempted from influencing the local people's attitudes towards homosexuality today? It is important to note that only after the introduction of Christianity and the sodomy laws in Uganda do the history of radical rejection of homosexuality emerge in Uganda. The originally tolerated and somehow invisible practice gradually became intolerable since it was argued to contravene the Christian doctrine of marriage and sexuality and the colonial sodomy law. The AAEs in this case seem to have an advantage provided by the historical events in which Christianity played a considerable role in influencing the local people over the practice of homosexuality. In this case resisting the AAEs message on homosexuality would be less unlikely especially if presented in a manner that frames homosexuality as did the traditionally held Christian teachings in Uganda. It can be argued that a continuous presentation of the case of Ugandan Christian martyrdom, as a defiance against homosexuality by Christianity, does not only favor the AAEs to campaign against homosexuality but also the local people who view homosexuality as immoral. Although, reference to the event of Ugandan martyrs and Mwanga II has been used to frame homosexuality especially from religious circles, the Ugandan public seems to use additional approaches in order to frame the practice of homosexuality and its presence in Uganda. This is more demonstrable in a period which can be described as the "out of the closet" period.

### **3.3.6. Homosexuality 'Out of the closet'.**

The phrase 'out of the closet' is popularly used across scholarship to denote a change in the status quo from silence to assertiveness. Sylvia Tamale has used this phrase in her work to explain how the discourse on sexuality in Uganda has in recent years become a public concern; The scholar acknowledge how in recent years the discourse of homosexuality has attracted debate through various media platforms such as radio stations, Newspapers, street talks, as well as parliament deliberations (2007a, 2007b). While the period before the last decade of the 20<sup>th</sup> century had been characterized with an enormous cloud of silence on homosexuality, recent years have been the opposite (Tamale 2007b). It should be noted that in the last decade of the 20th century sexual minority groups began demanding recognitions of their identity (Tamale 2007b). As this demand intensified, Anti-homosexuality campaigns gradually became popular



in the Ugandan society. Homosexuality gradually surfaced as a topical subject within religious spaces, among politicians and more scholarship on the subject gradually increased (Ward 2002; Mirembe 2002; Ward and Hassett 2007; Tamale 2007a; Mirembe and Davies 2001). Homosexuality thus became a combative subject between pro- homosexual camps and anti-homosexual camps (Nyanzi 2013a, Jjuuko 2013).

In exploring this development the study made an analysis on selected Print Media articles in order to understand how the society continues to frame homosexuality amidst the dominant publicity the subject faces today. This analysis is motivated by the fact that the media, unlike the Church and political spaces, has been one of the most open spaces through which common people have expressed their opinions on homosexuality. The study develops the analysis from Sylvia Tamale's edited book "*Homosexuality perspectives from Uganda*" (Tamale 2007a)<sup>18</sup>

### **3.3.7. Perspectives on Homosexuality in selected Ugandan Print Media.**

Tamale's work documents "a wide-ranging and panoramic collection of articles that have appeared in the Ugandan print media" from 1997 to 2007 (Tamale 2007a: ix). One of the contributions of this book -and why it was selected for analysis- is that it presents a collection of various views on homosexuality as expressed by Newspaper columnists between 1997 and 2007. The articles presented in this book contribute to the perspectives of homosexuality in Uganda prior the coming of the AAEs in 2009. The book presents 86 articles.<sup>19</sup> Of these, 57 are direct print media articles while 29 are commentaries. Although all the 86 articles in this edited volume were thoroughly read for analysis, some were excluded. Particularly, the study was interested in articles whose authors wrote from a Ugandan context whilst expressing personal views on homosexuality and demonstrating signs of being Ugandans. Articles written from the Ugandan context but not necessarily addressing the issue of homosexuality *per se* were excluded. Further, articles written by foreign authors outside the Ugandan context, even though they reacted to the same debate, were not considered. Similarly, articles from foreign media sources that had no author identity were excluded. In the final breakdown, 53 articles

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<sup>18</sup> This book doesn't claim to have covered "everything that has been written on the topic. Rather, it is a selective compendium of newspapers articles from the two biggest English dailies (New vision and Daily monitor) ranging from opinion pieces, letters to the editor, news reports and comments that have appeared in the press over this ten year period" (Tamale 2007a:ix)

<sup>19</sup> Neither do I nor the author of the book attempt to claim that only 86 articles were written from 1997 to 2007 on the subject of homosexuality. However, the number of articles covered in this book is considered sufficient to contribute to our inquiry on how the Ugandan public perceived of homosexuality in the preceding decade prior the 2009 AAEs' conference.

were picked for analysis in this part of the chapter.

The authors through their articles were exposed to specific questions in order to explore their understanding of homosexuality and how they locate the issue of homosexuality in the Ugandan context. These questions were specifically pre-constructed before the articles. The table below shows the questions to the selected articles. The goal is to explore the authors' perception of homosexuality, its practice and presence in Uganda.

**Table 1.**

<i>1. What is your understanding of homosexuality?</i>
<i>2. What do you believe of homosexuality practice and its presence in Uganda?</i>
<i>3. What reasons do you have for holding such a view on the practice of homosexuality in Uganda?</i>
<i>4. In your opinion do homosexuals have rights and how should the Ugandan public handle the issue of homosexuality?</i>

### **3.4.1. Findings of the inquiry.**

The findings generated four themes which are presented and discussed. These themes included: Homosexuality is accorded diverse interpretations and meanings; Homosexuality, a myth and dangerous phenomenon; Foreignness of homosexuality versus non-foreignness of homosexuality; A Limit to Human Rights when it comes to Homosexuality.

#### **3.4.1.1. Homosexuality is accorded diverse interpretations and meanings.**

The attempt to express the meaning and understanding of homosexuality was made by 20 authors in the sampled articles. Authors in 33 other articles did not express what they understood by the term homosexuality from any point of view even though they wrote about it. The findings here indicate that the number of those whose articles avoided expressing an understanding of homosexuality is greater than those whose articles attempted to express it. This indicates a state of silence on the subject of homosexuality especially when it comes to the question "What is homosexuality or what do you understand by homosexuality". It further indicates a possible lack of interest in describing the phenomenon at a deeper level. One can further state that in terms of explaining what homosexuality is, the Ugandan context would most probably expose possible ignorance as opposed to awareness. This confirms previous

studies which indicated that the aspect of homosexuality in Uganda is still shrouded by a cloud of silence which hinders open engagement. (Tamale 2007a; Jjuuko 2008).

From the responses that have attempted to state an understanding of homosexuality, there exist a diverse interpretations and meanings accorded to homosexuality. From the responses, homosexuality is described as a vice, a crime, a prohibited activity, a misrepresentation of scientific studies, a myth, a practice associated with promiscuity, as well as a developmental disorder (Buturo 2007:34; Byamukama 2007:76). It is further described as a different orientation, an alternative lifestyle, unnatural condition, and a universal vice, a serious threat to morality, an abnormality, and a disgusting practice. The moral code of the Ugandan society is thought to be in contrast with the life style of homosexuality. Responses therefore use categories of religion, culture and law to describe homosexuality as unacceptable. These responses suggest a derogative understanding of what homosexuality is.

Many of the given responses do not intrinsically define what homosexuality is, rather, there is a significant reliance on a descriptive approach and what homosexuality is believed to be associated with. For instance, Joseph Byamukama states “homosexuality is a developmental disorder” (2007:79). But Moses Kasiibayo claims “it [homosexuality] is a disgusting... a serious threat to morality, [an] abnormality, we have to stand firm and condemn” (Kasiibayo 2007:121). For Joanne Oparó homosexuality is a behaviour adopted by people “simply by the absence of the opposite sex in close vicinity for long period of time, others just playfully for the fun of it once expecting to never venture again, only to realize that the desire triggered by the hormonal system is recurrent and so they find themselves hooked to it” (Oparó, 2007:87). These diverse understandings of homosexuality suggest that knowledge on homosexuality is characterised by ambiguity. The lack of a common understanding of what homosexuality entails, also indicates conflicting worldviews on homosexuality. Also, it indicates a gap which could be easily exploited by an authoritative intervention such as that of the AAEs which would seek to teach, clarify and develop new knowledge regarding homosexuality. This gap exposes Ugandan society to other forms of knowledge which attempt to suggest a universal approach towards homosexuality. On the other hand, the gap remains the same for the AAEs, a tool that justifies the necessity of intervention to teach, warn and clarify the ‘unknown’ knowledge regarding homosexuality.

The ambiguity in naming and explaining the aspect of homosexuality in Uganda which in turn seems to be a tool for exploitation by the AAEs, is in itself an indication of how language plays in framing homosexuality in Uganda. Based on this, it could be argued that knowledge on

homosexuality and its implication in Uganda, needs to pay attention to how the phenomenon of homosexuality has been historically defined under diverse linguistic representations. These linguistic representations on homosexuality have been notably used and reinforced by scholars, institutions and individual elites to maintain certain degree of influence. Frances Gouda has rightly argued, “[w]hether we call it discourse, rhetoric or semantics, the use of certain kind of language matters...Linguistic statements often imply judgements about the social identity of a particular human being or a group of people. (Gouda, 1999:163). Through linguistic expressions homosexuality as reality is named.

It should be noted that a particular form of linguistic expression suggests and informs a certain kind of meaning. This is not foreign to how we come to understand the environment around us. As Gyaviira Kisitu states, “Our environment is known to us insofar as it is named. This means, as we may argue, that what is not named remains meaningless. Given that naming confers order it carries a certain power through which our social constructs are communicated as meaningful in their diverse realities” (Kisitu 2015:108). When it comes to the question of naming and framing the term, homosexuality, various actors such as: colonialists, missionaries, Ugandan political and cultural elites, Ugandan scholars as well as the public, play an active role. These groups have all attempted to study, talk about, and explain the aspect of homosexuality. It is important to note that in all these attempts, particular words are selected and used for homosexuality, sometimes rhetorically. The intention has always been to communicate a certain kind of worldview about the subject but also “to persuade audiences to accept” that particular construction (Winton 2012:159).

The language employed by the British colonialists, as well as Christian religious organizations to explain or describe homosexuality can also be categorized as that which intended to develop in its audiences predetermined knowledge. Historically, early Christian teachings in Uganda have tended to associate the practice of homosexuality with disgrace (Faupel 1984). Its avoidance and condemnation from the side of the believer, was therefore seen as heroic as in the case of the Ugandan Martyrs (Faupel 2007). In this case therefore, same-sex relations would be understood to have been under the same frame as other grave sins such as murder or adultery. As such these Christian worldviews communicated to the public, intolerance towards homosexuality. Therefore, if one went ahead to practice homosexuality he or she would be compromising his or her relationship with God. In this sense, to go ahead to practice homosexuality- yet it has been framed to be in contrast with God’s command- would be unthinkable. Here the study concurs with Thabo Msibi who holds, “Religion, both Christianity

and Islam, has served to deny and place in question the morality and existence of same sex relations. God becomes a perfect tool to silence indigenous same-sex practices, and, after all, who wants to go against God?” (Msibi 2011:68). It is common not only in Uganda but also as the case may be elsewhere in other African societies, to use the tool of religion and religious gatherings in order to frame homosexuality as an “abominable vice”, “sexual perversion”, “unnatural passion”, or to describe it as “works of Sodom” (Buturo 2007: 34; Kasiibayo 2007:121). Generally, individuals believed to practice homosexuality have been historically categorized as shameful and immoral. This swiftly renders the understanding of homosexuality, as equally a shameful immoral act (Rahul 2014:2; Guma 2016:199). Related to the diverse interpretations and meanings accorded to homosexuality, is a description of homosexuality as myth.

### **3.4.1.2. Homosexuality, a Myth.**

Although the term myth is “prone to many definitions and interpretations as there are myth analysts”, it is used in this sense to represent stories, tales described with a contemptuous attitude that “deny them any truth-value” (Udefi 2012:3). From this point of view myths are believed to lack any proven reference to facts on reality. From a Ugandan perspective, homosexuality is one of the discourses claimed to be spoken of in mythical terms with many of its concepts dismissed as delusional (Tamale 2007a). The ‘myth frame’ on homosexuality exists in various voices that attempt to dismiss each other as untrue. This successfully locates the alternative voice as a myth along with any knowledge on the reality it attempts to represent. For instance, Joseph Byamukama raises an inquiry on the claim that homosexuality is inborn: “Is homosexuality an inborn and normal variant of human nature? No. There is no evidence that homosexuality is simply ‘genetic’...Homosexuality is a developmental disorder” (2007a:75-76). Similarly, Mucunguzi asserts, “It is not true that homosexuality is an inborn orientation that results from genetics...research disapproves it” (2007a:66). These voices tend to dismiss the directly opposite views, as myths. Among the dismissed views are those that attempt to explain homosexuality on equal terms as heterosexuality. This perspective, dismisses a proposition that homosexuality is a sexual orientation and that it is based on scientific findings. Such a proposition is quickly suppressed as a myth and a sickness (Tamale 2007a:107). The analyzed print media indicates that the majority of contributors dismiss homosexuality as a myth insofar as it is claimed to be an orientation or natural and not a

sickness (Semugooma 2007:74-83; Tamale 2007a). But the aspect of myth especially when used on the aspect of homosexuality can be seen as a tool employed by cultural worldviews to block alternative information on homosexuality. It is a frame that attempts to present the aspect of homosexuality as one that can never be positively and scientifically acceptable in the Ugandan society. Further, from a cultural point of view, the myth attributed to homosexuality can be seen as an attempt to restrict the matter from public interest. In fact, it would be unproductive for people to spend time in discussing a phenomenon framed as a myth. In this case the 'frame of myth' neutralizes any vigorous attempts by the public to discuss the subject of homosexuality. Describing homosexuality as myth is seen in this sense as an existing medium of control within the Ugandan society. It can be argued therefore, that insofar as knowledge on homosexuality continues to be associated with myth, people would stay uninformed of alternative discussions on homosexuality. There could be a possibility for members of society to claim ignorance on the subject especially where they are probed to present their view. Framing homosexuality as a myth can be further explained as a product of "sexual politics" in Uganda (Tamale 2007b; Tamale 2007b).

### **3.4.1.3. Homosexuality, opposite to normative lifestyle.**

Sexual politics in Uganda, of which the discourse of homosexuality is part and parcel to, is generally "enshrouded in secrecy and taboos" (Tamale 2007b:18). Restrictions on engaging openly on sexual-related talks are restricted and placed under surveillance, not only by strict cultural norms but also by the "use of the law to prohibit all 'sex outlaws' in the social ghettos of society" (Tamale 2007b:18). Tales on homosexuality are often embedded in opposites. These opposites contribute to viewing homosexuality as intrinsically opposed to normative sexuality. To claim a 'normative' sexuality is equally to reassert that there exists a certain criterion where the normative is distinguished from the 'Other'. This has exposed what Oloka-Onyango confirms as sexual hierarchy that exist in the Ugandan context (Oloka-Onyango 2012:20). This hierarchical scale defines which sexual act is morally acceptable and which is considered disgusting. The hierarchical scale tend to frame "same-sex- erotics...and other sex, [to be] outside the heteronormative marital bond...morally reprehensible" (Oloka-Onyango 2012:20). Therefore, it can be stated that a public view of homosexuality in Uganda would most probably be influenced by an existing hierarchical scale in the society which defines sexual acts. The question here would be, how did this experience contribute the legislation of

the 2014 AHL?

The findings in the analyzed print media suggested that homosexuality is framed as an unfriendly sexual activity, which is dangerous to the Ugandan society. In many Ugandan communities where homosexuality has been argued to have existed, explanations regarding its existence are often done with prejudicial connotations. The Lango and the Karamajong people in Uganda are among the ethnic groups, some of whose members have been identified with the practice of homosexuality (Tamale 2007a). Murray and Roscoe's suggest that in some Ugandan societies, reference to the practice was associated with certain degrees of prejudices and shame (1998:35). In these communities, narratives on homosexuality practice suggest that homosexuality was regarded a practice not to be engaged in by a man especially if there was an eminent presence of women. Such men who nevertheless go ahead to have sexual relations with fellow men despite the presence of women would be regarded foolish. This would be to act contrary to the expected norm (Bryk quoted by Murray and Roscoe 1998:35). Homosexuality has further been framed in relation to the aspect of child bearing.

#### **3.4.1.4. Homosexuality and Childbearing.**

Otiso and Kawuki both writing from the Ugandan context present the aspect of childbearing as one of the definitive aspects of a fruitful marriage in many Uganda societies (Otiso 2006: 81-98; Kawuki 2006: 169-178). Otiso remarks, "society placed a premium on children (especially males) because of their importance in the social support system, especially in old age" (2006: 83). Productivity in terms of childbearing was considered as one of the key elements that conferred individual identity. Therefore, to practice homosexuality in some societies was seen as an unfortunate activity. For instance, among the Lango of Uganda, homosexuality was explained as a result of impotence which is an obvious impairment to reproductive ability (Murray and Roscoe 1998:34). Given the attention put on the aspect of childbearing as a continuation of family lineage, homosexuality which is believed to offer no childbearing, would therefore incur biased recognition.

The fear of switching gender roles in case of two men in an intimate relationship and the biological barrier of bearing children to demonstrate one's fruitfulness to the community could not be contemplated for public appraisal. In some incidences, where married couples failed to have children, it was never taken lightly by the community. Some societies would speculate upon it as an indication that the ancestors or the gods were not happy with someone or appeased

by what is going on in a particular family. Anything that barred the bearing of children was thought to be a curse which called for special atonement.

Therefore, to associate homosexuality as that which blocks this privileged experience of life, (childbearing) is to confirm how dangerous the phenomenon is thought to be among societies in Uganda. In other instances, the practice of homosexuality has been categorized as harmful to society.

#### **3.4.1.5. Homosexuality as harmful.**

In the Ugandan society, the harmfulness of homosexuality is associated to its failure to guarantee the continuation of life. Matolino observes that in many African societies “it can be plausibly inferred that abstinence from participating in the ultimate act of creating life itself is harmful to society, as it effectively threatens the natural rhythm of life and the very prospects of life” (Matolino 2017:71). Therefore, it could be said, that advocating for heterosexual relationships while framing homosexuality as harmful, can be seen as a strategy to preserve communal identity. To further emphasize the harmfulness of homosexuality to society, communities have used specific choice of phrases. Terms such as ‘the unspeakable sin,’ ‘a sexuality out of order,’ ‘an abomination’ ‘vice’ are common in emphasizing homosexuality as dangerous (Tamale 2007a). This of course, seems to imply certain consequences. Among the eminent ones, is to suggest that heterosexuality other than homosexuality ought to enjoy society’s recognition (Nyanzi and Karamagi 2015:37).

The supposed harmfulness of homosexuality is expressed by derogative terms in reference to the sexuality of King Mwanga of Uganda. King Mwanga II’s sexuality has come to be broadly represented as an ‘out of order sexuality.’ His sexuality was against the normalcy. For colonialists, explorers and Christian missionaries Mwanga II’s sexuality was questionable and harmful. Mwanga II’s sexual conduct was referred to as that which perpetuated a “vice of sodomy (Faupel 2007). The term sodomy which is mostly used in religious literatures, describes the practice of homosexuality in contrast to the moral teachings of society and the Bible. To speak of sodomy, as Miti’s assertion is quoted in Rahul, is to refer to that “immoral habit, a Sin against nature, dirty game” (Rao 2014:189). Therefore, it could be argued that associating homosexuality with derogative terms and phrases, is an attempt to express how harmful and deadly homosexuality is thought to be for the community. The prevailing insistence on homosexuality as harmful and dangerous, coupled with a claim of myth has given



rise to two opposing themes: foreignness of homosexuality versus non-foreignness of homosexuality. This is further discussed in the following section.

#### **3.4.1.6. Foreignness of homosexuality versus non-foreignness of homosexuality.**

The responses indicate a dominating belief that homosexuality is a western ‘thing’ other than a Ugandan ‘thing’. One author states,

...Uganda is under a highly systematic homosexual invasion, orchestrated by powerful forces in the American and European capitals that wield political and financial muscles... homosexuality has been around for some time in this country but as an exception to the general rule; committed in secret places by people too ashamed to be known... it has been kept at bay, not by Uganda’s strict legal regime on the this subject, but by the unwritten law of the land”... Many donor agencies, loaded with millions of dollars, are looking for Non-Governmental Organizations to fund. Initially they will offer to fund innocent programs but on condition that the recipient NGO must promote homosexuality, under the guise of human rights” (Tegulle 2007:137-8).

Similarly, another author writes,

“And in discussing this issue I am concentrating purely on the Ugandan context. Let us look back in time a little. This thing called homosexuality is an imposition on us. It was never African; it is a foreign culture...This whole concept of gays is just not in our culture, though some say -without due evidence- that one or two of our many kings I will mercifully leave nameless, used to have their own “boyfriends”. But even then, history suggests that it is an influence brought in from the outer world; it is not native” (Karoo 2007:99-100).

It has been noted that there were strong beliefs within the Ugandan society that sought to alienate the Ugandan community from the experiences of homosexual behaviours prior the coming of foreigners. Such beliefs exposed a confrontation between the Ugandan social-cultural traditions and the outside world. By calling homosexuality an “imposition on us” indicated a tendency to view homosexuality in Uganda as an aspect of colonialism or foreign domination. This would mean that insofar as homosexuality was entertained, the society would have never got rid of colonial tendencies. Further, to resist homosexuality would have been interpreted as a post-colonial strategy to reaffirm the society’s responsibility to defend what it called ‘our culture’. Another aspect that emerges is the link between homosexuality and the

aspect of migration. According to some authors, the Ugandan society has experienced a migration of people who among them are homosexuality advocates. It is argued that the migration of people from different nations bring along foreign practices and traditions that often find way into the social, political and cultural contexts of the Ugandan society. “The truth is that apologists of this vice [homosexuality] have been working hard, penetrating our society, going to schools and other institutions of learning. We suspect that they feel it is about time they became more open than they have been” (Buturo 2007:35). But not all authors suggest this view over homosexuality presence in Uganda.

While some voices have been preoccupied with denouncing homosexuality as a foreign imposition, that ought to be denounced at all cost, some other voices have been skeptical of that position. These tolerant voices lay their claims from a number of points of view. One of these views is that which appeals to history and how homosexuality has been perceived not only in Uganda but globally. Sylvia Tamale is one of the Ugandan scholars that have come to raise a critical inquiry into those voices which denounce homosexuality from the Ugandan context. Tamale for instance makes a radical reference to her research work on the subject of homosexuality: “My research has also revealed that homosexuality is in fact not an imposition from the West as many would have us believe, but rather that it has historically been practiced globally. Same sex partners have been found to exist among many indigenous African communities” (Tamale 2007b:107). She further adds to the debate by stating her experience:

I have met many Ugandan gays and lesbians who have never had any form of interaction direct or indirect) with whites. Some organizations, such as the Gays and Lesbians Alliance (GALA) have members throughout rural Uganda. A good number are non-literate or semiliterate. It is quite clear that whether they arrived at their homosexuality through "nature" or nurture"... in determining their sexuality. When we turn to the past, we find that, contrary to popular belief, homosexuality in Uganda predates colonialism and other forms of subjugation (Tamale 2007a:18).

Additionally, Adrian Jjuuko states “homosexuality is not western. It is simply historical. It may as well be part of our culture” (Jjuuko 2007:134). Val Kalende goes further to claim that it would be wrong to restrict the practice of homosexuality to any region or society. In fact, the author seems to hold that it would be delusional to even state that “homosexuality is a western, African, or an Asian practice” (Kalende 2007:147). Kalende is convinced that “it [homosexuality] is a human sexual preference practiced by all races and peoples across time and space” (Kalende 2007:147).

The views suggesting the foreignness or the non-foreignness of homosexuality in Uganda seem to be a consequence of an existing contention as to whether Ugandans identified themselves with the aspect of homosexuality or not. It appears that prior to the coming of the AAEs in Uganda the debate on how Ugandans identified themselves with homosexuality was already in progress. The questions that seek to affirm or to deny the presence of homosexuality in Uganda seem to have attracted much attention by the beginning of the 21<sup>st</sup> century (Ssebagala 2011:52; Tamale 2007b:18). It can be noted that this period also saw increasing attempts to alienate Ugandan societies and traditions from homosexuality (Nyanzi 2013a). In fact, scholarship has shown a view that dislodges homosexuality from any historical associations with the ethnic groups of people and appears dominant than other views that challenge this position (Nanyonga 2005; Nyanzi 2013a, Nyanzi 2013b). This locates the 2014 homosexuality criminalization in Uganda within a history dominated by denials, that is, with regard to the homosexuality presence in Uganda. This however, does not seem to be by chance but something related to how the discourse of homosexuality was presented by earlier ethnographies.

Charles Lwanga Mubiru shows how early Ugandan ethnographies attempted to claim the ‘importation’ of homosexuality into Uganda. He suggests that Ugandans only acquired it as a consequence of cross-cultural or state migration (Mubiru 2013:93). In his work, he quotes Apollo Kaggwa (1864-1927) a former Prime Minister of Buganda Kingdom as one of the early Ugandan ethnographers who claim that Arabs are responsible for homosexuality in Uganda. Kaggwa asserts that “these Arabs introduced into our country, along with numerous disorders, an abomination which we had never practiced and which we had never heard spoken of” (Mubiru 2013:93). Associating homosexuality with the coming of the Arabs in Uganda has been most prominent. Joseph Faupel, a historian and theologian affirms with a similar view:

Shortly before the middle of the nineteenth century, Buganda’s isolation from the outside world was broken by the visit of the first Arab, the Sheik Ahmed-bin-Ibrahim...Other Arabs followed...The accusation has been made that the Arabs introduced into Buganda a vice which was completely unknown before and for which no word existed in language, the vice of homosexuality or sodomy (Faupel 2007:18; 1962:9).

In discussing the foreignness of homosexuality in relation to the Arabs, there has been a reference to the way in which homosexuality is dominantly known in Uganda. Homosexuality is generally called *bisiyaga*. The term *bisiyaga* is mostly used within the Buganda region to stand synonymous with the biblical word *Sodomy* which is presumed to be the other name for

homosexuality (Nanyonga 2005: 214). According to Muhammed Kiguddu a specialist in Arabic as Nanyonga affirms, “the root word for *bisiyaga* is ‘*siag*’ in Arabic...In Arabic anything which man [human person] does against nature as per the creation of God or Allah is *siag*; that is doing something which is unnatural and ungodly” (Kigundu in Nanyonga 2005: 214).

The contention comes when the root word for *bisiyaga* is claimed to be Arabic and thus the argument: the reality communicated through the term *bisiyaga* is automatically foreign. The very wording of homosexuality as *bisiyaga* is used as a persuasive tool for the public to believe that homosexuality is an import to Uganda. The 2005 study by Nanyonga Sylvia revealed how powerful the term *bisiyaga* is in influencing the public view of homosexuality. According to her study, “a number of informants argued that homosexuality must have been introduced by the Arabs since its root word ‘*siyaga*’ [*siaga*] is of Arabic origin” (Nanyonga 2005:214). Although scholars such as Nanyonga have maintained in this case that it is not arguably sustainable to claim that homosexuality is foreign to Ugandan contexts basing of the term *siaga*, the study would argue that this very word and the contention around it, demonstrates a power capable enough to order and re-order the understanding of homosexuality in Uganda.

Apart from the influence of the term and its reference to Arabs, early Christian missions also documented statements which suggested that homosexuality was an import to the region we call Uganda today. One of the first catholic missionaries to open a catholic mission in Uganda, Pere Simeon Loudel, once spoke of the influence of the Arabs upon the Baganda of present Uganda. He stated, “If we are to accept the statements of trustworthy people, the Baganda had more normal and simple customs before the coming of the Arabs and their followers. It is they who initiated these poor people of central Africa into their infamous practices...” (Faupel 2007:19). These claims seem to suggest that homosexuality and its practice prior the coming of the Arabs was inexistent among the Baganda.

This narrative of alienation is not just a phenomenon of past ethnographies but continues to be echoed within the present perspectives on homosexuality in Uganda. Political leaders and some religious authorities have from time to time expressed opinions in which they frame homosexuality as a foreign practice to which the Ugandan public fall victim (Mubiru 2012; Guma 2016).

To some extent, and as Stella Nyanzi rightly argues, these political, religious and cultural leaders have often expressed contradictory messages. Such messages swing from complete

denial of homosexuality in the Ugandan society to claims that it was never tolerated even though it may have existed before the coming of foreigners (Nyanzi 2013a:16). In 1999 while President Museveni presided over the opening of an international workshop on Reproductive Health and Reproductive Rights, he appeared to testify to the fact that homosexuals were present in Uganda (Ward 2006:134). Despite indicating the existence of homosexuals within the Ugandan society (not necessarily from outside) he nevertheless changed his tone while attending as an International AIDS Conference in Durban-South Africa. In this conference he denied the existence of homosexuals in Uganda (Nyanzi 2013:17a). The fact that the discourse on homosexuality is engaged with frameworks of denial, from historical records to contemporary arguments as those made by politicians, creates favorable conditions for its criminalization. For both the Ugandan society and the AAEs, these frameworks are influential tools which could be used towards homosexuality criminalization. While for the Ugandan society they may serve as evidence for rejection of homosexuality, for the AAEs they serve as factors that make their message relevant to the people of Uganda. Another probing theme arising, is the aspect of human rights and homosexuality.

#### **3.4.1.7. A Limit to Human Rights when it comes to Homosexuality.**

In the analyzed print media, the aspect of human rights in relation to homosexuality and homosexuality criminalization has been highlighted as a point of contention between pro-homosexuality voices and anti-homosexuality voices. Before presenting what these voices argue, with regard to human rights and homosexuality, it is important to revisit what we consider as human rights. According to the Office of the United Nations High Commissioner for Human Rights (OHCHR), human rights are defined as those “rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status” (OHCHR 2017). This body further states that “[w]e are all equally entitled to our human rights without discrimination” (OHCHR 2017). The aspect of homosexuality criminalization has been seen globally as that which fails to recognize human rights, especially the rights of sexual minorities. Countries such as Uganda have, to an extent, been upholding anti-homosexual laws and openly denouncing homosexuality (Rao 2014:72-74). In fact, it is said that Uganda has been elevated to the level of “The world’s worst place to be Gay” (Mills 2011).

Findings from the analyzed print media indicates that while some authors believed homosexuals have rights, others suggested the aspect of rights sends confusing signals when it includes homosexuals along with heterosexuals. In others words, while human rights are unlimited to heterosexuals, when it comes to homosexuals, they get limited. But how is the concept of human rights interpreted in the Ugandan context with regard to homosexuality? Oloya Opiyo, for instance states, "...I believe that the gay and lesbian's struggle is very much a human rights issue that ought to be taken up by people who believe that no human being should live under oppression" (Oloya 2007:120). Caroline Tushabe in her article also asserts, "When we go around denying existence of homosexuality, denying human rights to people who identify as homosexuals, we are actually showing the depth of our own fear of people who identify as homosexuals" (Tushabe 2007:74). The voices for homosexual tolerance and recognition of right to homosexuals takes a minority position as compared to the voices which challenge homosexuality as an issue to be considered under human rights.

In an interview with a Ugandan journalist, Nsaba Buturo the then Minister for Ethics and Integrity, asserted that "Human rights must have a limit and it is part of a society to decide what its values are and sticking to those values steadily" (Buturo 2007: 37). Similarly, an Evangelical Pastor Martin Ssempe- while responding to the Director of Lesbian, Gay, Bisexual and Transgender Rights program at the human rights watch- retorted:

Your letter also asserts that homosexuals are entitled to certain "rights" and that these "rights" are being violated by the enforcement of our laws. We reject this assertion as it is obviously based on the false assumption that homosexual individuals are somehow "born that way" and that homosexuality is innate and immutable and therefore are entitled to special rights ... what you characterize as "harassment" of homosexuals or "threatening statements" by high government officials is in reality nothing more than the enforcement of the laws of our country prohibiting homosexual activity. These laws reflect our culture and the sentiments of the vast majority of our people. As a sovereign nation, we not only have the right, but also the obligation to enact laws that are supported by the vast majority of our people and reflect our culture and these values (Ssempe 2007:42-43)

Moreover, one author writes, "why should homosexuality be treated 'humanely' when the practice they are encouraging is inhuman? Homosexuality is abhorred worldwide, although the so-called 'developed countries' call it a 'human right'. What an insult to human reasoning...Homosexuals have nothing to offer society...If we do not condemn this western

moral decadence, we shall be in trouble” (Kasiibayo 2007:121-122). The two opposing sides on the question of rights to homosexuals demonstrate an existing confrontation between the pro-homosexual camp and the anti-homosexual camp. This existing state of confrontation could have been a rich ground for the AAEs to establish their anti-homosexuality message with support from the local anti-homosexuality views. It appears from the analysis, that before the coming of the AAEs, State authorities had already started expressing intentions to support new forms of homosexuality criminalization. A State Minister for Youth and Children Affairs, James Kinobe, back in 2007, was quoted to have referred on how the government of Uganda was considering to come up with a “Bill which will handle lesbianism, and homosexuality” (Businge 2007:44). In anticipating the outcome of this Bill, Minister James Kinobe stated “The government was not planning to let homosexuality spread without proper legislation. The Bill will help determine how we can handle such cases: we are going to do consultations before tabling it in Parliament. We generally, do not think these people have to be given rights. The study finds at this point that some authors even though, they did not call for direct criminalization of homosexuality, they nevertheless suggest how homosexuality is inconsistent either with the law, or social and cultural lifestyles. For instance, Patrick Mugumya holds,

“Homosexuals are not men like me. Lesbians are not girls like the girls I know... I wonder how they can even think of demanding respect and acceptance from the general public when even to themselves it’s shameful to be what they are. I cannot respect someone who uses the *back door* when the front door is wide open and who cannot put his head up and own up to his decision...” (Mugumya 2007:115).

Similarly, the Minister of State for Security Muruli Mukasa had prior to the AAEs conference stated that,

“Homosexuality is a bad crime...homosexuality can lead to the downfall of great civilizations...God has decreed that homosexuals be stoned to death...security will promptly arrest homosexuals wherever they come across them” (Ssemugooma 2007:29).

Describing homosexuality as crime suggests that anyone involved in it risks being arrested and put on trial. In cases where the law seems to be non-existent, the description of homosexuality as ‘crime’ happens to be a motivating factor to have an anti-homosexuality law in place. Views from other authors seem to be very direct. Minister of Ethics and Integrity Nsaba Buturo holds:

Homosexuality is illegal...Government has a duty to protect the unsuspecting population...We are considering revising the laws...we are considering changing the laws so that the promotion [of homosexuality] itself becomes a crime...Insofar as our society is concerned, this matter is reprehensible (2007:36).

Similar to Buturo's views, another author asserts "...we are ready to act swiftly and form this squad that will wipe out all abnormal practices like homosexuality in our society" Senkabira and Kasozi 2007:132).

### **3.5. Conceptualizing a Surveillance system on Homosexuality.**

The above exploration has focused on the historical and contemporary framing of homosexuality in the Ugandan context. The findings reveal that homosexuality is under surveillance. By surveillance, the study refers to a description of a scheme that controls, keeps-in check, defines and regulates how homosexuality is understood, and acted upon. The Surveillance System on Homosexuality (SSH) which the study suggests is constructed along Sylvia Tamale's lenses through which she argues the control of African sexualities (2015).

In her work *Exploring the contours of African sexualities: Religion, law and power*, Tamale argues that "through the intersection of religion, statutory law and reinterpreted traditional customs, the complexity of African sexualities (particularly those of women) is instrumentalised, controlled and regulated by the patriarchal state" (2015:150). Tamale sees Religion, statutory law and reinterpreted traditional customs as sources of power which intersect with one another. These powers are at the service of the patriarchal state. They help the patriarchal state to maintain the status quo, authority and control over other social statuses. She suggests the example of messianic religions and their role in the history of African sexualities. Messianic religions in many African societies are highlighted as one of the powers which sought to discourage some sexual practices, deeming them immoral. Tamale notes, "Whereas ATR<sup>20</sup> generally tolerated practices such as masturbation, fornication, infidelity, adultery, non-penetrative sex, prostitution and homoerotic, the Messianic religions condemned them as sinful" (2014:161).

Drawing from Tamale's perspective, it could be argued that the intersection of reinterpreted traditional customs, statutory law and religion offers an avenue that facilitates the construction

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<sup>20</sup>African Traditional Religion (ATR)



and reconstruction of sexualities in African societies. This seems to be systematically done by dictating how sexuality is ought to be understood, lived and experienced using religion, statutory law and reinterpreted traditional customs as points of reference. The subject of homosexuality criminalization in Uganda does not seem to escape the powers exerted by religion, culture and law. In fact, it could be argued that by attempting to control African sexualities through the intersection of religion, law and culture, these powers have established a surveillance system that control various aspects of sexuality such as the practice of homosexuality. The Surveillance System on Homosexuality (SSH) is established by a threesome that is, Religion, Culture and Law. It operates by regulating, defining and redefining the concept and practice of homosexuality, as well as the language used in referring to homosexuality and how people behave and express opinions in relation to the subject of homosexuality. This has been visible from the way how homosexuality has been framed in the pre-colonial, colonial and postcolonial periods in Uganda.

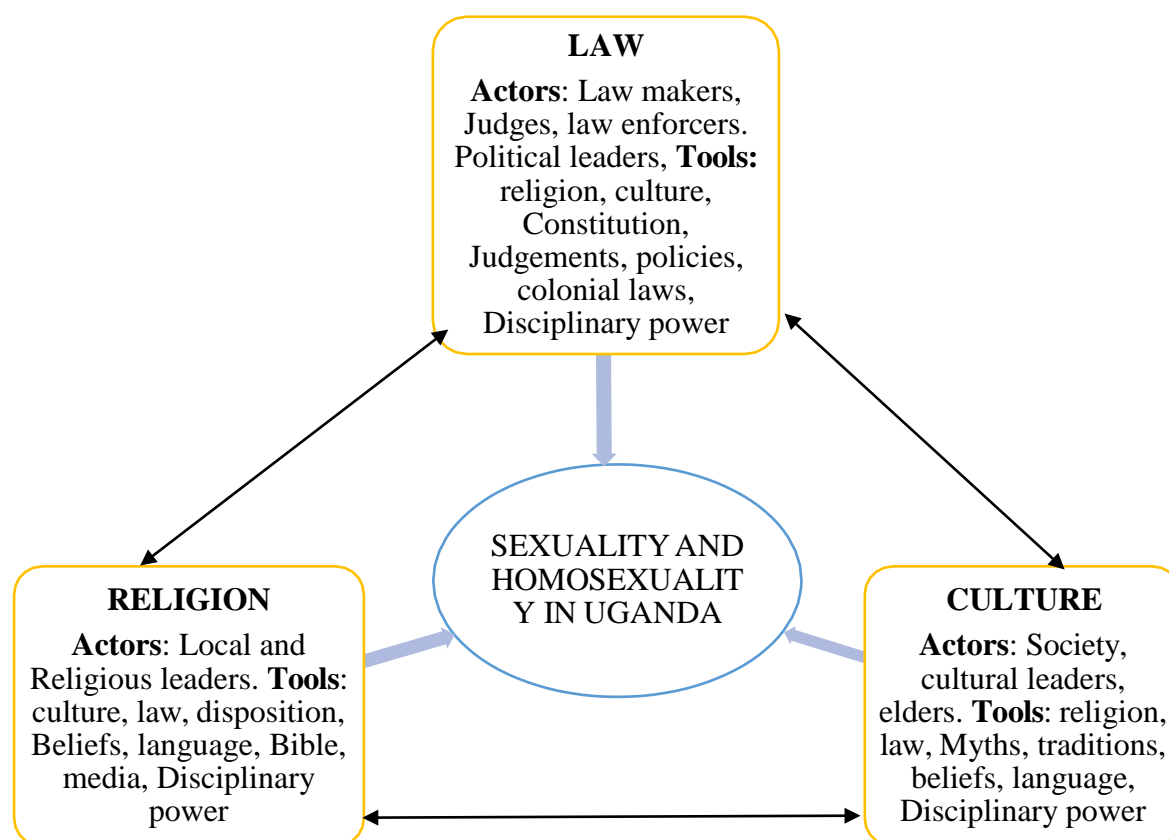
It has been highlighted and demonstrated in this chapter that prior to the coming of the AAEs, the Ugandan society were not ignorant of the proposition that homosexuality as was a crime and illegal (as understood in legal terms); further, it has been shown that homosexuality was identified with inconsistencies with cultural provisions especially that of childbearing. From a religious perspective, it has further been highlighted that homosexuality had been framed as immoral, and sinful. Granted these framings on homosexuality which continue to be exhibited today, it could be maintained that homosexuality is under a certain surveillance operated by three major power centers. These power centers included Religious beliefs, Cultural beliefs as well as State Laws. The surveillance system works in such a way that each power center maintains homosexuality as its object of focus, upon which it imposes derogative attributions, threats, and consequences in case the derogative attributions are taken for granted. In a way, the power centers of the surveillance system have a mutual relationship.

While cultural beliefs claim for instance, “This [homosexuality] was not part of our culture”, Religion responds by describing homosexuality as “sinful” and the law culminates by imposing punishment upon individuals practicing the *foreign, sinful* practice-homosexuality. This mutual relationship gives rise to ways of interpreting, understanding and responding to how the society understands and speculates upon homosexuality. Within this mutual relationship certain norms are constructed, strengthened and justified as normative to direct how society responds to the practice of homosexuality.

This can be true to the aspect of homosexuality criminalization in Uganda as it is illustrated

below.

**Figure 2. The surveillance system of homosexuality (SSH)**



The figure above illustrates a surveillance system operated by religion, culture and law (RCL). This system influences how the discourse on homosexuality is understood and acted upon in the Ugandan society. While the threesome that is, RCL would be assumed to have other objects of interest, they are hardly separable when it comes to the aspect of homosexuality. This inseparability is often due to the fact that the three subjects pick interest in ordering and disordering how the society ought to perceive homosexuality. To be able to exert influence upon the common object of interest, the threesome must work with mutual relationship and share some particular characteristics. This mutual relationship is illustrated by the three connecting arrows in the figure linking Religion, Culture and Law together. One of the common characteristics that can be found in either of the three power centers is hegemony power. Hegemony power is exercised under the disguise of disciplinary actions over the practice of homosexuality.

The surveillance system on homosexuality is able to operate through the acts of Power Actors.

These Actors operate as models who drive the status quo. For instance, while the interest of culture would be driven by the cultural elites or cultural leaders/ gatekeepers, religion would be driven by Religious leaders. As Tamale points out these Actors can be seen as the people who “set the Agenda and impacts these ‘sexual truths’ as the universal norm... [They] are mainly people who at a particular point in time, exercised power and control discourse” (2014:155-156). Further, law makers, law enforcers and Judges are Actors that oversee the interests of the Law regarding the understanding and practice of homosexuality in the State.

It is important to note that the surveillance system provides gatekeepers with tools by which its hegemony power would be disseminated easily and with authority. Among the tools for Culture would include traditions, myths, beliefs, norms, customs and abominations. Similarly, Religion would employ tools such as the Bible, language, culture, law, media, traditions, religious leaders’ status’ and background as well as a space. Law on the other hand would equally make use of tools such as constitutions, language, religion and culture. The functions of tools is critical for the successful function of the surveillance system. Tools facilitate the dissemination and legitimization of the surveillance system’s communication as “truth thereby enforcing compliance” (Tamale 2014a:156). The surveillance system seems to be capable of either rewarding those that conform to its direction or isolate those who attempt to challenge its directions. It would reward individuals that conform to the status quo and indeed those that find it appealing. Such individuals would be rewarded with central recognition and favours.

On the other hand, the system would attempt to neutralize any forms of resistance, threaten or punish those who resist the status quo. Such individuals would have high possibilities of being demonized. In fact, Tamale holds , in case of staging resistance, the system would “push many who do not conform to the very margins of society such as sex workers, rape survivors, the youth, homosexuals...”(2014:158). Cases such as “corrective rape” are examples of incidences where the system has given rise to forces that exert what can be termed as punishment to non-conforming individuals (2014:158).

The surveillance system on homosexuality should not be understood as static. The system seems to go into transformation and devise new ways of dealing with its central object of interest.

Scholarship on homosexuality in Uganda has indicated that during pre-colonial Uganda homosexuality although demonized and looked upon as shameful, was never criminalized nor did the so-called offenders exposed to punishments such as life imprisonment (Murray- Roscoe

1998). It is upon this observation that an argument is forwarded that homosexuality in pre-colonial Uganda was neither completely repressed nor completely openly accepted (Tamale 2007b:18). However, when messianic religions and the sodomy laws were introduced to the Ugandan society, the surveillance system as experienced today was inaugurated and became more powerful. Foucault defines 'power' as "a mode of action which does not act directly and immediately on others. Instead, it acts upon their actions; an action upon an action, on existing actions or on those, which may arise in the present or the future" (1983:220). Here we understand power not only as dominion or power against power but also as "a form of resistance where visible, hidden and invisible power may be actively mobilized, whether conscious or unconsciously as strategies to challenge or transform prevailing power relations" (Gaventa 2003).

To be powerful, can be understood as the ability to influence, inspire and regulate action in society. This is to exercise power, a phenomenon described by Michael Foucault as "[being] everywhere, and comes from everywhere, or understood as 'regime of truth' that pervades society, and which is in constant flux and negotiation" (Foucault 1998: 63, Gaventa 2003). The surveillance system on homosexuality involves itself in power exercises and negotiations over homosexuality through its structures and tools. It thus dictates and reinforces the nature of knowledge regarding homosexuality which the public finds irresistibly to identify with. In this case we can perceive power as constituted with existing forms of knowledge that tend to persuade the public into acceptance of what is assumed to be knowledge and truth. Such kind of knowledge and truth which signifies the exercise of power finds its way into public domain using various channels such as education systems, radios, media and flux of political, economic, cultural and religious ideologies (Gavenda 2003).

The surveillance system on homosexuality seem to produce a kind of power which we can term as hegemony power. Stoddart noted that "[H]egemony power works to convince individuals and social classes to subscribe to the social values and norms of an inherently exploitative system. It is a form of social power that relies on voluntarism and participation, rather than the threat of punishment for disobedience" (2007:201).

According to Gramsci the effects of hegemony power can equally be produced by how individuals lead their day to day lives or how they respond to influences from various sources of social actions (Gramsci 1996; Stoddert 2007). It is important for the study to pay attention to the experiences of the local society on homosexuality prior the coming of the AAEs. In Uganda, institutions such as the Anglican Church and Pentecostal churches have been vocal on

homosexuality even prior the coming of the AAEs. Besides the Churches, Politicians and the Media have also been Actors. The Anti-homosexuality voice other than the pro-homosexuality voice has dominated most opinions on homosexuality within these sources of social action. This publicity, for instance, within the Ugandan Press has gained momentum from the beginning of the 21<sup>st</sup> century (Tamale 2007a). It cannot be denied therefore that a certain hegemony power has been produced and maintained by various social actions which would be equally responsible to limit the extent at which the AAEs would be argued to have influenced the making of the 2014 AHL in Uganda.

In Uganda where religion, culture and law plays a prominent role in influencing worldviews, it is not by chance that anti-homosexuality activism would easily emanate from an integrated force of religion, culture and the law. It can be argued that when religion, culture and the law continue to produce new actors, new tools and new beliefs, and these get incorporated into the existing SSH, new forms of homosexuality surveillance are triggered. Therefore, in analyzing the extent at which the AAEs influenced the promulgation of the 2014 AHL, the conditions of their influence need to take notice of the power of influence that would be provided by the local context. The locally existing SSH seemed to have provided the AAEs with a conducive environment through which their agenda may be accomplished. As such, the criminalization of homosexuality in 2014 can be seen as a consequence of the AAEs integration into the SSH. Further it can be seen as a consequence of the extent to which the AAEs were able to use the SSH as a tool to strengthen, and justify their anti-homosexuality message.

### **3.6. Conclusion.**

Interrogating the subject of homosexuality from both historical and contemporary experiences within the Ugandan context, suggests that the discourse is characterized with ambiguities in terms of language and controversies in terms of its originality, practice, acceptance and rejection. The chapter has demonstrated that homosexuality as a controversial subject is not more a phenomenon of the past but more so, of the present. The forces or powers that seem to regulate what homosexuality is, who is a homosexual and who is not, and how homosexuality ought to be treated are fundamentally animated within the Ugandan society. These forces have for long operated as a Surveillance System on Homosexuality (SSH) even prior the coming of the AAEs. Therefore, the question which arises is: What role did such forces play towards the

2014 criminalization of homosexuality in Uganda? The chapter argues that while the SSH would evolve and empower, local contexts conceive other forms of homosexuality surveillance such as criminalization, the system would nevertheless provide the AAEs with tools and environment to successfully pass their anti-homosexuality message. The next chapter explores the criminalization of homosexuality in Uganda.

## CHAPTER FOUR

### THE 2014 CRIMINALIZATION OF HOMOSEXUALITY IN UGANDA.

#### 4.1. Introduction.

The previous chapter explored how homosexuality as a discourse and practice has been framed in the Ugandan context from historical and contemporary perspectives. The current chapter focuses on the 2014 criminalization of homosexuality in Uganda. The chapter situates the 2014 criminalization of homosexuality within other frameworks that seem to have regulated the practice of homosexuality prior to the legislation of the 2014 Anti-Homosexual Law (2014 AHL) in Uganda. The chapter argues that describing the 2014 AHL in Uganda as either an *entirely re-criminalization* of homosexuality could be as misleading as to label the law as *totally a new form of criminalizing* homosexuality. This is because on the one hand, there are particular issues on homosexuality criminalization that the 2014 AHL raises. On the other hand however, the 2014 AHL seems to build upon the already existing forms of homosexuality regulations that preceded its ratification. In order to achieve its objective, the chapter addresses the following themes; a brief overview on homosexuality legalization globally and related to Africa; Criminalization of homosexuality prior 2014 AHL in Uganda; Understanding the 2014 Anti-homosexuality Law in Uganda; Relationship between the 2014 AHL and the 1950 Penal Code; Colonialism, legacy of Sodomy Laws and its influence towards the 2014 homosexuality criminalization; Role of local attitude on the criminalization of homosexuality in Uganda.

#### 4.2. A brief overview on homosexuality legalization globally and in Africa.

Uganda's case on the criminalization of homosexuality is not isolated from what is going on globally and within the African context (Van Klinken 2016; Nyanzi and Karamagi 2015, Rehman and Polymenopoulou 2013). It is part of a global experience that has in recent years seen more growth in the advocacy of human rights towards homosexuals versus an increase in homosexual intolerance in various countries worldwide (Beyrer 2014; Rehman and Polymenopoulou 2013; Amnesty international 2013; Van Klinken 2017, Carrol and Ramon 2017). International bodies such as the United Nations Human Rights Council (HRC) expose this rivalry through its persistent calls to protect the rights of Lesbians, Gays Bisexual,

Transgender and Intersex persons. It is evident from the HRC resolution 17/19 passed on June 17 2011 that while some countries would easily endorse a resolution that expresses “grave concern at acts of violence and discrimination...committed against individuals because of their sexual orientation and gender identity” others would oppose it (United Nations A/HRC/RES/17/19 2011). A recent world survey of sexual orientation laws: criminalization, protection and recognition indicates that same-sex acts are legal in 124 United Nations member countries while illegal in 71 United Nations member countries (Carrol and Ramon 2017). However, despite the fact that in 124 United Nations member countries homosexuality is legal, very few of these countries grant full legal recognition of same-sex marriages (Pew Research Center 2017). A current survey done by Pew Research Centre indicates South Africa as the only African country as of 2017, where full legal recognition of same-sex marriages is granted (Pew Research Center 2017). In countries such as in Malawi, and Zimbabwe there has been incidences where gay couples thought to be practicing same-sex sexual relationships have been cautioned and dragged to courts of law for possible interrogation and prosecution (Mubangizi and Twinomugisha 2011:330).

It is important to note that even in countries that legalize same-sex marriages or where the law guarantees freedom of sexual expression to all, cases of homosexual intolerance are still high (Carrol and Ramon 2017). In South Africa for instance, where the constitution provides legal recognition to homosexuality, anti-homosexual activism still persists within communities (Scheibe *et al.* 2017; Jobson *et al.* 2013). According to Scheibe *et al.*'s study, “many people who do not conform to heterosexual norms experience stigma, discrimination and exclusion in community” (Scheibe *et al.* 2017:220). For Deevia Bhana, discrimination against homosexuality is partly motivated by some perceptions that homosexuality is contagious and related to evil spirits (Bhana 2015). The cases of intolerance on homosexuality still persist in many African countries as noted by the African Commission on Human and Peoples' Rights (ACHPR) at its 55<sup>th</sup> session held at Luanda, Angola (ACHPR 2014, *Resolution 275*). According to ACHPR cases of violence including “‘corrective’ rape, physical assaults, torture, murder, arbitrary arrests, detentions, extra-judicial killings and executions, forced disappearances, extortion and blackmail are still widely experienced by sexual minorities in Africa (ACHPR 2014, *Resolution 275*; Kaoma 2016:16).

The aspect of homosexuality and its tolerance by law remains contentious (Beyer 2014). In fact, during the decade that preceded the 2014 criminalization of homosexuality in Uganda, other countries such as “South Sudan, Burundi, Liberia, and Nigeria” were also considering enacting anti-homosexuality laws (Amnesty International 2013:1). In Gambia for instance, “On



25 August 2014, the Parliament approved the Criminal Code (Amendment) Act of 2014, which punishes ‘aggravated homosexuality’ with imprisonment for life” (Carrol and Ramon 2017: 88). But the criminalization of homosexuality, for instance in Africa, is not only by statutory laws. In some countries such as in Mauritania, Sudan, northern region of Nigeria and southern parts of Somalia, *Sharia* laws are often employed in administering punishments on those convicted of homosexuality offenses (Rehman and Polymenopoulou 2013:4). It is imperative to recognise that the 2014 criminalization of homosexuality in Uganda situates itself in a global discourse as far as homosexuality is concerned. In the following section the focus is placed on the criminalization of homosexuality in Uganda. In discussing the 2014 criminalization of homosexuality, it is necessary to review which Anti-homosexuality laws existed in Uganda prior the 2014 AHL.

#### **4.3.1. Criminalization of homosexuality prior 2014 AHL in Uganda.**

It should be noted that prior the 2014 AHL, homosexuality was prohibited in Uganda by law (Nagadya and Morgan 2005:65). The history on homosexuality in Uganda locates homosexuality criminalization with the coming of the British colonialists, and most specifically when Uganda adopted the 1950 Penal Code which criminalized “acts against the order of nature” (Jjuuko 2013:390).

In his address during the signing of the 2014 Anti-homosexual Act into law, the president of Uganda Yoweri Museveni maintained that homosexuality had already been outlawed in the republic by the British colonial law (Museveni 2014). This is also echoed by scholars such as Stella Nyanzi and Andrew Karamagi who argue that “The Anti-Homosexuality Bill (2009) was not introducing criminalization of non-heteronormativity into Uganda for the first time; rather, it was recriminalizing same sex conduct using harsher penalties for newly framed aspects of homosexuality” (Nyanzi and Karamagi 2013:26). According to this position, the 2014 AHL is a product of the 2009 Anti-homosexuality bill which was essentially a re- criminalization of homosexuality. This argument draws reference from the Penal Code Act Cap 106, under which the practice of homosexuality has been regulated formerly by the Ugandan government since independence.

Prior to independence in 1962, the Penal Code Act Cap 106 was known by its former name as the 1950 Penal Code. The 1950 Penal Code was drawn based on both the “Indian Penal Code

of 1860 and the Australian Penal Code”, a case which was similar to all legislations used in British colonies (Regan 2014:7). Apart from being renamed, the 1950 Penal Code has been amended several times even though its current form shows little change from its prior amendment (Jjuuko 2013:386-387). Due to this evident lack of substantial change, especially in relation to its supposed criminalization of homosexuality, I will use its former name (1950 Penal Code) in referring to the Penal Code Act Cap 106. Further the former name is used to emphasize its historical and political background.

The 1950 Penal Code is a law that codifies criminal offenses and procedures in Uganda which commenced on the 15th June 1950 (Namakula 2014:12). The history of Penal Codes in Africa indicates that Uganda was not the only country introduced to Penal Codes but also most of the former British colonies such as Zambia, Zimbabwe, Malawi and Kenya (Coldharm 2000). Coldharm notes that while Penal Codes embodied western concepts of criminality...criminal procedure acts introduced rules relating to arrest, detention and trial...”(2000:220). The practice of homosexuality is argued to have been part of the offences outlined in the penal codes at which the offenders could be arrested, detained and finally put onto trial. But since the government went forward to enact the 2014 AHL, it raises serious questions as to whether the 1950 code essentially criminalized homosexuality to the extent that it left no gaps for one to interpret otherwise. It is important to analyse the extent to which two laws speak of the same thing. Under the 1950 Penal Code, homosexuality is said to be criminalized under section 145. In its state, the Code is reproduced:

**145. Unnatural offences.**

Any person who –

- (A) Has carnal knowledge of any person against the order of nature;
- (b) Has carnal knowledge of an animal; or
- (c) Permits a male person to have carnal knowledge of him or her against the order of nature, commits an offence and is liable to imprisonment for life.

The analysis of this code indicates that the term ‘homosexuality’ is not used. Not only is the term homosexuality omitted but also a reference to sexual relations. It is not clear whether the phrase ‘carnal knowledge’ denotes a certain form of sexual contact or whether ‘carnal knowledge against the order of nature’ is itself a synonym to homosexuality. Although the general rule of the code directs to interpret the Code in “accordance with the principles of legal interpretation obtaining in England” and “to be used with the meaning attaching to them in

English criminal law”, the law remains vague. This also depends on who was behind the formulation of the terms used, for whom, and how prevalent the practice was by then.

The ‘unnatural offences’ which are presumably taken to be synonym to homosexual acts are sometimes described as “unnatural acts” (Human Rights Watch 2008:49). But the terms impose a number of complications in understanding how they relate with homosexuality and the questionable limitations of the 1950 Penal Code. According to the *Human Rights Watch*, sexual acts are described as *unnatural* due to the failure to lead to procreation (2008:39). The ambiguity of this explanation lies for instance in its implications. It would imply that human sexual acts that do not necessarily lead to procreation, whether done between a man and a woman, are in themselves *unnatural*. It would also mean that human sexual actions done for the purposes of sustaining relationships and mutual affections would constitute the unnatural offences unless they are solely done for procreation. The established legal recognition of sexual acts insofar as they are pro-procreation orientated, would further mean that sexual acts done between two sterile persons are unnatural. If these acts fall under the unnatural category how then does the interpretation of the law remain silent toward them? To argue that the ‘unnatural offence’ is by reason referring exclusively to homosexuality raises serious doubt. This is also true because it presupposes a universal understanding of the unnatural acts yet human interpretation is prone to subjectivity.

It is also a contention as to whether human beings can act *unnaturally* to the extent of describing their acts ‘unnatural’. If it is granted that human beings are part of Nature and therefore constituent members of the natural world to what extent could their actions be described unnatural? If human beings are the principle causes of their actions, and act as humans within the precepts of the Natural law, it could be contentious to declare human acts as unnatural. To describe certain actions as unnatural presupposes a dichotomous understanding of human actions, that while some are natural others are unnatural. This would also mean that there ought to be universal categories through which the natural acts are objectively isolated from the unnatural. In reference to sexual relations and sexual acts this is still a problem at least from a moral-ethical point of view.

The study would resonate with Houser *et al.* on their critique to Thomas Aquinas’ natural law ethic that “homosexuality is unnatural because it does not lead to procreation” (Houser et al 2006:22). The scholars rightly raise a contestation on the aspect of ‘the natural’: “What is natural can depend on the circumstances. The expression of sexuality, without the biological goal of procreation, can strengthen relationships between people by deepening love and

purpose in life, fulfilling characteristically human goals” (Houser *et al.* 2006:22). The study therefore finds that the aspect of ‘unnatural’ even though interpreted in law to constitute homosexual acts, hence used in criminalizing homosexuality, does not convincingly argue for homosexuality. To attempt to use it in reference to homosexuality and procreation, it is ambiguous given that other non-procreative sexual acts are not referred to as such. Having discussed the 1950 Penal Code as a pre-existing law by which homosexuality was legally restricted prior the 2014 AHL, I now address the 2014 AHL.

#### **4.3.2. Understanding the 2014 Anti-homosexuality Law in Uganda.**

The 2014 Anti-homosexuality law (AHL) is also referred to as the 2014 Anti-homosexuality Act (AHA).<sup>21</sup> The 2014 AHL of Uganda was signed into law on the 24<sup>th</sup> February 2014 and put in force on 10<sup>th</sup> March 2014 thus taking the name, 2014 Anti-Homosexuality Law.<sup>22</sup> It is popularly referred to as the 2014 AHL/AHA- drawing its name from the year when it was passed. It also draws its name from its content which centres on the prohibition of homosexuality in Uganda. In its development, the AHA or AHL is a product of the Anti-homosexuality Bill (AHB) which was first read in parliament on 14<sup>th</sup> October 2009 and enacted by the Ugandan parliament on 20<sup>th</sup> December 2013 (Bench 2016:855). It was presented to the Parliament as a private member’s bill by the then Ndonga–West member of parliament David Bahati (Jjuuko 2017:261). Its introduction for possible consideration as law, was not only challenged by local human rights advocates but also became an international political scene of debate (Regan 2014:8). From a human rights point of view, at its introductory stage, the law was opposed on ground that it will infringe rights to: free from discrimination, life, personal liberty, freedom of expression, freedom of conscience and religion, freedom of association and peaceful assembly, equal protection under the law, personal property, a fair trial, housing, privacy, and health (*Amnesty International* 2010).

The opposition was not only from human rights groups but also from member organizations of the civil society such as “feminists, organizations fighting AIDS and HIV, gay rights and sexual minorities groups” (Regan 2014:8). Western countries such as the United State of America,

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<sup>21</sup> Both Anti-homosexuality law (AHL) and Anti-homosexuality Act (AHA) will be used interchangeably in the thesis to mean the same. Whenever AHL/AHA are mentioned in this thesis will be in reference to the Uganda’s 2014 Anti-homosexuality law or 2014 Anti-homosexuality Act.

<sup>22</sup> cf The Anti-homosexuality Act, 2014.

Sweden, Norway, and Netherland also condemned the law to the extent of threatening to cut their foreign Aid to Uganda in case the law was enacted. Despite this, in the Ugandan parliament as well as in some African nations the law received considerable support, with Ugandan officials responding to western governments to “keep their money” (Regan 2014; *Aljazeera* 2014). In fact, both local and international media became a platform through which the Ugandan officials responded back to international condemnation. But what is this law?

From the legal perspective, the AHL intended to discourage homosexual behaviour by criminalizing any act that contributed towards it. The practice of Homosexuality is described in Uganda’s AHA as sexual acts or relations performed between persons of the same sex. Such an act is understood to include the penetration of “the anus or mouth of another person of with [one’s] penis or any other sexual contraption; the use of any object or sexual contraption to penetrate or stimulate sexual organs of a person of the same sex; the touching of another person with the intention of committing sexual homosexuality as “same gender or same sex sexual acts”.

According to the Anti-Homosexuality Act 2014, the major objective of the Act was to “prohibit any form of sexual relations between persons of the same sex; prohibit the promotion or recognition of such relations and to provide for other related matters” (*Anti- Homosexuality Act* 2014:3). The major objective in this case does not mention whether it attempts to re-emphasize an already existing prohibition or regulation. It however suggests that before its enactment forms of sexual relations between persons of the same sex, their recognition and promotion were unrestricted or regulated. In this case it succeeds in presenting the Act’s major objective as totally new-fangled.

***A summary of Uganda’s 2014 Anti-homosexuality Law as adopted from the Anti-Homosexuality Act, 2014.***

**Table 2.** (Adopted from Uganda’s 2014 Anti-homosexuality Act).

<b>Offense</b>	<b>Section</b>	<b>Penalty upon conviction</b>
The offense of homosexuality	2	Imprisonment for life
Aggravated homosexuality	3	Imprisonment for life and HIV status medical Examination
Attempted to commit the offense of homosexuality (Felony)	4 (1)	Imprisonment for 7 years

Attempted to commit the offense of aggravated homosexuality	4(2)	Imprisonment for life
Contravention of confidentiality	6	Fine not more than 5,000,000 Uganda Shillings (Approximate to 1373, 65 US Dollars).
Aiding and abetting homosexuality	7	Imprisonment for life
Conspiracy to engage in homosexuality	8	Imprisonment for 7 years
Procuring homosexuality	9	Imprisonment for 7 years
Detention with intent to commit homosexuality	10	Imprisonment for 7 years
Looking after, a space or house (Brothels) for purposes of homosexuality	11 (1)	Imprisonment for 7 years
Being the owner, assist, act, control the space or house (Brothels) where the offense of homosexuality is committed.	11(2)	Imprisonment for 5 years
Contracting marriage with another person of the same sex	12 (1)	Imprisonment for life
Conducting marriage of same sex persons (individual)	12 (2)	7 years' maximum imprisonment
Conducting marriage of same sex persons (institution)	12 (2)	Cancellation of license.
Promotion of homosexuality (offender is a person)	13 (1)	Fine of 100,000,000 Uganda shillings (Approximate to 27473,00 US Dollars) or imprisonment between 5 to 7 years or both
Promotion of homosexuality (offender is a corporate body)	13 (2)	Cancellation of certificate of registration. 7 years 'Imprisonment for the director, promoter, director.

It is evident from the table above, that the 2014 criminalization of homosexuality in Uganda used the term *homosexuality* and not *unnatural acts* as previously seen with the 1950 Penal code. The description of the law is also comprehensive in terms of the offense and penalty upon conviction. The 2014 AHA stated that “homosexuality means same gender or same sex sexual acts”. A Homosexual person in this case is one “who engages or attempts to engage in same

gender sexual activity”. According to the law, the offence of homosexuality is committed if the person:

- (a) He penetrates the anus or mouth of another person of the same sex with his penis or any other sexual contraption;
  - (b) He or she uses any object or sexual contraption to penetrate or stimulate sexual organ of a person of the same sex;
  - (c) He or she touches another person with the intention of committing the act of homosexuality.
- (2) A person who commits an offence under this section shall be liable, on conviction, to imprisonment for life. (2014 Anti-Homosexuality Act 2014:5).

#### **4.3.3. Relationship between the 2014 AHL and the 1950 Penal Code.**

It should be noted that in Uganda both pieces of legislation (the 2014 AHL and the 1950 Penal Code) are known for their intended goal to criminalize homosexuality. Compared to the 1950 Penal Code, the 2014 AHA broadens its description of homosexuality and under which terms the offense of homosexuality may be committed. It makes use of new linguistic terms such as ‘homosexuality’, a term which does not appear in the previous legislations. It is however, an argument that this study raises that these pieces of the Law can hardly relate correspondingly even though by interpretation, both laws have been argued to criminalize homosexuality. I argue this, from a linguistic point of view basing on both the clarity and vagueness of the terminologies used. While the 2014 AHL uses terms such as ‘Homosexuality’, ‘Homosexual’, ‘Anus’, ‘Vagina’, ‘Penis’, penetration and details its explanation of these terms, the 1950 Penal code vaguely uses terms such as unnatural offences, carnal knowledge, and the order of nature. While the 2014 AHL is specific to what it attempts to criminalize, the 1950 Penal Code is open for interpretation. This is a tendency that leaves doubt if both pieces of the law can lead to a similar understanding beyond reasonable doubt today.

While to some, the 1950 Penal Code may be seen as a sufficient law, to other interpreters and advocates, it may be seen as inadequate especially if context and time are applied. It can be held that the Penal Code and the 2014 AHL cannot be understood if one does not recognize the role played by the aspect of language, context and time. However, it is imperative for one to consider the context and period when both pieces of legislation were enacted. While the 1950 Penal Code may have been communicative and understandable at the time of its enactment, in today’s context its meaning and references can be questionable. According to Scott Long,

colonial legislation including the 1950 Penal Code “are deeply rooted in European Christian culture” (2003:256). Hence the language used in the Code.

It can be construed that by using an indirect, vague language in the Law, the 1950 Penal Code writers intended to keep in the closet the acts of reference. It seems to appear that by not being categorical on “unnatural offenses or acts of “gross indecency” the law sought to promote a culture of ridiculing sexual acts other than those performed under heterosexual unions. This could be argued to have been communicated to the Ugandan public- that not only was homosexuality interpreted as a criminal offense, it was also despised as inappropriate for any decent human being. However, by allotting such language over homosexuality, the Penal Code renders the legislation unspecific, broad, ill-defined and embarrassing with regard to statutory interpretation.

It is obvious that the legislators or drafters of the 2014 AHL had taken a considerable effort in describing and broadening the crime of homosexuality as well as on the need and purpose of this legislation (Mubangizi and Twinomugisha 2011:331). The analysis shows that the 2014 AHL is more descriptive in respect of the conduct, parties, and penalties imposed. For instance, apart from the offence of homosexuality, the law outlines and describes other offences such as ‘Aggravated homosexuality’ and the ‘Attempt to commit homosexuality.’ It could be stated that 2014 AHL intended to address the ambiguities of the 1950 Penal Code by being more precise in the description of the parties, the conduct and the interpretation thereto. It further widens its applications by including elements like “brothels”, “confidentiality” and “promotion of homosexuality” (*Anti-homosexuality Act* 2014:8-10). The details of the 2014 AHL incorporate statutory bodies like companies, body corporates and close corporations in its application which was not addressed by the 1950 Penal Code.

It was assumed that in criminalizing homosexuality under the 2014 AHL, certain objectives that had not been clearly taken care of by the previous legislations would be realized. A part from the major objective of the 2014 AHL, other key objectives the Act sought to achieve were to:-

- a) ...establish a comprehensive consolidated legislation to protect the traditional family by prohibiting any form of sexual relations between persons of the same sex; and the promotion or recognition of such sexual relations in public institutions and other places through or with the support of any government entity in Uganda or any other non-governmental organization inside or outside the country.
- b) ...strengthen[ing] the nation’s capacity to deal with emerging internal and external threats to the traditional heterosexual family.



- c) Protect the children and youth of Uganda who are vulnerable to sexual abuse and deviations as a result of cultural changes, uncensored information technologies, parentless child development settings and increasing attempts by homosexuals to raise children in homosexual relationships through adoption and foster care (*Parliament of Uganda 2015*).<sup>23</sup>

According to the 2009 Anti-homosexuality Bill Memorandum, it was argued that there existed tremendous gaps in the provisions of laws in Uganda as far as the control of homosexuality was concerned (Bahati 2009). The drafters of the 2009 Anti-homosexuality Bill (AHB) argued that there existed flaws especially in article 145 of the Penal Code; that the law simply mentions “unnatural offences” without giving sufficient “provisions for penalizing the procurement, promoting, disseminating literature and other pornographic materials concerning the offences of homosexuality” (Bahati 2009). Therefore, there was a “need for legislation to provide for charging, investigating, prosecuting, convicting and sentencing of offenders” (Bahati 2009).

Although the drafters of the 2009 AHB cited flaws in previous legislations as a justification for proposing the 2014 AHL, there could be a combination of other factors. It can be noted that from the beginning of the 21<sup>st</sup> century, and more chiefly during the first decade, Uganda has experienced growing emotions calling for tougher regulations on sexual conducts especially on same-sex relationships. The best example of this development can be noted in the 2005 constitutional amendment. Nyanzi and Karamagi have observed that through the definitions of marriage as the amended article 31(1) and 31(2a) defines, the 1995 constitution explicitly outlawed “same-sex marriage, stating: ‘Marriage between persons of the same sex is prohibited’” (2015:29). The amendment of article 31(1) and 31(2a) has been used to argue that homosexuality is prohibited as such. However, this study argues that this amendment is not sufficient to state that homosexuality was criminalized at all instances in the society.

The analysis would suggest that while homosexuals would not legally contract marriage, they were not barred from engaging in other forms of relationships under this amendment. What would seem to regulate homosexual practices at this level would be the interpretation of homosexuality as an unnatural act which can be placed under article 145 of the 1950 Penal Code. However, apart from contributing to the demonization of homosexuality, as an act of ‘gross indecency’, the criminalization of homosexuality under the Penal Code even at this level could be found implausible given the ambiguity of the legal language used. Consequently, the argument of this study holds that the prohibition of same-sex marriages would not necessarily

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<sup>23</sup> Parliament of Uganda “Parliament Outlaws Homosexuality” available from <<http://www.parliament.go.ug/new/index.php/about-parliament/parliamentary-news/326-parliament-outlaws-homosexuality>> accessed on 4th April 2017.

mean an all-inclusive prohibition and criminalization of homosexuality.

The unfolding events that point to homosexuality criminalization, classify Uganda as one of the commonwealth countries that has “formally grappled with the regulation of homosexuality the most” (Ambani 2017:43). Although it is argued that practicing homosexuality has been a criminal offence even prior the 2014 AHL, the 2014 AHL does not refer to any history pertaining the criminalization of homosexuality in Uganda. For instance, the Act does not make reference to article 31(2a) of the Uganda Constitution which prohibits marriage between persons of the same sex. Further, the Act pays no reference to the Penal Code especially on articles 145-150 which lays ground for severe punishments upon conviction in relations to the “unnatural acts”. Instead, the 2014 AHA seems to suggest that prior to the legislation of the 2014, the practice of homosexuality received no sorts of prohibitions.

The study holds a view that although homosexuality was believed and claimed to have been criminalized by the 1950 Penal Code, the criminalization was more of a demonization, a subject of seated ambiguities that hid the explicit understanding of the said criminalization. As such it would be difficult to claim with certainty whether or not homosexuality, as defined in the 2014 AHL, was already criminalized by the 1950 Penal Code. However, a partial criminalization of homosexuality can be deduced from the 1995 Ugandan Constitution which outlaws, categorically, same-sex marriages under its amendments on articles 31(1) and 31(2a). The study also finds it to be partial since it does not speak of homosexuality outside the attempted bonds of marriage. However, the raised uncertainties on the criminalization of homosexuality have not barred the categorization of homosexuality as explicitly criminalized in Uganda. Both the 1950 Penal Code and the 1995 Ugandan constitution are official documents that align Uganda among the countries which have a history of criminalizing homosexuality. Having explored the 2014 AHL, it can be noted that the emergency of this law is related to a number of factors which seems to be overlooked when the law is quickly associated with the American Anti-homosexual Evangelicals.

In the following part, attention is given to analyzing the implication of the pre-2014 AHL environment by revisiting the possible implications of colonialism and the anti-homosexual laws introduced by the British colonial masters in Uganda. The intention is to explore and understand how this environment, informed by the history of colonialism and the legacy of British sodomy laws, would contribute to the legislation of the 2014 AHL. Therefore, the subsequent part of this chapter contends a question: *What impact does colonialism, the legacy of Sodomy laws and the local attitude on the criminalization of homosexuality in Uganda*

*contribute to homosexuality criminalization in Uganda?*

#### **4.3.4. Colonialism, legacy of Sodomy Laws and its influence towards the 2014 homosexuality criminalization.**

There is a persisting view that Ugandan societies have not historically criminalized homosexuality (Jjuuko 2013:384, Tamale 2007b:18). If this view is stretched further, it would give way to a supposition that if the criminalization of homosexuality in Uganda is an expression of regression over homosexual people and therefore homophobic, then such an experience is linked to the influence of colonialism (Nyanzi and Karamagi 2015:27, Tamale 2013:36). There is a growing agreement within scholarship especially as written from the Ugandan perspective and elsewhere focusing on the African context that, “it is not homosexuality that was exported to Africa from Europe but rather legalized homophobia that was exported in the form of Western codified and religious laws” (Tamale 2013:36). In other words, as Kapyra Kaoma holds, “that African anti-gay laws are gifts of colonialism” (Kaoma 2016:17). However, this study holds that such a position needs further scrutiny. One of the implications of such a position, as far as homosexuality criminalization is concerned, is a temptation to pursue the root cause of homosexuality criminalization along external forces. This position would easily, and in simplistic terms, aid to promote a view that even though local contexts may act as instruments that may help in the execution of policies on homosexuality criminalization; external influences play a pivotal role in orchestrating the ideals upon which policies are formed in postcolonial societies. This position, for instance, if linked with the criminalization of homosexuality in Uganda and the role of AAEs, would easily suggest dormancy of contextual factors.

It can be argued that although colonialism attempted to *disempower* and thus overshadowed the ability of the colonized to take charge of their affairs. This did not mean that the colonized resorted entirely to idleness. On the contrary, scholarship maintains that through their local communities, the colonized in some societies in Africa, utilized the tools at their disposal to stage resistances (Rutanga 2011:99-163). For instance, where Christianity attempted to condemn traditional religious or cultural practices as incompatible with the Christian faith, some local people persisted in observing them despite having converted to Christianity (Adamo 2011; Kasenene 2011:107). In the same way, it could be sustained that social, cultural and

religious tools which regulated sexuality and the practice of homosexuality, could still have persisted even under the established sodomy laws. In pre-colonial Zimbabwe for instance, Epprecht documents the practice of homosexuality but also points to some sort of regulations (1998). He contends, “Such relations were disapproved, at least beyond the age of adolescence, and constrained by the imperatives of the pre-modern political economy” (Epprecht 1998:631). Epprecht’s conclusion, which can be considered along the findings of pre-colonial Uganda, maintains that homosexuality was “neither fully condoned nor totally suppressed,” can be used to challenge a position that silences the contribution of local contexts on the discourse of homosexual criminalization (Tamale 2007b:18).

To be “neither fully condoned nor totally suppressed” would mean that to some degree homosexual practices were restricted even though individuals could practice them under some level of tolerance. This seems to be a norm that often goes unrecognized, especially when the effects of sodomy laws are discussed in the realm of scholarship. Just as committing a criminalized act would be punishable in the case of statutory law, going against a certain norm would as well attract punishment. The punishment in the case of transgressing a norm may range from being isolated and demonized by the rest of the community to the fear of possible misfortunes. Therefore, it is a question of the written law, classified as sodomy law, versus the unwritten norm which regulated the practice of homosexuality. In essence, both the unwritten norm and the written sodomy law chanted homosexuality intolerance even though they varied in degree. Therefore, far from arguing that sodomy laws introduced homosexuality intolerance, this study finds that sodomy laws or colonialism introduced advanced and stricter forms of homosexual intolerance written on papers.

The study would argue that the introduction of written sodomy laws and their communication with tools of power- such as, language and colonial government institutions- gradually suppressed the recognition of unwritten forms of homosexuality intolerance within colonized societies. Although there was this suppression, it does not seem to be a defeat of power and action for the unwritten forms of homosexuality intolerance. The unwritten forms of homosexuality intolerance continued to operate underground within socio-cultural interactions of people. It could be argued further that, other than repealing the unwritten forms of homosexuality intolerance, the colonial sodomy laws reinforced them- even though this was kept unrecognized.

Post-colonial approaches to homosexuality intolerance and criminalization has not often appreciated this position. This tendency seems to compromise a rigor exploration on the extent

to which foreign powers influence post-colonial societies on contemporary issues such as homosexuality criminalization. Therefore, the emphasis given on the discussion of colonialism and the legacy of sodomy laws, is in recognition of its outstanding influence towards the contemporary criminalization of homosexuality at the inter phase of local contexts.

The case of homosexuality intolerance seems to offer a milieu for homosexuality criminalization in postcolonial states in Africa. It has over the years been most associated with colonial influence than in reference to local contexts (Murray and Roscoe 1998; Human Rights Watch 2008). It can be argued from this framework that sodomy laws which continued to be reinforced by post-independence governments in many African states, have contributed a lot to the present systems of surveillance over sexual practices. It is obvious that these systems reinforced other local forces which continued to operate underground. This operation constituted in monitoring the public over who practices which sexual orientation, and how sexuality in general was practiced. It could be agreeable to some extent, that recent criminalization of homosexuality in Uganda would be a product of deeply embedded systems of surveillance over sexual practices streaming most profoundly out of colonial sodomy laws.

Advancing a similar view with Murray and Roscoe, the Human Rights Watch document “This Alien Legacy: The Origins of “Sodomy” Laws in British Colonialism” focuses on how British sodomy laws are experienced and continue to impact on their postcolonial states. It argues that “Sodomy laws throughout Asia and sub-Saharan Africa have consistently been colonial impositions. No “native” ever participated in their legislation. Colonizers saw indigenous cultures as sexually corrupt” (2008:10). This means, to the extent that the 2014 AHL is interpreted as a foreign influence, the Law is seen as a replica of the colonial imposition. In this case it would be difficult to contemplate beyond speculation that local actors had some independent responsibility in the legislation of the 2014 AHL. One would argue in similar tones that even though the 2014 AHL was discussed, signed and promulgated by Ugandans, the Ugandan society was merely reaffirming a long-standing colonial order. Further, it could still be assumed that the Ugandan society may have acceded to the AAEs recommendations on homosexuality simply because they viewed them with similar lenses as those used by their predecessors who first welcomed the colonialists in Uganda.

It is imperative therefore, to investigate how colonial rules as systems of power that still have unquestionable ability in influencing local contexts, continue to order and reorder experiences of the formally colonized societies. In the case of the 2014 AHL, and the supposed AAEs influence, it would be important to know if policy makers and politicians in Uganda desisted

any appeal to colonial sodomy laws as an authority in arguing their positions over the criminalization of homosexuality in Uganda. In the same way, it would be necessary to explore how the AAEs made reference to contextual systems under which homosexuality was already regulated.

While it is important to consider how the colonized read colonial influences in their contemporary life experiences, it is significant to explore how other forces work hand in hand with colonial influences in sustaining forms of control. Probable contributing factors towards the 2014 criminalization of homosexuality other than those related to colonialism, are further explained by paying attention to how debates on homosexuality criminalization have unfolded from the local context. In this last part of the chapter, local attitudes on the criminalization of homosexuality are explored while putting much emphasis on the Ugandan government position given its role in shaping public opinion and influencing public policy.

#### **4.3.5. Role of local attitude on the criminalization of homosexuality in Uganda.**

Reviewed literature suggest that Uganda's attempt to redefine its position on homosexuality through the law was partly to neutralize pro-gay activism that had become increasingly active in challenging the violation of sexual minorities' rights in the country (Jjuuko 2013). The most outstanding cases that depict a prior growing confrontation between the LGBTIQ activists and the Ugandan government included: Victor Juliet Mukasa and Yvonne Oyo Versus Attorney General and Kasha, cause No 247 OF 2006. The second was Jacqueline, David Kato and Onziema Patience Versus Rollingstone publication Limited and Gile Muhame. According to Jjuuko, in the former case the applicants accused the Ugandan attorney general's servants for "violating their rights to privacy, property, and freedom from torture and inhuman and degrading punishments" (2013:394). In the latter case the applicants challenged the Rollingstone newspaper for its 2<sup>nd</sup> October 2010 publication in which it published purported pictures of homosexuals under a headline '*100 pictures of Uganda's top homos leak*' and at the same time appeared to persuade the public to 'hang them'. Whether or not these cases were ruled in favour of the LGBTIQ applicants, the development demonstrate a growing confrontation between homosexuality activism and homosexuality intolerance in Uganda. This also means that homosexuality debate or homosexuality rights recognition was an issue in the Ugandan society which at the time could stimulate local reactions.

Apart from prior existing confrontations between LGBTIQ organizations and the local anti-

homosexuality activism as shown above, local reactions over homosexuality can be analyzed from another standpoint; this involves local suspicions and skepticism over existing knowledge on homosexuality. Although a body of scholarship has attempted to demonstrate historical existence of homosexuality in Ugandan traditional societies, such knowledge is still viewed with suspicion and skepticism (Tamale 2007b, Lunyiigo 2011). This is often seen as entry points of foreign domination. Such knowledge is considered incompatible with the Ugandan cultural worldview and attempts to replace what is thought to be ‘traditional’, ‘cultural’ and ‘morally upright’ in Uganda. Given this standpoint, which mostly characterizes dominant voices, debates on homosexuality in many Ugandan societies attempt to resist the assumed foreign domination and imposition of foreign systems of knowledge. The Ugandan government position on homosexuality as informed by the 1995 Ugandan Constitution with the 2005 amendments, is vastly claimed to rule against homosexuality. The practice of homosexuality is thus argued to be inconsistent with the Constitution. Moreover, article 2 of the 1995 Ugandan Constitution and as amended in 2005 states:

This Constitution is the supreme law of Uganda and shall have binding force on all authorities and persons throughout Uganda. If any other law or any custom is inconsistent with any of the provisions of this Constitution, the Constitution shall prevail, and that other law or custom shall, to the extent of the inconsistency, be void (1995 Constitution of Uganda, Article 2).

It could be noted that during the “2008 General Assembly Declaration on Human Rights and Sexual Orientation and Gender Diversity” Uganda is on record for having been one of the States that voted against the declaration (Human Dignity Trust 2015:9). In the same conference, it was stated then that, “[e]arlier in the day, the General Assembly also adopted a resolution condemning extrajudicial executions, which contained a reference opposing killings based on sexual orientation. Uganda moved to delete that reference” (United Nations General Assembly, 2008).

When it comes to what is interpreted as a reference to homosexuality, the 2005 amendment of the 1995 Ugandan Constitution restricts the right of marriage from same-sex persons. Article 31(1&3) of this Constitution states: “A man and a woman are entitled to marry only if they are each of the age of eighteen years and above and are entitled at that age”- a) to found a family... (3) “Marriage shall be entered into with the free consent of the man and woman intending to marry” (Uganda's Constitution of 1995 with Amendments through 2005). The repetition and emphasis on the pronouns ‘man’ and ‘woman’ other than the mention of ‘man and man’ or

woman and woman' in relationship to marriage demonstrates that marriage is guaranteed in Uganda only between persons of opposite sexes. Marriage between persons of the same sex is not only silent but expressly prohibited in article 31(2) of this Constitution which states "Marriage between persons of the same sex is prohibited" (Uganda's Constitution of 1995 with Amendments through 2005). This provision therefore lays a ground for local popular perceptions that legal and acceptable families are those formed under the heteronormative norm. Given that the Ugandan constitution rules against homosexual marriages chances are high that the law would be used to police and demonize homosexual acts without necessarily being influenced by external factors.

Apart from the Ugandan Constitution and the 1950 Panel Code Act, the Ugandan government argues for the criminalization of homosexuality on other grounds such as from a scientific point of view. This view is documented in the scientific statement prepared by Uganda's Ministry of Health. The statement signed on the 10<sup>th</sup> February 2014 attempts to respond to two central questions: (a) "Is there a scientific/genetic basis for homosexuality? (b) "Can homosexuality be learned and unlearned?" (*Scientific Statement from the Ministry of Health on Homosexuality-SSMHH* 2014:2). In its findings, the scientific statement states that "homosexuality is not definitively associated to genetic responsibility; that homosexuality is not a disease; that homosexuality is not an abnormality; that in every society, there is a number of people with homosexual tendencies, and that homosexuality can be influenced by environmental factors such as culture, religion, information and peer pressure" (SSMHH 2014:8).

The document seems to claim that homosexuality in Uganda is related to factors that challenge Uganda's sovereignty. The document recognizes tensions and controversies over homosexuality in the country, and also points out that such tensions are fuelled by external forces from Western countries. This assertion is important for our inquiry since it attempts to divert Uganda's responsibility over its intention to criminalize homosexuality and instead seems to blame the outside world for influencing its internal affairs. Although the document does not elaborate on the nature of influence and why such influences are not resisted, it motivates an inquiry as to whether such claims have a similarity with those made by the AAEs while in Uganda. Through the USSMHH document, the government claims that homosexuality is a contributing factor to incidences of sexual exploitation of the vulnerable, especially if it is not controlled or regulated. Among the key motivation as to why homosexuality needs to be controlled or regulated, the document highlights a need to protect the family, the weak and the vulnerable. If criminalization is synonymous to 'control or regulation and if by



control/regulation the government suggests criminalization, then we can hold that prior to the coming of the AAEs, the government had possessed intentions of criminalizing homosexuality.

Apart from Uganda's SSMHH, the government also released another document through its Foreign Affairs Ministry to be used at all its foreign missions.<sup>24</sup> The document suggests similar positions as did the SSMHH. Among the raised concerns, is the intention of finding a remedy to the recruitment of Ugandan citizens into homosexuality and curbing the practice of homosexuality with the intention to safeguard children from being recruited into homosexual practices? The document further reveals Uganda's claim that homosexuality is linked to mercenary actions and its practice in the country contributes immensely to social disorientation. It can be deduced from this document that the Ugandan government recognizes the presence and practice of homosexuality even though it does not indicate explicitly how and when homosexuality found its way into Uganda. This however, doesn't hinder the document from suggesting that, unlike local contexts, foreign contexts have contributed a lot to what it describes as the exhibition of homosexuality in Uganda. The document further suggests that exhibition of homosexuality is contrary to the local norms which promote privacy and secretiveness around issues of sexuality.

From a socio-cultural perspective, homosexuality is viewed as a danger to the young generation (Oduch 2014). The danger mostly lies in the belief that the growth of homosexual communities in the country, implies an eminent extinction of the society since homosexuality is believed not to support child bearing. It is further believed that the current experience of homosexuals' lifestyles involves not only the sexual practices but also supporting the growth of a homosexual society by recruiting new members. The process of recruitment is believed to target young people in Schools (Oduch 2014). Views that advance the aspect of recruitment also suggest the aspect of economic influence employed by recruiting agents over their targeted group. It is claimed that recruiters use money as a tool of power to lure members of heterosexual communities. Money is believed to play a big role such as 'silencing homosexuality opponents, promote and finance pro-homosexual gatherings which in many anti-homosexual camps has been regarded as homosexuality promotion. Given these beliefs, calls for criminalizing homosexuality in Uganda have been reinforced. According to Edison Akugizibwe as quoted in

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<sup>24</sup>This document is identified by the quote number MOT 153/271/01. It was addressed to all Uganda's foreign missions advising them of the government position over the 2014 Anti-homosexuality law. The document intended to "communicate the position of government regarding the recently enacted Anti-homosexual law. It outlines: the purpose of the law; the law vis-à-vis Uganda's international human rights obligation; and broader international consensus on the issue of anti-homosexuality" (Memoire on the Anti-homosexuality law 2014)

the Human Rights Trust, Museveni the current president of Uganda asserted and reiterated, as is his duty to stop homosexuality:

In my role as a strategist and a responsible leader for our country, there is no debate regarding the promotion of homosexuality. That one I totally agree with everybody that anybody who is promoting homosexuality we must stop him... this must be stopped by law and harshly. Secondly, I do not accept those who become homosexuals for mercenary reasons. Thirdly, I cannot accept exhibitionism of homosexual behaviour that must be stopped and stopped harshly... (Akugizibwe 2015:4).

A similar view is held by the current Ugandan Minister of Ethics and Integrity Simon Lukodo. He calls homosexuality as a human disorder, a sickness. He holds, "It [homosexuality] is like a drug addict... So, we are saying anybody found committing this incredible and abominable act should be checked and isolated from society ...If you are found practicing it, we shall take you to a cell (Buchanan 2014).

It could be stated that both Uganda's President and Uganda's Minister of Ethics and Integrity are speaking as informed leaders on the question of homosexuality and its presence in Uganda. Their views are important to consider, since they are not just speaking as ordinary citizens but as political leaders attempting to provide a position on Uganda's government with regards to homosexuality. Per this position, homosexuality ought to be criminalized for various reasons; it is portrayed as dangerous to the Ugandan society, since it is considered a sickness that can ruin the lives and wellbeing of the citizens of Uganda. From this worldview, to demonstrate good leadership would require among other things to support homosexuality criminalization over a growing demand to recognize the rights of homosexuals. Furthermore, it would inevitably require to safe guard the sovereign status of Uganda as a country from the supposed mercenaries who seem to invade the state through what political leaders call the promotion of homosexuality. Also, it would call for a need to safeguard the population since homosexuality is said to be dangerous to human health as it could be said to be a drug addiction.

In the context of establishing the extent to which the AAEs influenced the criminalization of homosexuality in 2014, one cannot take for granted the public opinions of the political, cultural and religious elite. High ranking politicians are usually manipulative and expected to possess certain power of dominance over the common people. Before the common person, politicians appear to be knowledgeable, and well informed on virtually all aspects. As Sylvia Tamale has elsewhere observed, when one is assumed to have a certain degree of knowledge over others, the impact is undeniable (2014: 115). I would hereon agree with Tamale that "behind the mask of knowledge lies real power dynamics. Knowledge reflects the 'truths' of the powerful, of

those that pen and record history” (2014:115). Therefore, if a politician in the capacity of a head-of-state or a religious leaders assume vocal positions on a contentious issue such as homosexuality, it is most probable that the public may tend to be influenced by his or her superior voice.

But the negative opinion on homosexuality as represented by the local voices can be located within a wider African body of thought that attempt to challenge western constructs of knowledge on African sexualities during the mid-twentieth century. The attempt to redefine what homosexuality means for the Ugandan society irrespective of what the western or other societies hold could be read under a framework that continue to resist mid-twentieth century white-male dominated scholarship on African sexualities which paid less or no African societies experiences at the time. One of the major advances of the power of knowledge demonstrated by the mid-twentieth century white dominated knowledge on African sexualities was to “characterize Africans as essentially heterosexual and promiscuous, or by portraying this essence as deeply pathological and dangerous”(Epprecht 2009). It was almost certain to this body of scholarship that there existed differences between Africans and the rest of the world basing on the argument that Africans has “exotic influences that denied desire, creativity, or possessed complex emotions too ostensibly primitive, taboo-encrusted or were close to nature” (Epprecht 2009). It could be noted that the prevailing politics of sexuality which has closely focused on African societies and homosexuality is interpreted by most Ugandan cultural, r religious and political leadership as a representation or a replay of the mid-twentieth century constructions of African sexualities. While the AAEs’ contribution to the making of the 2014 AHL would inspire recognition, it would be worth noting that this may be limited to the Ugandan context which seeks to reassert its voice in an area was previously dominated by western powers of knowledge such as missionaries, colonialists, and explorers.

#### **4. 4. Conclusion.**

The central focus of this chapter was the 2014 criminalization of homosexuality in Uganda. It has been revealed in the chapter that homosexuality criminalization is not simply a Ugandan issue but a global subject of contention. The discussion on homosexuality criminalization is marred by ambiguities fronted by language. This has been found to be a hindrance for a clear articulation as to whether the 1950 Penal Code in Uganda criminalizes homosexuality in similar terms as does the 2014 AHL. Nevertheless, the 1950 Penal Code has been viewed as a

considerable motivation for the legislation of the 2014 AHL in Uganda. However, far from restricting homosexuality criminalization to both colonial and postcolonial periods in Uganda, or to the event of AAEs, the chapter has argued that certain restrictions, prejudices and myths on homosexuality in some pre-colonial societies of present day Uganda, form a ground for future possibilities of homosexuality criminalization as understood today. The Chapter found that describing the 2014 AHL as a *totally* new form of homosexuality criminalization in Uganda was misleading; this is because it denies previous forms of homosexuality regulations even though these forms do not explicitly define homosexuality in the same details and linguistic understanding of the 2014 AHL. The next chapter turns the exploration to the American anti-homosexual evangelicals.

## CHAPTER FIVE

### LOCATING THE AMERICAN ANTI-HOMOSEXUAL EVANGELICALS IN THE ANTI-HOMOSEXUAL DISCOURSE.

#### 5.1. Introduction.

Chapters three and four have both focused on the Ugandan context in which the framing of homosexuality and the 2014 AHL were explored respectively. This chapter focuses on the Anti-homosexual evangelicals. The key argument in this chapter is that the American anti-homosexual evangelicals' views on homosexuality; their campaign against homosexuality; and their resolute to promote anti-homosexual campaigns, is a mission motivated by a complex historical background which informs their identity. The chapter addresses three key themes. The first theme, "American Anti-Homosexual Evangelicals," is an overview on American Anti-homosexual Evangelicals in relation to the Study. The second theme, "Historical worldview shaping the AAEs' theological identity" attempts to unpack selected key aspects as characteristics upon which the AAEs develop their identity and motivation to challenge homosexuality and pro-homosexual activism. The third theme, "Anti- homosexuality and American evangelicalism," explores the location of anti-homosexuality campaign within the American evangelicalism.

#### 5.2. The American Anti-Homosexual Evangelicals.

The group referred to here as the *American Anti-Homosexual Evangelicals* belong to the evangelical conservative Christians in the United States (U.S). The U.S evangelical conservatives are famous for their vigorous campaigns, not only against the practice of homosexuality but also against cases such as "women's reproductive freedom, gay, transgender, and intersex, bisexual" and Lesbian rights activism (Kaoma 2014a:5). It has been observed of the U.S evangelical conservatives (to which the AAEs are part of) that they seek to achieve a number of objectives such as "restricting the human rights of lesbian, gay, bisexual, and transgender (LGBT) people"; establish warnings against the dangers of homosexuality; promote homophobia and anti-gay politics; promotion of family values' rhetoric and

influencing public policy making, especially as far the sexual minorities rights are concerned (Kaoma 2009:3-4). Therefore, when we speak of the American Anti-homosexual evangelicals, we recognize their wider family from which they are inspired and continue to carry on the mission of anti-homosexuality activism.

The American anti-homosexual evangelicals can further be explained as a religious social movement. They are located as a religious social movement given the characteristics that define their goals and motivations. The AAEs are keen in continuous production of knowledge on homosexuality as well as in using any ways possible to convince and educate the society on the supposed dangers of homosexuality. In their anti-homosexuality struggle, the AAEs make use of media outlets such as print media, Televisions, Internet Websites, and also engage with other persons of influence such as politicians and conservative religious leaders in order to make their message heard (Kaoma 2009). In this way, they become participants in the “struggle over the production of mobilizing and counter-mobilizing ideas and meanings” as far as homosexuality is concerned (Benford and Snow 2000:613).

The process of “mobilizing and counter-mobilizing ideas” for ideological positions regarding a social phenomenon such as homosexuality and the efforts made to construct certain meanings about the said phenomenon is identifiable with social movements (Hilson 2013). Benford and Snow point out that,

...social movements are not viewed merely as carriers of extent ideas and meanings that grow automatically out of structural arrangements, unanticipated events, or existing ideologies. Rather, movements actors are viewed as signifying agents actively engaged in the production and maintenance of meaning for constituents, and antagonists, and bystanders or observers. They are deeply embroidered, along with the media, local government and the state (Benford and Snow 2000:613).

For the purpose of the study, what we refer to as the AAEs is a group of Evangelical conservative pastors from the United States of America who came to Uganda for “a three-day seminar organized in March 2009 by the Uganda-based Family Life Network (FLN)” (Kaoma 2014a:20; Kaoma 2014b:235). According to Kapya Kaoma, these ministers were “Scott Lively, of Defend the Family and Abiding Truth Ministries; Don Schmierer of the since-disbanded *ex-gay* group Exodus International; and Caleb Lee Brundidge, of the International Healing Foundation” (Kaoma 2014a:21).

Issues related to homosexuality such as gay rights, the morality of homosexual practices, the legalization of homosexuality and homosexuals' identity are major aspects of concern in the theological and political engagements of the AAEs. A growing body of literature has pointed out that, the context from which the AAEs emerge, plays a great role in motivating the AAEs towards their mission not only locally but also globally (Gentleman 2010; Anderson 2011; Schlatter 2010; Kaoma 2009; 2012; 2014a; 2014b). The 2009 visit to Uganda during which the AAEs addressed the Ugandan public under the theme "Exposing the homosexual Agenda," is one of the current manifestations of the globalization of the AAEs' ideology over homosexuality. To some scholars such as Kapya Kaoma this has been described as "an intense effort by U.S conservative evangelicals to "redeem" the African continent" (2014a:26).

Further, the AAEs' globalized mission over homosexuality is viewed as "a war of culture" in which the AAEs termed as "U.S culture warriors refocus their resources and attempt to mobilize the Global south" among which African countries are located (Kaoma 2014a:37). In this part of the world, the global south, is located a rapidly growing number of Christians "especially in Africa, Asia and Latin America" (*Pew Research Centre* 2011:14). In disseminating their anti-homosexuality activism to African contexts, anti-gay movements have conceived various channels through which they can effectively pass their messages. These include, schools, religious institutions, and media centres like Radio stations, Television stations and magazines which have direct contact with the masses. Kapya Kaoma thus argues:

[I]n Africa, the U.S. Christian Right positions on homosexuality are not just assimilated, but Africanized as authentic traditional positions... These groups focus on winning "global solidarity," as another way to advance sexual rights in Africa. They also export western models of sexual rights activism, which their African allies adopt and defend as authentic African models

It can be noted that the global anti-gay activism would help to motivate locally prevailing anti-gay rhetoric thus becoming a beacon of local anti-gay defence strategies.

It is not surprising that when western anti-gay movements present homosexuality tolerance as a western agenda against heterosexuality some Africa leaders would easily qualify their opinions that 'homosexuality is a foreign practice. This resonates with the argument once fronted by a leader of the Nigerian senate David Mark in his attempt to argue for the prohibition of same-sex marriage in 2014: "There are many good values we can copy from other societies but certainly not this one", he said; his legislation would "prove to the rest of the world, who are advocates of this unnatural way, that we Nigerians promote and respect sanity, morality and humanity" (Mark quoted in Gevisser

2014).

It can be argued therefore, that through channels such as schools, religious organisations and social media globalization can be seen as a new phenomenon influencing the understanding of sexual politics in Africa or in local contexts as a case may be. In mainly conservative contexts such as Uganda, Nigeria, Zambia, Zimbabwe and many others, it can be seen as a force that has the ability to create social panic in local communities forcing people to act to protect themselves against what is presented and viewed as global threats. This seems to be the case as it has been discovered in chapter three of this thesis from a Ugandan context.

It is important to note that the AAEs' intention to come to Uganda is not by sheer chance but rooted in the history that defines their identity and worldview. In the following part, we attempt to explore and discuss the historical worldview shaping the AAEs' theological identity that informs their inspiration, charisma and motivation towards the fight against homosexuality. The study holds that, understanding the historical worldview shaping the AAEs' theological identity is important in understanding their role when influencing the Ugandan public over policy making on homosexuality.

### **5.3. Understanding the historical worldview shaping the AAEs' Theological Identity.**

The concept evangelicalism is rooted in the term evangelical. According to Gushee and Sharp, "the English word evangelical and the associated terms like evangelism derive from the Greek word *εὐαγγελικός -euangelion*" (Gushee and Sharp 2015: xvii). George Marsden one, of the renowned historians in evangelical theology, outlines five characteristics that connote evangelicalism. He mentions:

Evangelicalism today include any Christians traditional enough to affirm the basic beliefs of the old nineteenth-century evangelical consensus. The essential evangelical beliefs include (1) the reformation doctrine of the final authority of the Bible, (2) the real historical character of "God's saving work" (3) redemption through the salvific work of Jesus Christ and yielding eternal life, (4) the importance of evangelism and mission, (5) the necessity of a spiritually transformed life (Marsden 1991:4-5)

For Bebbington, evangelicalism can be understood by knowing what characterizes evangelicals. Thus, he identifies the following characteristics: "a stress on *conversion*; a focus



on evangelism, and/or *activism*; a sincere reverence for *the Bible*; and *Crucicentrism*: a view of the *cross* as absolutely centre” (Bebbington 1994:365).

Both Marsden and Bebbington stress a radical reference to scriptures as authoritative which revolves around the life of the evangelicals’ mission. These definitions are unique in the sense that they identify evangelicals as those who radically emphasize certain beliefs. These radical beliefs distinguishes them from other Christians- especially from mainline churches. For instance, while some mainstream traditions stress the aspect of tradition and scripture, as sources of the revealed Truth of God, evangelicalism limits itself to scripture as the absolute authority. There is also a difference between how Bebbington defines evangelicalism from how Marsden holds evangelicalism to be. It could be noted that while Bebbington points out four specific marks that define evangelicalism, Marsden provides five with one more additional characteristic that depicts ‘trans-denominationalism’.

Evangelicalism is characterized by the aspect of mission with a unique appeal to activism. Marsden’s definition contributes to the understanding of mission in the sense that it brings out the character of *activism* which is well expressed from the secular world. From the above understanding of evangelicalism, we can locate the American Anti-homosexual evangelicals as contemporary manifestations of the evangelical spirit and charisma. In *God Loves Uganda*, a documentary by Roger Ross Williams, the AAEs appear to fit in what both Marsden and Bebbington speaks of the charisma of evangelicalism (2013). This can be clearly seen from the AAEs’ persuasive motivations as to why they needed to come to Uganda:

“I’m here teaching...I believe Uganda is at crossroads right now and I thought, we need to bring new angle and a call to Uganda. (Joanna Watson in Williams 2013)

...There is sexual immorality; there is all of those things that is not God’s way for love. There is a battle even a daily battle between my flesh and my spirit... (A preacher in Williams 2013)

The principles of Christianity and the values, are actually the best and will keep us healthy and alive and happy. When people actually bring their lives to obedience, to what he says in His word, suddenly you realize that this types of infectious diseases, they don’t have anywhere to go. (Rachelle Digges in Williams 2013)

As contemporary evangelicals, the AAEs suggest an understanding of evangelism as a mission to bring or reinstate the principles of Christianity in societies such as Uganda. It is a portrayed belief that what God says in the ‘Holy Scriptures’ is at battle with the earthly desires, which keeps the society unhealthy in the Ugandan context. The aspect of homosexuality, its advocacy

and practice, fall under the category of earthly desires with which, the Holy Scriptures are in battle. On the other hand, the AAEs resolution to come to Uganda for the conference against the practice of homosexuality seems to be an attempt to arm the society with the teachings of the ‘Holy Scriptures’ regarding homosexuality. The aspects of teaching, ‘mission’, ‘God’s Word’, ‘change of lifestyles’, and the ‘portrayal of Christianity as a most superior way to reclaim happiness’ are well articulated in the AAEs preparations and motivations for their coming to Uganda. This is true to the charisma of evangelicalism. The AAEs while preparing for their visit to Uganda saw themselves as a people through which perfections and purity can be reinstated in the world: “We are called to be a missionary people, Sending her sons and daughters to bring the Gospel to the Nations. Cities set on the hill, flaming torches in a dark world. Prayer warriors, crying out loud day” (A Preacher in Williams 2013). The American Anti-homosexual evangelicals can also be described as those who promote evangelical fundamentalism in their mission to fight against homosexuality and gay movements in different parts of the world (Kaoma 2009, Tamale 2014a).

### **5.3.1. Fundamentalism.**

Historian Marsden notes that “fundamentalism was originally just a name for the militantly conservative wing of the evangelical coalition,...it included militant conservatives among Baptists, Presbyterians, Methodists, Disciples, Episcopalians, holiness groups, Pentecostals, and many other denominations” (Marsden 1991:3). Its major entrance in religious circles emerged within the United States ‘Protestant Evangelicals’ in the “late nineteenth and early twentieth centuries” (Wacker, 2000). Fundamentalism should not be seen as that which is restricted to a particular faith tradition. In fact, “fundamentalism is a movement that can be evident within any religion or ideology” (Redekop 2012:26).

As a movement, fundamentalism is inspired and based on certain religious views or beliefs that are held with conservative principles. In exercising fundamentalism, its adherents tend to demonstrate rigidity and intolerance towards alternative views concerning religious principles or teachings. The AAEs have insisted that homosexuality and its practice is intolerable and destructive to human survival and henceforth must be resisted through the authority of the Bible (Scott Lively 2009a). Lively insists,

Every Bible-believing fellowship in America needs to confront the issue of homosexuality in a manner that will empower believers to defend the faith against “gay

theology.” This will also protect each church fellowship from any “gay” political intrigues that might otherwise harm or split the congregation (Lively 2009a:35).

The Ugandan context is one of the African societies which have, in recent years experienced calls for the recognition of sexual minorities and their rights in terms of sexual expressions. Such calls for the AAEs must be resisted which is a key aspect of the fundamentalist principle that vies homosexuality as a danger to faith. The AAEs as conservative Christian fundamentalists would resist such calls given that they tend to destabilize the traditional and conservative ways of Christian and biblical interpretations that have for centuries, demonized the practice of homosexuality. As one of its defining character, fundamentalism finds itself championing opposing religious ideologies. These opposing religious principles often target progressive ideas or opinions and knowledge, insofar as these developments expose traditional beliefs to scrutiny. For instance, it is generally attested that fundamentalism views aspects of secularization and modernity with skepticism. It has often “assumed that modern pluralism is a dangerous threat to the survival of religious orthodoxy” (Schmalzbauer et al. 2003:336). At the same time proponents of fundamentalism have been battling with how to stay faithful to religious beliefs and traditions, yet are being challenged with the future and contemporary experiences. This is not a problem with only fundamentalists but also recognized by the progressive or liberal theologians. However, to the fundamentalists, embracing the reality of change within the changing world is usually seen as a threat to beliefs, doctrines and religious faith.

It is therefore important to read the theology of the AAEs on homosexuality as that which claims that homosexuality is a danger to Christian beliefs, doctrines and religious faith insofar it is accommodated by faith based communities. In fact, at the core of its emergency, in the United States, fundamentalism began as a movement that sought to preserve faith based traditions. It was a movement that emerged to call back the American communities to the faith, especially those that seemed to have been attracted to modernism. It rose against the growing awareness and advocacy to religious pluralism. Fundamentalism also surfaced against the growing social changes in the society. It also rose in an attempt to respond on intellectual advancement demonstrated by a growing number of evangelical theologians who, at the time, had started to complain for critical biblical criticism (Wacker 2000). Some of these factors that have motivated the emergency of fundamentalism could be closely linked with the aspect of globalization which was already in place. Prior to the invention of fundamentalism, the American society was already experiencing incoming immigrants. Further the society was also

experiencing intellectual dialogues. Scholars from outside the United States would interact with the United States' scholars and community in academic dialogue on contemporary issues such as that of evolution. This is not foreign to how the AAEs describe organizations as those of sexual minorities especially when they advocate for their rights. For the AAEs, international bodies that call for the recognition of rights of sexual minorities are often described as corroborators with the gay movement that seeks to "advance the "gay" (Lively 2009a:62). The AAEs' approach to homosexuality is underpinned by three pillars: Theological, eschatological and missiological-which are key to fundamentalism.

### **5.3.2. The Theological pillar of fundamentalism**

Under this pillar, fundamentalists speak of the basis of their beliefs. It is outlined that the Bible forms this basis. According to the fundamentalists the bible is truthful, unquestionable and unchallenged. To question, challenge or to interpret scriptural texts and obtain meanings other than the literal, would be considered unfaithful and inconsistent with the character's attributed to the Bible (Burdette 2005). Any interpretation in this regard is expected to be literal because any other form of interpretation would mean to read the Bible 'behind the literal word', an approach thought to challenge the authenticity of the text itself. This theological approach disassociates itself with attempts to apply a thorough, analytical or logical study of the Bible. Such attempts expose the Bible to interpretations beyond the literal. This theological approach is further emphasized by Woods in his discussion on American Christian fundamentalism and biblical interpretation. He holds,

American Christian fundamentalism stands opposed to beliefs or actions contrary to "traditional Christian values" as discerned from a literal reading of the Bible...Fundamentalism does not privilege contextualizing the Bible, which would suggest its meaning is subjective and otherwise open to interpretation. [For instance,] Because Genesis addresses a six-day creation, creation is only to be understood as a literal six-day period (Woods 93).

The theological pillar of fundamentalism is one of the most important tools that the AAEs have used to promote anti-homosexuality advocacy especially in societies such as Uganda where it is supported with instituted silence over issues of sexuality. Progressive evangelical questions that would insist on reading the Bible along with the signs of the time, are questioned by the AAEs especially in the event that they give recognition to homosexuality. But this is not unique

especially when it comes to religious groups that promote literal understanding of the Bible like the AAEs. “Those who believe that the Bible is the literal word of God hold a certain moral absolutism that may be incompatible with tolerance toward gays and lesbians” (Burdette *et al.* 2005:182). This theological pillar as exercised by the AAEs, is also supported by the Ugandan context. While pro-homosexual activism suggests a critical interpretation of the Bible, anti-homosexual activism continues to be supported by influential Christian religious traditions (Ward 2015). This hinders progress in seeking an alternative understanding of homosexuality from a theological point of view. As such, the AAEs emphasis on the literal interpretation of the Bible on homosexuality, would most likely go unchallenged in a country like Uganda given the existing contextual factors. Therefore, it would be easier to accommodate the anti-homosexuality views of the AAEs in a Ugandan society insofar as they are presented as biblical truth and in agreement with the contextual perceptions on sexuality. It is imperative to observe that by stressing the unquestionable state of the Bible, while rejecting alternative interpretations of its teachings, fundamentalists observe this as a preparation for life after. Alternative interpretations of biblical teachings other than the literal would, in this case be a hindrance to achieving salvation, which in itself pays way to the eschatological pillar.

### **5.3.3. Eschatological pillar of fundamentalism.**

“The second [pillar] is their belief that the end of this world could come at any time and that only those who have been saved will survive” (Brown 2002:71). The question of eschatology is very important within fundamentalist theology as the case could be in other human societies even beyond Christianity. In the history of Christianity, Christians have always concerned themselves with what happens beyond the physical world. The belief of life after death has been of consolation and sometimes helped to persevere persecutions (McGrath 2016). The concept of eschatology “derives from the Greek term *ta eschata*, ‘the last things’ [from a wider perspective] eschatology is “discourse about the end”” (McGrath 2016:426). This means that when we talk of eschatology we not only treat it as a concept only attributed to the fundamentalists. However, even though this theological concept is of concern to the wider family of Christianity the teachings concerning this concept from a fundamentalist perspective is what concerns this enquiry.

The eschatological principle from the fundamentalist’s perspective draws a significant difference between the physical world and the world to come. While the physical world may be occupied by all human beings, the world to come-or the promised world would only come

for those who are saved. In this case the practice of homosexuality is questioned for its contribution to salvation. If it is judged inconsistent to salvation, it is therefore condemned as part of the physical world. For fundamentalists, the physical world has to be escaped because it is sinful, the world to come must be embraced because it is linked to salvation. To embrace the world to come followers must be able to understand the bible as

Verbally inspired, inerrant,... [and that] “any interpretation based on allegory, symbol, or poetry...was the work of Satan. To successfully fight the ‘satanic triad of liberalism-socialism-communism’ Christians must be separate from the work and this included separation from Christians tainted by worldly connections. Their dispensational eschatology told them that they were living in the last days...” (Kyle 2006: 173).

The eschatological pillar is linked with the call for the mission to bring God’s salvation to the unbelievers.

#### **5.3.4. The Missiological Pillar of fundamentalism.**

Like the wider evangelical family, fundamentalists do believe in the active participation of all Christians towards ‘saving’ the souls of the ‘unsaved’. Since the world is considered sinful, the unsaved must be helped to detach themselves from this world. It is a duty of the Christian to take upon oneself to “save as many others as possible before that time”-the end of the physical world (Brown 2002:71). The call to renounce homosexuality, to declare homosexuality as sinful and to accept therapy as a necessary rehabilitation program are all directed to saving the souls for Christ from an evangelical fundamentalist. But what does being saved entail in regard to this pillar? To be saved, Brown explains, “means to have a personal relationship with Christ, to accept the truth of the Bible, and to live one’s life in accordance with biblical prescriptions about behaviour” (Brown 2002:71). A critical analysis of this pillar could reveal that three variables take precedence: relationship with Christ, truth of the Bible and behaviour. Therefore, it implies that any shortcomings of these three variables, in terms of application in any one’s life, endangers one’s glimpse at salvation.

While one accepts and establishes a personal relationship with Christ, one should be prepared to accept what the Bible prescribes as its teaching and should as well, replicate the exact teachings of the Bible within one’s behaviour. This staunch teaching has seen many fundamentalists’ churches at crossroads with the changing experiences in contemporary

society. For instance, in the 1970's, when evangelical women groups attempted to campaign for Equal Rights Amendment (ERA), they were opposed by the fundamentalism loyalties on the grounds that they were unfaithful to the teachings of the Bible (Brown 2002:71).

International conferences organized by AAEs on homosexuality suggest to be understood as mission. Through this mission, homosexuality is demonized as a liberalistic sexual desire, sinful with a potential to distract humanity from God's salvation (Davis 2013, Kaoma 2009). Informed by the missiological pillar of fundamentalism, the AAEs would perceive themselves with a mission and obligation to save society from homosexuality. Having identified Uganda as one of the societies threatened by homosexuality, the AAEs could have perceived this as an opportunity to extend their mission. Such a mission would not only be extended to Uganda to help 'save' the Ugandan society but also to convince the Ugandan society to support the global fight against homosexuality as advanced by the AAEs (Lively 2009a). The criminalization of homosexuality and the revitalization in anti-homosexuality struggles in Ugandan would be seen as fruits of the AAEs' mission towards the fight against homosexuality globally. In fact, African contexts such as Uganda are specifically targeted as future resources for anti-homosexuality activism worldwide (Anderson 2011). This is also affirmed in one of the AAEs ministers, "The West has been in a decline but right now I think Africa has..., it is the fire pot of spiritual renewal and revival. It's very exciting to me" (Lou in William 2013). Apart from the three pillars of fundamentalism, which inform theological motivations of the AAEs, is the aspect of American Evangelicalism. American Evangelicalism can be seen as the grandparent body of the American anti-homosexual evangelicals. In the following part this grandparent body of the AAEs is explored as its nature and theological teachings further form the worldview that characterizes the AAEs' approach to homosexuality.

#### **5.4. American Evangelicalism and Revivalism.**

American evangelicalism is part and partial of the Christian religion that is claimed to have a broader influence on the United States' society today. Julia Hemeyer, has rightly observed that evangelicalism is not new in the United States. It has been part of the "religious landscape at least since revivals that began in the eighteenth century" (Hemeyer 2016:84). American evangelicalism does not seem to have developed by chance. The history of Christianity in America indicates that towards the advent of the 20<sup>th</sup> century, the American society was undergoing cultural, sociological and religious challenges that "left an indelible imprint on the

aspects of American Christianity (Gushee and Sharp 2015: xix). This period was characterised with an increasing number of migrants especially those abandoning their countries for America, attempting to “escape social, economic and often physical persecutions” (Hunter 1983:25). This is one of the key issues that compelled the American evangelical Christians of the time to reflect more on what migration meant for Christianity in America and the role played by the American society. Brown noted that some Christian immigrants “had come to escape religious persecutions in Europe, but they did not hesitate to set up their own established churches and in some cases to persecute their own deserters” (Brown 2002:17). To some American evangelicals, migration also meant challenges to traditional Christian ways of life. As cultures met, new approaches to religion, worship, beliefs started to take root in the society. This brought challenges to “protestant hegemony in American religious life” and gave way to calls of revivalism (Lippy 1994:107). Revivalism could be understood as an attempt to search, reflect, and contemplate for ultimate answers posed by the emerging social, cultural and religious challenges. It attempted to appeal for a conventional perception that human persons were no longer leading virtuous lives hence an immanent need to turn to the guidance of the supernatural. Revivalism was also expressed in liturgical compositions. Crosby’s hymn is highlighted in reference to the spirituality of revivalism (Lippy 1994; Blumhofer 2005):

Blessed assurance, Jesus is mine! Oh,  
what a foretaste of glory divine. Heir of  
salvation, purchase of God, Born of His  
spirit, washed in his blood.

Perfect submission, all is at rest; I  
in my Saviour am happy and blest!  
Watching and waiting, looking above, Filled  
with His goodness, lost in His love.

This is my story, This is my song, Praising  
my Saviour all the day long!(Blumhofer  
2005:229-230).

Drawing from the *Blessed Assurance* hymn of Fanny J Crosby, one could argue that the hymn seeks to uplift the believers’ faith to the extent that the believer recognizes that submission to God is not an alternative. The hymn seems to communicate a new lived experience, its characteristic, and how life ought to be lived. Revivalism in this case would therefore be seen as that which motivated sharp diversions from aspects such as urbanization, technology, and science. It was therefore an experience that attempted to challenge the trends of liberalism and personal autonomy, which paid little or no respect to the authority of the Bible. These



experiences have continued to influence the spirituality and mission of American Anti-homosexual evangelicals. According to Kopya Kaoma AAEs, “have established a strong media infrastructure across Africa” which includes funding radio stations, Television channel which enables them to broadcast their messages regularly” (Kaoma 2009:8). This is one of the ways through which the AAEs seek to revive communities especially those which they consider to be in a ‘serious’ need of evangelization. Another key aspect which characterizes the AAEs approach to homosexuality is that of civilization.

#### **5.4.2. American evangelicalism and civilization**

“The idea of civilization was developed by eighteenth-century French thinkers as the concept opposite to “barbarism”” (Huntington 1997:40). According to Thomas Herbert, in its earlier sense, [the term civilization]...carried a full charge of the dynamic significance now attached to terms like ‘progress’, ‘development’ and modernization’ (Herbert 1980:5). One could state in the present popular language that societies during this time seemed responsive to what merited the category of ‘progress’ ‘development and ‘modernization’ would be classified as ‘civilization positive’.

On the other hand those that showed neither signs of ‘progresses, ‘development’ nor ‘modernization’ would be ‘civilization negative’. Using the framework of the eighteenth century thinkers, it could be further stated that ‘civilization positive’ would define a society whose people have passed the category of ‘barbarism’ and have reached the level of modernity. Civilization negative henceforth, could categorize those societies whose individuals have neither reached modernity nor possessed any signs towards a radical change to modernity.

Civilization though, has been attributed to diverse definitions. For instance, Huang defines civilization as a system of homogenous human activity confined by a set of prevalent rules, habits and tools developed over a considerable period of time. Civilizations in this sense are attempts to solve the problem of human order in a given setting, national or otherwise (Huang 2002:218). Civilization was used not only to show advancement of human knowledge in securing the future but also to define how some societies were different from others. Further it was used to express which societies were desirable and which were less desirable. As Huntington rightly notes, “To be civilized was good, to be uncivilized was bad. The concept of civilization provided a standard by which to judge societies...” (Huntington 1997:41). For

Huntington nevertheless insists that ‘A civilization’ is “the highest cultural grouping of people and the broadest level of cultural identity people have short of that which distinguishes humans from other species” (Huntington 1997:43).

The concept of “civilization” has also been used in American Evangelicalism in the attempt to articulate the role of Christian religion in society. The same concept is referred to by the AAEs in relation to homosexuality. For instance, there exists a feeling that homosexuality and its advocacy attempts to replace “the Judeo-Christian moral foundation of Western civilization with an alternative morality that places no restrictions on sexual conduct (Lively 2009a:69).

The term civilization, from an evangelical Christian perspective, was not just a secular concept but was subject to the guidance of religious principles. This means what civilization entailed, it was to be in accordance with Christian principles. The evangelical Christian perspective’ aligns with what Marsden describes as a ‘health civilization. For Marsden, this is an inspirational goal of a modernized, progressive society (Marsden 1980:12). Insofar as homosexuality is regarded as a harm to society and contrary to the teachings of the Bible, it would be judged short of what civilization meant from an evangelical Christian perspective. A homosexuality practicing individual or society would then be targeted for civilizing in order to save its people. In other words it was the Christian religious thought of a health civilization to be “basic to evangelical thinking-as essential as the belief that souls must be saved for the life to come” (Marsden 1980:12). This assumption within evangelical Christianity seems to have had a lot to do with how religion was viewed vis-à-vis, the secular cultures of the time. Given the challenges posed by scientific advancement that attempted to present alternative ways of viewing the world, the engagement of the evangelical Christianity in the civilization discourse could be seen as an attempt to reclaim the authority of religion in both the Christian and the secular society.

It can be deduced therefore that if civilization was a state that demonstrated the highest peak of human knowledge, this peak was evaluated through the eyes of a Christian religion. As Marsden seem to suggest, civilization was only manifested insofar as it was attained on the basis of virtue and morality as taught by the Christian religion. It is upon such background that we locate the development of anti-homosexual discourses within the American evangelicalism which is seen necessary in reshaping society back to Christian principles. In the following part, the study locates the anti-homosexual debate within the American evangelicalism.

### **5.4.3. Anti-homosexuality and American evangelicalism**

It has been shown that contexts may shape how a phenomenon is perceived and constructed (Afshar 2000:69). Although the United States of America is one of the countries where homosexuality has some public toleration, it is also a country with a growing number of anti-homosexual movements such as the AAEs. Anti-homosexuality activism in the United States is not a recent phenomenon. Various studies have rightly traced anti-homosexual campaigns far back in the middle of the twentieth century (Brown 2002; Schultz 2009). Just as politicians, human rights advocates and law experts have taken interest on homosexuality, religion too, has not been silent (Adamczyk and Pitt 2009, Eskridge 1997). It cannot be taken for granted however, that religious based campaigns on homosexuality have contributed a lot in shaping the American society's view over homosexuality. Broadly, movements that advocate against homosexuality have come to be described as "anti-gay rights movements or anti-homosexuality movements" (Anshar 2006). From the second half of the twentieth century to recent times, homosexuality although not new in human history, has appeared to be a contested phenomenon. This has seen the engagement of movements calling for compassion towards homosexuals as an "extension of civil rights to minorities, and as a cultural revolution" (Colloquium 1995:31). This follows the increasing extension of anti-homosexual movements in the United States, inspired diversely by religion, politics and cultural factors back in 1960's (Colloquium 1995).

Although the rate at which homosexuality was described wrong by the American population has drastically dropped as compared in recent years, forces such as religion still propagate anti-homosexual theologies and teachings (Dillon and Savage 2006: 1, Burdette 2005, Van der Toorn et al. 2017). Despite this diversity, a common tendency advocating for a homosexually free society characterises all. From a religious point of view, a number of studies indicate that conservative religious groups tend to oppose homosexuality most often in regard to same-sex marriage (Van der Toorn et al. 2017, Waters et al. 2016).

Rebecca Barrett-Fox in her review on the *Rise of Anti-Gay Religious Right Activism in the U.S* has noted this concern: "...[C]onservative Catholics, Protestants, Mormons, and Jews have become, since the 1970's, co-belligerents guarding a border between the sexually acceptable and the sexually unacceptable" (Barrett-Fox 2014:15). This sexual conservatism is on the other hand seen to be rooted within the puritanism theology that "put in place a regulatory framing of moral and sexual behaviours and values" (Diane di Mauro and Joffe 2007:67).

In the broadest terms, “puritanism in the sixteenth and seventeenth centuries was an agenda calling for furthering the perfection of Protestant reform and it was to be found throughout the British isles and in the English colonies abroad” (Bremer and Webster 2006:xiii). Aspects such as spiritual perfection, pietism were fundamental in the puritanism theology. At the centre of sexual conservatism as preached by the puritanism theology was the concept of family. In the family, the framing of puritanism targeted the family units such as children and their parents. It is argued that “[t]his framing dictated an appropriate socialization of children within the family, as well as appropriate roles and behaviours for heterosexual couples, strictly within the confines of marital relationships (Diane di Mauro and Joffe 2007:67). In American evangelicalism, these issues are not old, rather they continue to be contentious especially when debates on homosexuality and same-sex marriages are raised (Stokes and Schewe 2016).

For the American anti-homosexual evangelicals, the aspects of family, children and parenthood are some of the key issues upon which their anti-homosexual arguments are based. The AAEs argue that the practice of homosexuality and pro-homosexuality activism, does not support the Christian understanding of marriage and therefore cannot be a model for the proper growth and upbringing of children (Lively 2009a; 2009b). The AAEs advocacy on family is not only informed by puritanism theology but draws a lot from the family ideals of the ‘Christian Right’ movement in the United States which emerged in the 1970’s (Kinder, and Kam 2010; Schulman and Zelizer 2008).

John Green *et al.* have defined Christian right movement as “[a] social movement located principally among evangelicals, dedicated to restoring traditional values in public policy...it has grown in size and Sophistication...it exercise[s] influence in national politics, especially by mobilizing evangelical religious voters on behalf of Republican candidates” (Green et al. 1996:1-2). Further, Christian Right movement would be defined as “a social movement that attempts to mobilize evangelical Protestants and other orthodox Christians into conservative political action” (Wilcox and Robinson 2011:8). It is asserted that the U.S Christian Right movement principally emerged as a reaction against liberation movements of women and gay rights activism of the time with special interest on “family values” (Diane di Mauro and Joffe 2007; Afshar 2006). It was assumed by the proponents of the Christian Right that there existed “widespread and flagrant ‘moral decay and spiritual decline’ catastrophic enough to endanger the progress of the family institution (Kinder and Kam 2010:152).

Kinder and Kam have rightly affirmed that [a]mong the catastrophes motivating the Christian

right to action were abortion, promiscuity, divorce, and feminism, and gay rights” (Kinder and Kam 2010:152). The emergency of alternatives such as those presented by feminism and gay-rights, which seemed to challenge the status quo of male superiority and heteronormative lifestyles, became key issues that need urgent attention for the Christian Right movement.

From a ‘Christian Right’ perspective, homosexuality, lesbian and gay rights activism threatens the political, cultural, social and religious fabric of the American society (Kinder and Kam 2010). This is because these aspects are thought to institute new values, and norms regarded as inconsistent with the traditional American values (Herman 1997:60). This view has been prominent in the history of the Christian Right, anti-homosexuality activism in the United States.

It has motivated a production of fears (Herman 1997). For instance, La Haye noted “the homosexual community, by militancy and secret political maneuvering, is designing a program to increase the tidal wave of homosexuality that will drown our children in a polluted sea of sexual perversion--and will eventually destroy America as it did Rome, Greece, Pompeii and Sodom” (Herman 1997:62). La Haye, having been one of the prominent religious leaders of the time, his warning on homosexuality could be seen as one of the foundation upon which the present ideology of the AAEs is constructed. La Haye’s position attempts to expose homosexuality to a moral diagnosis. This diagnosis points out how homosexuality is a threat to institutions such as the family in the sense of targeting children whom the society sees to guarantee its future existence. The State is another institution that appears to be threatened in view of La Haye’s warning over homosexuality. Viewing homosexuality as “a sexual-transgression”, characterizes homosexuality as a practice that deviates from what society upholds- this being the status quo, whose violations triggers condemnation.

Similar to La Haye’s warnings against homosexuality, William Dannemeyer’s 1989 work *Shadows in the land: Homosexuality in America* described homosexuality as a strange way of life, militant and positioned to fight what is believed to be the American sexual ethic. Dannemeyer discusses homosexuality and homosexual movement as an urgent threat to which the American society ought to give immediate attention. In his analysis of the problem Dannemeyer pays great emphasis on the role of religion as calls upon the church to respond on the growing “power of the gay movement” (Herman 1997:63). This emphasis is highlighted profoundly in his provoking probe:

How are we, as supporters of the Judeo-Christian ethic, supposed to respond to this well-planned and well-financed attack on our civilization? The question faces us

wherever we turn, demanding an answer—not in ten years, not in two years, but this year, now!...We must either defeat militant homosexuality or it will defeat us (Dannemeyer 1989:17-18).

The provocative probe made my Dannemeyer echoes concerns of religion and civilization as well a call for urgent response. One of the contributions made by Dannemeyer's probe, is its success in inspiring reasons for anti-homosexuality mobilization. This inspiration appears eminent given that homosexuality activism and pro-homosexual activism are both put on a collision course against each other.

Scholars such as Afshars (2000) have identified claims made in anti-homosexuality rhetoric against homosexuality and homosexual persons with the anti-Semitic and anti-communist rhetoric. Anti-Semitic is a word that has historically been used to describe the premeditated hatred or prejudice against the Jews.<sup>25</sup> Nazis leaders, Perry and Schweitzer argue,

“We're gripped by a demonological anti-Semitism that saw Jews everywhere as the source of all evil, dangerous-criminals who plotted to rule German and the world [they believed,] Jews were racial inferiors, sub-humans who defied Aryan blood and corrupted European culture. Driven by this mythical image of the Jews, the Nazis regarded themselves as noble idealists engaged in the biological and spiritual purification of Europe (Perry and Schweitzer 2002:1).

The threat argued in the above scholarship (as it was brought about by homosexuality), is fundamentally seen in the same way as how the Jews and communism, were seen to be dangers to the American society (Perry and Schweitzer 2002). From this context, it could be deduced that homosexuality is dangerous in the sense that it is a “Satanic evil force” that has the ability to distort society's moral fabric. Scholarship such as *Pink Swastika: Homosexuality in the Nazis party* by Scott Lively and Kevin Abrams (1995) as well as *Redeeming the Rainbow: A Christian Response to the “Gay” Agenda* by Scott Lively (2009a) document homosexuality as a satanic evil force that contributed to the extra judicial atrocities of the Nazis German regime. The authors in these volumes insist that political leaders, who occupied highest ranking positions in the Nazis regime, were homosexuals who used their positions of power to recruit men into homosexuality and attempted to maintain male homosexuality as superior (Lively and Abrams 1995). In this regard, “[a]s war became more important to the Germans, the male warriors and their culture became dominant, and the status of women declined” (Greenberg

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<sup>25</sup>Although there exist incidents of Jewish hatred even prior the coming of the word by the “German journalists Wilhelm Marr” in 1879, one of the most contemporary expression of anti-Semitism happened during the Second World War. From 1941 to 1945 the Nazis killed approximately 6 million Jews- two-third of the Jewish population in Europe” (Perry and Schweitzer 2002:1)

2008:249).

Anti-homosexuality movements in the United States have viewed themselves as victims of pro-homosexuality activism which is claimed to be championed by lesbian and gay rights movements (Lively 2009).

Homosexuals cast themselves as a united coalition of sexual minorities (GLBT “gay,” lesbian, bisexual, transgendered) who must band together against a common oppressor... The “oppressor” is the “homophobic” majority, which they separate in two groups: (1) hate-filled religious fanatics and other bigots, and (2) those who go along with “homophobic” attitudes out of ignorance... The reason for accusing opponents of hating them is first, to put the opponents on the defensive, second to create sympathy and gain allies among non-homosexuals and third to preserve their own political unity by perpetrating a climate of fear among their members (Lively 2009a:70).

As victims, anti-homosexuality movements perceive pro-homosexuality movements as their attackers to whom they may have to surrender in case overpowered. The increase in homosexuality tolerance in religious spaces (but also across other sectors of society), is interpreted by anti-homosexual movements as “dark night of the soul that could last hundreds of years before the flame is again lit” (Dannemeyer (1989:228). One of the implications of this sentiment can be related to a call within the anti-homosexuality movements especially, the Christian Right to oppose homosexuality aggressively (McIlhenny and York 1993). According to McIlhenny and York, “either the church becomes militant in its opposition to sin, and aggressive for righteousness and healing, or we will see the collapse of our entire culture into hedonistic nightmare... with deadly consequences for millions” (McIlhenny and York as quoted by Herman 1997:64).

Therefore, the growth of pro-homosexual movements in the United States has provoked anti-homosexual evangelicals who envision them as threats that provoke the call for militant action. Such militant actions would be seen as a means to restore spiritual progress seemingly compromised by homosexuality activism (Grant, and Horne 1993: xii).

The anti-homosexuality discourse within the American evangelicalism has further been historically supported by studies that have challenged the biological arguments for the origin of homosexuality. Byrne and Parson (1993) is one of the scientific works which are often cited in the defense of anti-homosexual arguments. Byrne and Parson address the problem of homosexuality from a biological point of view. These scholars, basing on their findings, attempt to “dispute the conclusions of the biological determinants” of homosexuality “by questioning their methodology” (Herman 1997:70). According to their arguments resorting to

the claims of empirical data is a consequence from “dissatisfactions with the present status of psychosocial explanations” (Byne and Parson 1993:228). Despite this claim, Byne and Parson assert that although the biological conclusions are claimed to offer unsatisfying answers, it is not to argue that there exists an exclusive psychosocial scientific explanation for the origin of homosexuality. What then was Byne and Parsons’ position? Byne and Parsons’ position is motivated by their analysis of the available literature in the early 1990s. The scholars arguably pointed out, “Conspicuously absent from most theorizing on the origins of sexual orientation is an active role of the individual in constructing his or her identity”. (1993:236). According to their observation, the available studies’ conclusions portrayed the individual as “passive and sexual orientation is thrust upon him or her either by constitution or by parental treatment” (Byne and Parsons 1993:236). Therefore, they argue,

While most authors have recognized the possible importance of both biologic and experiential factors, too little attention has been given to the manner in which these factors may interact. We propose an interactional model in which genes or hormones do not specify sexual orientation per se, but in-stead bias particular personality traits and thereby influence the manner in which an individual and his or her environment interact as sexual orientation and other personality characteristics unfold developmentally (Byne and Parsons 1993:236-237).

One of the contributions made by Byne and Parson’s study is the formulation of a model that seeks to integrate, both biological and psychosocial scientific explanations for the origin of homosexuality without necessarily staging a confrontation or negation of any on the two perspectives (Bigler 1993). The interactive model offers a middle-grounded analysis upon which future studies can on either approaches, further engage with caution of total exclusivity. Reviewers of Byne and Parsons’ work such as, Bigler have impressively described this particular work as Specific to the issue of homosexuality and that there is little to suggest that homosexuality is the consequence of purely environmental influences or exclusively biologically determined (Bigler 1993). In other word words, it is a "middle-of- the-road" study (Bigler 1993:125).

Scientific arguments such as that proposed by Byne and Parsons have had a remarkable influence in shaping current debates on homosexuality (Byne and Parsons 1993). This can be seen in a number of Christian Right movements that have intensified their challenge againsthomosexuality. Current scholarship rightly enumerates some of the prevailing movements<sup>26</sup> including the Christian right (discussed above), Ex-gay movement and

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<sup>26</sup> These movements have their foundation in the United States. They have been key in spearheading anti- homosexual



organizations such as Family Research Council (FRC), American Family Association(AFA), National Association for Research and Therapy of Homosexuality (NARTH) Exodus Global Alliance (Kaoma 2014a; Robinson and Spivey 2007; Fetner 2005; Southern Poverty Law Centre 2011). Broadly, these movements are inspired by the view that homosexuality is a disorder, a sin and can be reversed through practices such as therapy and religious conversion. The discrepancy within scholarship as to whether homosexuality is intrinsically biologically determined or whether it is determined by environmental factors, or both is exploited by Anti-homosexual movements to maintain that homosexuality is unnatural, a behavioural deformity, hence can be treated (Kaoma 2014a; 2014b; Fetner 2005). Therefore it can be sustained that the AAEs theology and activism on homosexuality is connected with other forces that either provide it with: a theological background, motivation, or disseminate a similar cause of action.

## **5.5. Conclusion.**

It is the finding of this chapter that the American anti-homosexual evangelicals' and anti-homosexual theology and activism are rooted in a complex history. It is located within the theologies of American evangelicalism and fundamentalism that have been experienced within the history of Christianity in the United States. The spirituality of revivalism and Puritanism seem to inform the charisma of the AAEs especially on the call for a restoration of family values according to biblical teachings. It is important to explore this history so as to understand the nature of the AAEs' anti-homosexual activism. Further the exploration sheds light on how and why the anti-homosexual activism is highly spirited within the American conservative evangelicals. The Chapter has therefore offered a background upon which the teachings and theological positions of the AAEs on homosexuality could be understood and analyzed. The next chapter focuses on the 2009 Anti-homosexuality Conference which was held by the AAEs in Uganda. The chapter seeks to explore and understand how the AAEs contributed towards the shaping of the Ugandan society's view on homosexuality.

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arguments not only on religious level but also on political and economic levels. Their influence is not only local in the united states but also international (CfKaoma 2014a, "American Culture Warriors in Africa"

## CHAPTER SIX

### SHAPING CONTEMPORARY UGANDAN VIEWS OVER HOMOSEXUALITY.

#### 6.1. Introduction.

The previous chapter focused on the American Anti-homosexual evangelicals. It unveiled some of the aspects that inform the AAEs' mission to campaign against homosexuality. This chapter concentrates on presenting the findings on the AAEs conference held in Uganda in 2009. As explained in the methodology (chapter two), these findings are based on the Political Research Associate' Video that was filmed by an undercover Political Research Associate, senior researcher Kapya Kaoma in 2009. The details on the procedure and analysis of the video have been presented in the methodology chapter. After presenting the findings, the discussion follows. In so doing, the chapter answers the second and fourth objectives of the study. The second objective of the study is to understand how the American Anti- homosexual evangelicals attempted to shape the Ugandan society's views over homosexuality. This is mainly presented, firstly, in the opening part of the chapter and secondly, in the first section of the discussion in the second part of the chapter. In the fourth objective, the study seeks to establish the possible advantages that foreign religious leaders have over local religious leaders which can be used to influence the process of policy making in Uganda. This is mainly presented in the second section of the discussion in the second part of the chapter.

#### 6. 2. Key emerging Themes.

The findings and the discussion are informed by following key emerging themes from the AAEs 2009 Conference: *Identity and claimed Legitimacy on homosexuality; Homosexuality as defined by the AAEs; The erroneous misrepresentation of Homosexuality; Homosexuality advanced through Power, Authority and Influence; Informed pro-activism against the gay movement and homosexuality; Fighting homosexuality is for a good cause; Challenging Homosexuality presents consequences and a need of preparedness.*

### **6.2.1. Identity and the claimed legitimacy on homosexuality.**

The theme highlights the Anti-homosexual Evangelicals (AAEs) claim to legitimacy on addressing the topic of homosexuality in Uganda. This was highlighted through the chief speaker's choice of words in the introductory statements and emphasized by his revealed identity. These statements seem to have been carefully selected, to attract attention, build confidence but also to communicate the power of identity and difference. In his opening statement, Scott Lively stated: "Good morning everyone, I want to introduce myself first, my name am Scott Lively, am from Massachusetts in the United States" (*Political Research Associates-PRA 2009a*). This signaled to his audience that the speaker was not only White and English speaking, but also someone from a nation often classified as a superpower, the United States (Herring 2008).

The chief speaker introduced himself from several perspectives and thus positioned himself as an informed person on the subject of homosexuality, who may at all cost be trusted. First he points out his social status as a family man. He states, "Am married, I have four children. And my wife and I have four children. I have been married for 28 years and I am 51 years old" (PRA 2009a). In the Ugandan context, considering his age and social status, Scott Lively could as well be considered an elder who would not easily be doubted (Otiso 2006). Secondly, he presents himself as a Religious leader. He characterizes himself as an educated Religious Pastor who has been trained with enough theological background seemingly enough to tackle a contentious subject of homosexuality: "am going to be speaking to you as a Pastor with a degree in theology and someone who has been studying the sacred scriptures regarding all these issues... I have experienced the power of God in my own life" (PRA 2009a). Scott Lively felt that his audience may need to be convinced by knowing how educated he was. He therefore went ahead to state the extent of his education, scholarship and expertise on the subject of homosexuality.

Now, I also approach this as an attorney, I hold a Doctorate degree from Trinity Santa Clara California. I graduated Magna cum laude. I have written several books, I have a Doctor of Theology degree from Pentecostal Assemblies of God in Santa Sandro California. I hold a certificate in human rights from international institute of human rights in France. I have done other studies in my life that I don't hold credentials for but I have knowledge of. And am going to bring all of them today to teach on this topic. (PRA 2009a).

Although Scott Lively felt that the subject of homosexuality would require scientific knowledge for a deeper analysis, with inputs from medical and psychiatric fields, he

nevertheless attempts to cover this gap by appealing further to his identity and experience:

I am an attorney, am a scholar, am very capable more than capable to analyze professional documents, scientific studies and this is the type of things I have always done all the time to be able to present a case to the judge” (PRA 2009a).

It is important to note that beside the role that his religious background and intellectual level may offer him in discussing the subject of homosexuality, Scott Lively attempts to relate experiences of homosexuality with other forms of addictions such as drugs and alcoholism, to which he was a victim. He asserts

I became an alcoholic when I was twelve years old and I was in bondage of drugs and alcohol when I was sixteen years. I couldn't hold a job, I slept under bridges. I used to beg for money on the streets. That's how bad it was. I have a brother and sister that went into homosexuality. I have another sister that wasn't able to enter into marriage until she was in her 40's because of the pain the family life we had. I know about these things because I suffered different kinds of addictions (PRA 2009a).

By appealing to his experience as a surviving victim of various addictions and experiences of homosexuality in his family, Scott Lively clearly locates himself as a speaker who speaks from relevant experience. In the following theme, the findings highlight the role of local participants.

### **6.2.2. Active participation of local participants.**

The findings show that there was active coordination between the AAEs and some Ugandan local participants during the 2009 AAEs' conference. The effectiveness of the AAEs communication and influence would therefore have to take consideration of the role played by the local participants. One of these local participants who seemed to be very close with the AAEs during the conference was Pastor Stephen Langa. Pastor Stephen Langa occupied a position of influence, as a vocal anti-homosexuality evangelical preacher and counselor. At the time of the AAEs' conference, Pastor Stephen Langa was the executive director of a local religious based organization called Family Life Network-FLN (Family Life Network 2017). FLN is a non-governmental organization formed in 2002 which has been operating since, then, in Uganda. One of their central arguments which seem to stir their mission is that although the family institution, “is the basic building block of the nation,” and that its condition “determines the general state of that society/nation,” the Ugandan family institution is in a state of

breakdown” (FLN 2017).

One of the aspects to which the family breakdown is attributed is the increasing demand for recognition of homosexuality in the Ugandan society. Through its Leaders such as Pastor Stephen Langa, FLN has promoted anti-homosexuality activism by organizing anti-homosexuality seminars and inviting anti-homosexuality foreign speakers.

The findings demonstrate that Stephen Langa and the AAEs, together participated in teaching and answering questions on homosexuality from the audience. He handled the questioning session by taking up questions from the audience as well as responding to some. His responses follow the framework of the AAEs. This framework attempts to demonstrate the dangers of homosexuality in society. In one of his responses, Langa argues that the society is confused whether homosexuality is a sexual orientation, and that it is a problem that contributes to recruitment of heterosexuals into homosexuality. Langa attests “I have come to know as a counselor that sexual orientation is the root cause to recruitment into homosexuality” (PRA 2009a). He therefore supports the idea that individuals become homosexuals by recruitment. Recruitment of individuals into homosexuality is one of the theories the AAEs advance in challenging the recognition of homosexuality. Therefore, Langa supports the idea that heterosexuality is the sole form of true sexual expression, and that it is threatened by the recognition of homosexuality in the society. Being a Ugandan vocal religious leader and anti-homosexuality activist, his attitude towards homosexuality is crucial for any influence that the AAEs would have over the Ugandan society. By speaking in the same conference in support of the AAEs, Langa demonstrated that the local religious leadership was in agreement with the anti-homosexuality message being delivered by the AAEs. Langa’s close association with the AAEs also indicated that the AAEs’ message could easily be conveyed to other local leaders who have influence in the society such as policy makers. In the subsequent theme the findings show the AAEs’ attempt to explain what homosexuality is.

### **6.2.3. Homosexuality as understood and defined by the AAEs.**

According to the findings, the AAEs describe homosexuality as “a state of the mind, a behavior” that a human acquires or chooses to identify with. This is drawn from how Scott Lively attempted to explain this to the Ugandan audience:

What then is homosexuality? What is it that we are talking about here? A homosexual is a person who self identifies as such. The doctor will say, wait a second, well, how do you feel? (people laugh) what he is saying is, what is in your mind? That is all it is.

What is in your mind! It is the identification, the homosexual identity that makes you homosexual. It is not really even the conduct that you are engaged in, it is the state of mind that you hold about your sexual identity, the personal self-perception about your orientation to the other people, which really makes it more of an emotion (PRA 2009a).

From the AAEs' point of view, to be homosexual is to possess that state of the mind, that "kind of behavior, that desire" that one feels as if directing him or her "to engage in sexual behavior with the person of the same gender" (PRA 2009a). The hand, facial gestures made while explaining this, attempt to communicate to the audience that homosexuality is to some extent a certain kind of mental confusion which would require help from physicians in order to overcome it. The AAEs speaker emphasized this with hand gestures. This explanation attempts to teach the audience not to associate homosexuality with biological explanations of human sexuality. The position suggests, being homosexual is a personal choice which can be either approved or rejected by the individual. As a state of mind, the AAEs believe that homosexuality tendencies may be influenced by environmental factors such as sexual abuse. Scott Lively, therefore explains to his audience and insists to correct those who may think that they were born homosexuals by referring to the stage of child development:

Now, as they develop (children) into a sexual person, they get oriented in the wrong direction. That explains why, people say I was born this way, I have always experienced these feelings. I must have been born that way. No you were not born that way. You didn't choose it that you wake up one time and say I *wanna* [want] be a homosexual. But you did have something that happened to you and the good news is that is you acquired that by environmental factors, you can overcome that (PRA 2009a).

Lively, further explains to his audience that homosexuality is not only explained as an acquired practice, a state of mind but also as a condition which is often acquired through painful experiences.

...Two people very close to me brought me to the understanding of this complication... One of them was a little four-year-old boy. He was one of the little sweetest little children that you would have ever known, adorable lovable child. and the other person was very close to me as well. And that man when he was 19 years old he molested that four-year-old boy. And I saw what happened to that little child he was transformed from a free and innocent person into a tortured and tormented child filled with anger and rage and he never recovered from it, even though he received counselling he went on... (PRA 2009a).

The framing employed by the AAEs, attempts to describe how homosexuality emanates from painful experiences, especially when it occurs at a tender age. The pain associated with

homosexuality is suggestively drawn from the experience of power imbalances in society. In this case, individuals that seem to have dominant power tend to exert control over those whom they assume to hold less power. Being exposed to homosexuality is claimed by the AAEs to alter one's future-life experiences to something outside the control of his/her natural order. In line with such framing, the AAEs continue to hold that the sexual identity of homosexuals is oriented to the 'wrong direction'.

For the AAEs, this painful experience associated with homosexuality is also true to how individuals become lesbians. Scotts Lively affirms that lesbianism is generally sparked from experiences of molestation during childhood. He attests: "Lesbianism...is more than else a retreat from the company of man. It is an escape from man because of sexual abuse by man... I have never known personally a lesbian that was not sexually molested as a child" (PRA 2009a). As a consequence of these painful experiences, the AAEs suggest individuals tend to deviate from the normal sexual identity which is heterosexuality. AAEs thus describe sexual minorities groups as having deviated from the right direction: "What characterizes every single one of these groups (Sexual minorities) is their degree of deviating from sexual normalcy" (PRA 2009a). Using the frame of pain, sadness and wrong direction, (in reference to homosexuality) it seems to be a strategic attempt to convince the Ugandan audience, that while accepting homosexuality causes pains, rejecting it broadly restores joy to the individual and society. It appears that the practice of homosexuality and its acceptance becomes a problem to the society; On the other hand however, it also appears from the AAEs point of view, that the rejection of homosexuality becomes the solution as this restores happiness.

The theological concept of sin was used to provoke rejection of homosexuality from the Ugandan society. Scott Lively appealed to the Ugandan audience to reject homosexuality because it is considered to be a deviation from God's commandments, just like other behaviors such as adultery and fornication.

In genesis chapter 19, we are shown that homosexuality has a special place in God's anger. God is angry at the expression of homosexuality. Homosexuality is interpreted as abomination, a word that expresses the toughest, harshest possible term in Hebrew. For these sins, the land will actually vanish. Every time you see the case of homosexuality in the scripture, it is followed with terrible individual and social disaster (PRA 2009a).

It came clear from the AAEs' explanations that homosexuality being a sin is reliable to condemnation and punishment. The AAEs appeared to suggest that the rejection of homosexuality on ground of its sinfulness is justified as a teaching mechanism to homosexuals.

It would help them realize that the practice of homosexuality is sinful. “[n]ow we don’t call ourselves as above from the people who experience homosexuality...The difference between these persons and me, is that I do admit that my sin is sin, and they say that their sin is actually a blessing from God” ( PRA 2009a).

By describing homosexuality as sin, the AAEs implied theologically that homosexuality goes against God’s order of creation especially as far as human sexuality is concerned. To explain more and to justify this claim, the AAEs appealed to certain biblical texts and also asked their audiences to confirm. For instance, Scott Lively cited the book of Leviticus 18:22 which states, “You shall not live with a male as with a woman; it is abomination,” Another scriptural text that was cited was 1Corinthians 6:9-11:

...do you know that the unrighteous will not inherit the kingdom of God? Do not be deceived neither the sexual immoral, or idolaters, nor adulterer, nor men who practice homosexuality, nor thieves, nor the greedy, nor drunkards, nor reviler, nor swindlers will inherit the kingdom of God. And such were some of you, but you were washed, you were sanctified, you were justified in the name of the Lord Jesus Christ and the Spirit of our God (PRA 2009a).

By citing both the Old Testament (OT) texts and the New Testament (NT) texts, the AAEs attempted to create a theological relationship of power between the moral teachings of the OT and the NT. In this relationship, the biblical texts drawn from the OT and those from NT are considered as projecting one voice, consistent with one another for a universal teaching. The teaching on these texts was also literal. By not offering other hermeneutical explanations of the texts, the AAEs attempted to convince their audience that the cited texts in the Bible were against homosexuality; further, that these texts were very clear, precise and should be regarded as such. In other words, they attempted to empower the audience. From this perspective, it seemed that the audience would not need any other interpretations in order to understand and judge whether or not the Bible condemned homosexuality. According to how the AAEs made reference to biblical texts and the authority of certain verses it became certain that the Bible is one of the greatest tools that aid and inform the AAEs worldview on homosexuality. Through their interpretation of biblical texts especially those that regulate human sexuality, the AAEs sustain a claim that the Bible unambiguously condemn homosexuality and its practice. The theme that follows highlights the AAEs argument that there is a misrepresentation of homosexuality.



#### **6.2.4. Misrepresentation and ignorance of facts on Homosexuality.**

According to the AAEs the discourse on homosexuality especially from the pro-homosexual perspective is embedded with misrepresentations and ignorance of what homosexuality is, and what it is not. The ignorance and misrepresentation of facts on homosexuality are believed to aid the promotion of the practice. The AAEs were concerned with the aspect of homosexuality being described as innate, natural, and normal. They expressed a conviction that “Homosexuals are not born [homosexuals] that way, to say so is a lie” (PRA 2009a). This claim attempts to suggest that the idea, ‘homosexuality is innate’ is false. According to AAEs, “homosexuals say they are born that way and that they can prove and it has been proven, that they are born that way. That is a lie. It is called a lie. It is not true. There is no definitive scientific study that has ever proved that homosexuality is innate” (PRA 2009a). The AAEs note that “there are thousands, there are millions of people on the face of the world that will believe that it is true. Why? Because it was introduced as a fact, over and over, and over and over again by people that want it to be true and nobody questions it at any public level” (PRA 2009a).

For the Uganda public, the AAEs advised to pause a critical question that seeks to know the authenticity and source of the claim that homosexuality is innate. Such a question would be “How do you know that is true? Where do you get the source of that information?” (PRA 2009a). It appeared a common view among the AAEs that homosexuality is associated with behaviorism and dysfunctionality. In this case, someone practicing homosexuality is said to be practicing a bad behavior- suffering from some sort of disorder. In fact Scott Lively pointed out that “If someone is identifying himself with sexual orientation with the same person of the same gender that seems to me to be a self-evident disorder” (PRA 2009a).

Besides the aspect of homosexuality being claimed as innate, the AAEs demonstrated a belief before their Ugandan audience that there exists no equality between homosexuality and heterosexuality. The claim attempted to highlight that a certain degree of superiority, other than equality, has to be recognized in discussions that involve homosexuality and heterosexuality. For the AAEs, heterosexuality is superior to homosexuality on key aspects such as, its consistence with the heterosexual norm and its support for the continuation of human race through procreation. It is possible that the AAEs were attempting to sensitize their audience on the existence of tension between heterosexuality and homosexuality, which had to be resolved to preserve the progress of a heterosexual society.

The AAEs thus maintained, “We will not have a society if we do not have the heterosexual norm. If men and women are not coming together and marry, and raising children and placing

them for the next generation then... the society would collapse without families” (PRA 2009A). The AAEs further claimed homosexuality to be promoted through power, authority and influence in society. This theme is presented below.

#### **6.2.5. Homosexuality advanced through Power, Authority and Influence.**

In their address, the AAEs warned their Ugandan audience to be aware of the means by which homosexuality is promoted in African societies. The theme presents a view that the pro-homosexuality activism is spearheaded by individuals, organizations and nations that hold certain power, authority and influence in society. The AAEs advised the Ugandan audience to be skeptical of organizations that come to Africa with the view of “advancing the idea that human rights serve homosexual interests” (PRA 2009a). It is the view of AAEs that these organizations “are getting enormous money, [and] enormous political power, so that the protection of homosexuality rises than any other thing” (PRA 2009a). The AAEs emphasize that money and the power of influence is used to “incorporate others into homosexuality” (PRA 2009a). The ‘others’ in this case would refer to heterosexual individuals whom the AAEs claim to be “recruited through organized campaigns aimed at changing everything” (PRA 2009a).

According to the AAEs, individuals or organizations that seek to recruit heterosexuals into homosexuality do not do it on their own. The AAEs believe that these organizations connive with people in

high powerful positions who also share a similar motivation to ‘change the society’. We are talking about people that hold an ideology that is directly contradictory to the things that we believe. And because they have been aggressive at seeking to change society, they managed to put themselves in the seats of power (PRA 2009a).

Therefore, the AAE seem to believe that while money is used to facilitate pro-homosexual activities, including the luring of people under the promise of financial benefits, individuals in powerful positions use their status to promote homosexuality.

According to the findings the AAEs both warned the Ugandan society against certain knowledge on homosexuality, and at the same time urged them to believe another kind of knowledge. This means that while some knowledge may be denounced, another set of knowledge had to be trusted. About the subject of homosexuality, the AAEs felt that knowledge

on this subject must be exposed to analysis. This is to verify its authority, truthfulness, consistency, and source. In other words, there was a need to prove its authenticity. In elaborating further, the AAEs highlighted the ‘Natural Law’, ‘Knowledge of God’, and ‘Reason’ as key principles in analyzing the legitimacy of the diverse views on homosexuality. The AAEs argue their views on homosexuality to be supported by the Divine Authority. This is one of the reasons as to why the AAEs claim their knowledge as legitimate. Scott Lively declared before his audience, “The source of my authority is coming from the God who built this universe. The same authority that guides me to the knowledge that murder, pedophilia are wrong, is the same authority that guides me to the knowledge that homosexuality is wrong” (PRA 2009a).

It seems to be the view of the AAEs that while Anti-homosexual activism is supported by the positive knowledge of God, the Natural law and Reason, Pro-homosexual activism on the other hand has no legitimate theological support. For the AAEs, the physical structure of the human body suggests an inclination to heterosexual relationships. This is believed to be in accordance to the divine knowledge of God. “Evidence of your body shows God’s intention...The vagina and the penis determine one’s urge to have sex...Our bodies are not made for homosexuality. Homosexuality is not God’s design” (PRA 2009a). To further facilitate the process of knowing a legitimate truth on homosexuality, the AAEs urged their audience to make use of moral judgment. This would involve questioning whether the practice of homosexuality, with its supposed effects, is right or wrong. For the AAEs, “God does not make people to have no choice in the behavior that he condemns (PRA 2009a). In the following theme, the AAEs suggested a solution that the Ugandan society may adopt in order to get rid of homosexuality.

#### **6.2.6. A way forward: Informed pro-activism against the Gay movement and homosexuality**

This theme highlights the AAEs’ attempt to suggest a solution on homosexuality as a way forward which could be adopted by the Ugandan public. The AAEs considered evaluating pro-homosexuality knowledge imperative. In evaluating, the AAEs cautioned their audience to authenticate the “truthfulness of that knowledge” and whether it reflects “God’s truths”. For instance, there is a need to question everything relating to homosexuality, especially on the claim that homosexuality is innate. In this sense the AAEs urged their audience to “ask for the information or evidence from those who claim that homosexuality is innate. We should not

absolutely assume that homosexuality to be innate” (PRA 2009a). Another view highlighted by the AAEs is the call to protect the society and the children especially from acquiring homosexuality.

If homosexuality is not caused by genetic factors beyond anyone’s control that means it can be acquired... shouldn’t we be doing everything in our power to protect people from acquiring it? Right, Shouldn’t we lean on the side of protecting the children instead of affirming a scientific hypothesis that has no actual truthful foundation? (PRA 2009A).

The aspect of tolerance versus intolerance in reference to homosexuality was also highlighted. According to the AAEs, the practice of homosexuality, would to some degree, be tolerated if it remains in the private realm but not in public space. “Now what two adults do in the privacy of the bedroom is a different matter. And frankly my pastor says, ‘if you want to be homosexual, if you want to live as homosexual and if you want to do that in privacy I would tolerate that; I will accept that” (PRA 2009a). On the other hand however, the practice would receive zero tolerance if it goes public. As the Scott Lively holds “If one goes out on the street and start promoting this [homosexuality] and trying to get other people to do it and trying to change all laws and create a pro-gay society. We are not [going to] let you do that and start doing things that are going to harm the public” (PRA 2009a). Informed by this worldview, the AAEs felt that the Ugandan public needed to do something more practical such as formulating an anti-homosexuality policy. “Now that said, so we need a public policy that discourages homosexuality; In your circumstances it is appropriate if you tie criminalization with some kind of mandatory option for treatment of people” (PRA 2009a). The suggestion of a policy revealed that the AAEs had knowledge that suggested inefficiency of existing policies on homosexuality in Uganda. It can be deduced therefore that for the AAEs, a new policy was inevitable if Uganda was to eliminate homosexuality and pro- homosexual activism.

A part from the suggestion of a policy, it also emerged with great emphasis from the AAEs, that homosexuals can be treated, rehabilitated and restored back to their original state. This argument is based on the AAEs’ conviction that homosexuality is a disorder, a state of the mind that can be corrected through therapy. According to Scott Lively, there were organizations known for offering help to homosexuals. Notably, Scott Lively highlighted the “National Association for Research and Therapy of Homosexuality (NARTH) that has doctors, professors, therapists, all specialized in treating homosexuality and in helping people to restore them to their normal identity” (PRA 2009a). Although the AAEs suggested a way forward they

seemed to have foreseen that the Ugandan society may withdraw from the fight against homosexuality. They reminded the public of the nobility of the fight against homosexuality and why such a fight should expect challenges. These aspects are presented in the following last two themes.

#### **6.2.7. Fighting homosexuality is for the good cause, therefore not regrettable.**

The theme suggests that despite the challenges and opposition, aggressiveness against the spread of homosexuality is geared towards good reasons. This is argued and based on- what the AAEs believe to be consequences of homosexuality toward the Individual- the Family as an institution, Nation and the Church in general. The articulation of these consequences follows a negative description. In other words, the AAEs seemed to arouse in their audiences negative feelings against homosexuality. Believed to be a pathetic problem, homosexuality was argued to be one of the ugliest practices which caused the breakdown of the family whose members were involved with homosexuality. The aspect of breaking down families is believed to be one of the hidden agendas of the homosexual movement or the Gay movement which promotes homosexuality. It is repeatedly reinforced by the AAEs that the “Gay movement aims at defeating the marriage based society and replace it with it a culture of sexual promiscuity” something that cannot be tolerated (PRA 2009a).

In its fight against the marriage base society, the AAEs are convinced that the gay movement attempt to defeat the norm of heterosexuality and upbringing of children. This is argued by the AAEs to be endangering the future of the society. In addition, there is a strong feeling among the AAEs that “homosexuality only harms the society that embraces it” (PRA 2009a); Further, that “without heterosexuality, the society would collapse” (PRA 2009a). From this perspective, organizations claiming to fight for the practice of homosexuality are described negatively as outright liars, and exploiters. The AAEs claim that

The people are coming into Africa now. And they are advancing the idea that human rights serve homosexual interests. They are absolutely wrong! They have got the logic turned on its head. Many of them are absolute liars and they have manipulated history, and they have manipulated facts in order to be able to push a political agenda (PRA 2009a).

In justifying the good cause for the fight against homosexuality, the AAEs seem to mainly root

their arguments from sociological and theological points of view. On the church for instance, the AAEs argue that there has been a development of gay theology which has attempted to create an “alternative gospel”. The AAEs hold, “We are dealing with what is called Gay theology. They took the scriptures and attempted to create an interpretation that the Bible supports homosexuality. There has been a misrepresentative of scripture to claim that the Bible is not against homosexuality. Gay theology is built on the misinterpretation of the Gospel” (PRA 2009A).

For the AAEs, the existence a biblical hermeneutics, which leads to the two anti-homosexual and pro-homosexual theologies, “put the church against the church “to confuse the church about homosexuality” (PRA 2009a). The AAEs felt that this has led the church as an institution to consequently diminish its social right to directing the society. An example to this is given in reference to the Church of England: “The magna carte of Britain...the Gays have knocked it down with sexual orientation regulations... [They have] removed the freedom of the church and imposed punishment on the church for going against homosexuality. The church of England is now restricted by the false interpretation of human rights” (PRA 2009a).

#### **6.2.8. Challenging Homosexuality presents consequences and a need of preparedness**

Anti-homosexual Evangelicals have suggested that the experience of homosexuality in society must be spoken about and must be challenged. However, the AAEs advised the Ugandan public of the challenges involved in speaking against homosexuality. Using their own experiences, the AAEs noted that, fighting homosexuality involves intimidation and being misunderstood. “People are intimidated from looking into this Area of homosexuality” (PRA 2009a). Referring to the expected public reaction over their conference the AAEs held:

When you see on the coverage of this conference in the newspaper or around the internet, you are going to see an accusation that this conference was about hate. And that’s [is] what you suffer when you stand up and deal with [this] topic...if you dare to say anything about this topic that does not go with their agenda, you will be smeared, you will be called intolerant, you will be called hateful, you will be called homophobic (PRA 2009a).

By pointing out experiences such as those of accusation, intimidation and hate, the AAEs attempt to arouse emotional concerns from their Ugandan audience. These may include feelings of sympathy, anger, shock, and disbelief. This approach also presents the AAEs as victims who are prepared to suffer anything for a good cause. Apart from playing the role of victims of hate and intimidation, the AAEs also convincingly disclose to their audience the source of their strength. This is identified as the Holy Spirit which is believed to insulate them against possible attacks from their opponents (PRA 2009A). The AAEs argue that among the challenges for which the Holy Spirit plays a considerable role in, their ministry is to strengthen them from bowing down to political pressure from pro-homosexuals activism. Having presented the findings in this first part, the study presents the discussion of the findings in the following section.

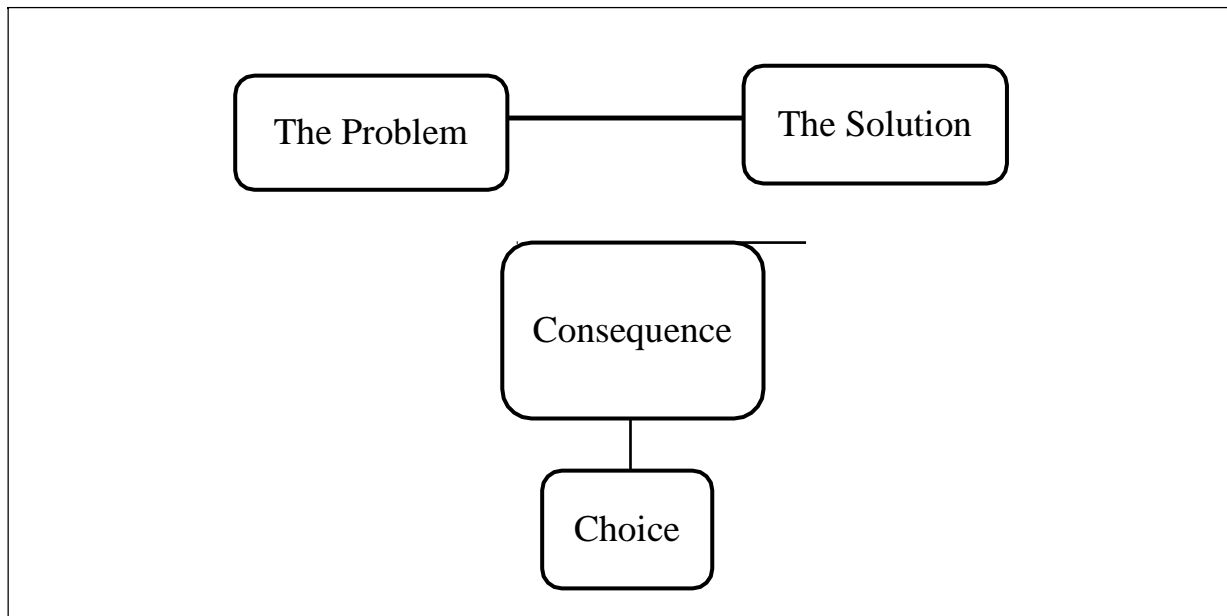
### **6.3.1. Conceptualizing a Framework of Influence employed by the AAEs.**

According to the findings, the phenomenon of homosexuality, as debated by the American Anti-homosexual evangelicals, seems to be communicated in a certain structure. In their communication, the AAEs seem to apply a four-dimension structure of message delivery which seems to possess a certain power of influence. This structure seemed, not only to have shaped the AAEs' dispensation of knowledge on homosexuality but also seemed to have motivated and accelerated the demand for action on homosexuality, on the side of the local policy makers. Based on the findings, the study describes this four-dimensional structure as "*The American Anti-homosexual Evangelicals' framework of Influence* (AAEs' FI). The AAEs' FI has four categorical parts. The first two are the two major arms. These two arms are presented symmetrically with one another. The existence of the first arm, necessarily gives rise to the second. Both the first and the second produce the third which necessarily suggests the fourth respectively. In its active form, the framework stands as: Problem, Solution, Consequence, and Choice.

#### ***The analysis of the AAEs' Framework of Influence.***

The figure below shows the framework of Action that seem to have been employed by the American Anti-homosexual evangelicals on the phenomenon of homosexuality in Uganda.

**Figure 3.**



### **6.3.1.1. The Problem: Homosexuality in Society**

Drawing from a religious, political, cultural and social perspective, a claim has been sustained by the AAEs before the Ugandan society, that homosexuality is by Christian teachings, sinful; it is from a political point of view, a domination; an abomination from both cultural and social perspectives. As such, homosexuality has been presented as a threat and dangerous phenomenon. To this extent, homosexuality and the practice of homosexuality becomes a problem in the society. Societies that have decriminalized homosexuality have been described by the AAEs as those whose morals have declined; As a consequence of a declined moral fabric, such societies are argued to be heading for destruction. Further, the countries where homosexuals' rights have so far been recognized, have been presented as those which have exposed society to obliteration. There appears to be an established confrontation between the pro-homosexuality society and the anti-homosexuality society. In England for instance, Gay rights recognition is claimed by the AAEs to have exposed the authority of the Church of England to be undermined: “[The Gays have] removed the freedom of the church and imposed punishment on the church for going against homosexuality. The church of England is now restricted by the false interpretation of human rights, and now this has broken the Magna carte” (PRA 2009a).



In the United States a similar observation is made by the AAEs before the Ugandan public: “In the United States, for example, religious freedom is being trampled everywhere in order to rise the civil rights of homosexuality. It is completely incomprehensible. It is turning the human rights principles over” (PRA 2009a). Homosexuality in the society has also been presented as a force that establishes a rival power to control the upbringing of children which in the end destroy the family structures. It is held by the AAEs that “Children need a father and mother to take care. Now, is it possible for a homosexual to take care of children and not be damaged beyond control?” The statement suggests that the recognition of homosexuality in society risks the proper upbringing of children in the society.

The general character of this arm is that of demonizing homosexuality as much as possible before the Ugandan public. It is assumed that the audience knew little or nothing with regard to the consequences; or if the audience knew something, this arm therefore directs the audience’s knowledge to either perceive homosexuality as negative or be re-affirmed in its already negative perception of homosexuality.

To concretize homosexuality as a problem, the AAEs make use of several theoretical arguments informed by their biblical and existential experiences. The AAEs propose the theoretical concept of “self-evident Truth as irreconcilable with the practice of homosexuality. It has been argued by the AAEs that self-evident ‘Truths’ are those that do not contract the teachings of the Bible. In this case, homosexuality, its practice and advocacy, are seen to be among those practices that ignore the “self-evident truths”. Along the concept of self-evident truth, the AAEs hold: “On religious grounds we oppose homosexuality as a sin that violates God’s standard for human sexual expression as defined in the Holy Bible. On nonreligious grounds we oppose homosexuality as objectively disordered and contrary to the self-evident heterosexual design of the human body (Dale as quoted by Lively 2009a:183).

According to the AAEs, the self-evident truth is simple; it is obvious; this truth is most proven by taking a close observation at the creation. Secondly, one must subject to scrutiny the knowledge gained from observing the creation, in order to eliminate false beliefs (Lively 2009a). Pro-homosexuality activism is regarded as one of the activities influenced by false beliefs. One of the contentious issues about this ‘self-evident truth’, is the issue concerning the creation of the male and female persons with a duty to procreate (Genesis 1:27-28).<sup>27</sup> For

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<sup>27</sup>Cf “God created man in his image; in the divine image he created him; male and female he created them. God blessed them, saying to them: “Be fertile and multiply; fill the earth and subdue it...”(Genesis 1:27-28).

AAEs theological position, the interpretation of this text as guaranteeing the heterosexual unions other than the homosexual unions is considered a divine plan, thus a self-evident truth. It is a natural design that necessarily contradicts its alternatives. It would therefore be considered a ‘mistake’ and unrighteous for individuals to reject this natural design. Pro-homosexuality activists are therefore described as “reprobate thinkers” who “suppress the truth in unrighteousness [by]...turning to alternative explanations that allow them to justify homosexual sin” (Lively 2009a:13).

AAEs employ the essentialist concepts to argue that homosexuality is contrary to the divine plan of God in terms of procreation and sexual fulfillment. For the AAEs, sexual fulfillment is based on the normative that individuals ought to have sexual encounters only with members of the opposite sex. Theoretical arguments as that proposed by Romsey Colloquium, on the heterosexual norm, have been utilized by AAEs to further classify homosexuality as a problem in society (Colloquium 1995:35).

Colloquium uses various premises to argue for the consistence of the heterosexual norms in human society. For instance, he holds, “Marriage and the family-husband and wife, and children, joined by public recognition and legal bond-are the most effective institutions for the rearing of children in community” (Colloquium 1996:35). He further holds:

[T]hrough the mysterious participation of our procreative powers in God’s own creative work, we transmit life to those who will succeed us. We become a people with a shared history overtime and with a common stake in that history. Only the heterosexual norm gives full expression to the commitment to time and history evident in having and caring for children (Colloquium 1995:35).

A critical examination of Colloquium’s premise shows that he advances the heterosexual norm on the question of difference, that is, men and women are different bodies for a purpose. This difference is purposefully given by natural causes for a particular role in society. Further, it could be stated that while difference helps individuals to see their vulnerability of dependence, they also trigger a motivation towards the desire for marriage, family and child bearing. Therefore, what is fundamental to human existence besides the claim that “patterns of behavior are socially constructed”, is the idea that despite the social constructions of human behavior some inclinations are more superior to others (Colloquium 1995:35).

The argument from human procreation is therefore one of the tools used to discredit the authenticity of the homosexuality norm. The homosexual norm, other than the heterosexual norm, has always been perceived by many anti-homosexual activists to be a stumbling block to procreation, thus a problem to the society. The homosexual norm could be seen by the AAEs as both ‘anti-history’ and ‘anti-future.’ It is ‘anti-history’ in such a way that it could be seen as being unappreciative of the fact that homosexuals were born through a seed of heterosexual individuals. Additionally, pro-homosexual individuals could be described as ‘anti-future’ given the belief that without a heterosexual union, children could not be born through natural processes. The findings have shown that the AAEs did not stop at presenting homosexuality as a problem. Consequently, their teachings suggested the possible way forward that could liberate the Ugandan society. This became the second major arm known as the ‘Solution.’

### **6.3.1.2. A free-homosexuality Society.**

From an analogical point of view, homosexuality was presented as disease that harms society. This put homosexuality at the same level with other diseases that harms the human body. From the perspective of the AAEs, something ought to be done to address the problem. As such, the AAEs argued that homosexuality like any other disease and disorder can be healed and corrected (Kaoma 2014a; Ford 2002; *Southern Poverty Law Center* 2011). The aspect of healing homosexuals is grounded on the idea that homosexual tendency is a ‘disordered’ ‘order’ which can be ‘reordered’ to reestablish its ‘natural order’.

The findings have shown that the AAEs recommended the Ugandan society to make use of the process of sexual healing. Sexual healing was that procedure which would reconfigure the ‘disordered’ sexual tendencies from which homosexuality develops, back to ordered tendencies that give way to heterosexuality. A key aspect of sexual healing was the recommendation of reparative therapy.

Scholars such Elizabeth Moberly, have since the 1980’s conceived the theory or reparative therapy as a solution to the homosexuals who wish to embrace heterosexuality (Ford 2002). According to Jeffrey Ford, “Reparative therapy has become a generic term for any process that purports to facilitate a shift from homosexual orientation to heterosexual orientation” (Ford 2002:69). It is a theory that claims to “cure” gay men and lesbians and make them heterosexual” (*Southern Poverty Law Center* 2011: 4). Jeffrey Ford has noted that “reparative therapy always

starts with the presupposition that homosexuality is defective and sinful. It offers a way to acknowledge his sexual and affection feelings without fear of rejection. Seeking reparative therapy is seen as evidence of obedience and willingness to submit to God and Scripture” (Ford 2002:71). In the United States, reparative therapy is mostly attributed to the American Christian right ex-gay movements and pro-family movements; here, individuals share experiences of their homosexual life and offered counselling and guidance on how homosexuality may be overcome (PRA 2009a).

According to the AAEs organizations the National Association for the Research and Therapy of Homosexuality (NARTH) have been founded with “doctors, professors, therapists, all specialized in treating homosexuality and in helping people to restore them to their normal identity” (PRA 2009a). Aspects of counselling and spiritual guidance are sought to accompany one’s conversion since it is widely perceived that an individual’s homosexuality is unlikely to be changed simply through conversion” (Thomas and Whitehead 2015:355). Therefore, with this worldview, proponents of reparative therapy assume that “by meeting the unmet needs of these “wounded” homosexuals, such as those incurred due to early childhood sexual abuse, “their true identity and orientation as heterosexuals will emerge” (Ford 2002:71).

The approach advocated for by the AAEs, during their conference, is similar to the one used by the ex-gay groups operating in the United States (Fetner 2005; Queiroz *et al.* 2013). According to this approach, it is claimed that homosexuals are not condemned as persons in themselves but for committing the sin of homosexuality. While homosexuality, gay-movements as well as the pro-gay activism receive condemnation, individuals who have come out seeking help on homosexuality are welcomed (Fetner 2005). In this case, they operate along a policy “hate the sin, love the sinner,” (Fetner 2005:76). Scott Lively while responding to a local clergyman who testified to offering counselling services to homosexual persons said: “I encourage you to continue your counselling to the young people.... Always, the counselling should help the people to confirm God’s intention for them and not what the gay-political movement has told them that they should do” (PRA 2009a).

The AAEs further claimed that administering therapy was part of the way of showing concern to individuals with homosexual tendencies. Although in normal circumstances patients would ask voluntarily for therapeutic services, in cases where homosexuals are caught practicing homosexual intimacy in public the AAEs advised the Ugandan society to offer mandatory therapy (PRA 2009a). Mandatory therapy is claimed to be part of the solution in cases where

homosexuals attempt to practice homosexuality in public. The AAEs affirmed to the Ugandan society that such as case would be intolerable:

If they come up in the public and say we not [going to] change all laws, we [are going to] change all people in the society to be pro-gay, then No. they can't do that because that hurts children; that harms families. That creates a contradiction to the marriage based culture (PRA 2009a).

According to the AAEs, the solution to the problem of homosexuality is necessary for individuals and society. However, the AAEs further suggested that the solution would remain mere speculation if policy makers failed to act on the problem. Affirmatively, Scott Lively, the AAEs chief speaker, attested: "We need proper policy that discourages homosexuality. I think in your circumstances it is appropriate if you tie the criminalization with some kind of mandatory option for treatment for people; that if you get convicted of this, [homosexuality] if you get arrested they [you] should go into some kind of therapy" (PRA 2009a).

### **6.3.1.3. The Consequence and the Choice.**

The case of establishing the extent of the AAEs influence towards the legislation of the 2014 AHL relates back to powers of action embedded within the first two arms of the AAEs' framework of influence. The presentation of Homosexuality as a problem to the Ugandan society also meant that the Ugandan society was in danger. On the other hand, the presentation of the solution to the problem also meant that the Ugandan society could overcome the danger if it acted following the laydown solution. The findings showed that the AAEs anticipated for the Ugandan society, the consequences for either acting in line with the suggested solution or failing to act on the problem which maintains the status quo. In this case, maintaining the status quo with regard to the problem would cause eminent consequences for the Ugandan society. Among the consequences for not acting on the problem, the AAEs state the enduring pain associated with the practice of homosexuality, especially, as they argue, in the cases of pedophilia. Deducing from their argument, the endurance of homosexuality in the society also means the endurance of child sexual abuse, since many of the children homosexually abused would most likely turn into homosexuals themselves and child abusers at the same time.

The majority of people that I have seen as homosexual were sexually abused as children, either by an adult or by an older child. Ah, the one that I was describing this

morning the 19 years old abusing the 4year old, was himself molested as a child when he was 2 or 3 years when was a child. Now, this is like evil game of tag; I tag you, now you are in. I tag another there, you are in;... Once you have sexually abused the live hood of a child you are actually doing to someone else. (PRA 2009a).

This succeeds in suggesting “homosexuality as a psychological flaw caused by any of the childhood traumas or familial dysfunctions” (Fetner 2005:78). The AAEs frame concurs with Anne Paulk, an ex-lesbian’s story detailing how her childhood experiences conditioned her orientation to homosexuality.

I was four years old when a teenage boy molested me . . . By the time I hit my teens I was rough . . . my heart cold. I believe being “feminine” meant being weak and vulnerable...so looking and dressing hard felt right. I had so thoroughly rejected my own femininity that, even though I had a lot of male friends, I just wasn’t attracted to men sexually. I became drawn to other women who had what I felt was missing in me. But the pain inside kept yelling.” (Alliance for Traditional Marriage quoted in Jakobsen, and Pellegrini 2003:83).

Paulk’s experience suggests that her change towards homosexuality was due to forces outside of her that changed her worldview of sexual expression. She demonstrates a reaction against to an experience that she hated. She also suggests suffering a psychological dysfunction in which she felt incompleteness of her being.

Apart from the case of pain and sexual abuse, the AAEs cautioned the Ugandan society about the possibility of an increased militant homosexual society in the country. This, the AAEs claimed, would eventually institute gay homosexual lifestyles (PRA 2009a). Such lifestyles would have no regard to the current, popular heterosexual norms of society. For the AAEs, this would be a serious consequence, since it would lead to the extinction of the human society and this would be the “collapse of the society” (PRA 2009a). In fact, the AAEs insist that, when the problem is left to persist, the goal of the gay movement would eventually be realized. This goal according to the AAEs “is to defeat the marriage-based-society and replace it with a culture of sexual promiscuity where there no sexual conduct except the principle of mutual choice”(PRA 2009a).

Just as maintaining the status quo of ‘*The Problem*’, would yield negative consequences, acting along ‘*The Solution*’ would, according to the AAEs, gain positive consequences for the Ugandan society. Among the positive consequences that the Ugandan society stood to gain in following the AAEs set of ‘*Solution*’, would be a continued restoration of God’s order of

creation, especially as far as procreation and sexual intimacy among humans is concerned. For the AAEs, sexual expressions by homosexuals is a sin, a deviation from God's commandments and a provocation of God's anger, similar as it was in the destruction of Sodom and Gomorrah in the Bible. Although, linking the destruction of Sodom and Gomorrah in the Bible to the case of homosexuality has been challenged by some biblical scholars, the AAEs however maintain that it was due to homosexuality (Punt 2006). AAEs state, "It is self-evident truth. Genesis 19, Sodom and Gomorrah is a form of homosexuality in the first major incident... The scripture says why Sodom and Gomorrah were destroyed; this was because they were going after strange flesh. Right, was going after strange flesh" (PRA 2009a).

The AAEs further suggest through '*The Solution*' frame that homosexuality can be treated, thus restoring the 'victims' to 'normalcy'. This would mean that the society is concerned of its members who are homosexuals and it intends to do its part in helping them overcome the practice of homosexuality. Scott Lively contended

Everything that we have had in this conference has been healing, love and care to people, right. Everything that we have had is all about dealing with the topic logically reasonably, sensibly, and rationally. So we divide that between the person that we love and the movement that we hate and we keep that clear" (PRA 2009a).

It became it can be deduced that the AAEs suggestion of Therapy was, by them, a mechanism of helping homosexuals. This would be seen as an act of love that restores unity to a broken society. It would be a condition that would neutralize the suspected rivalry between the pro-homosexuals and pro-heterosexuals. The seemingly supposed increase of homosexual movements in Uganda would be reduced and eventually cease to exist.

The collapse of a homosexual movement in Uganda would be seen as the triumph of the natural family as described by the AAEs. In this case, children would be born and raised in heterosexual families. According to the AAEs, cases such as sexual child abuse would also be reduced given that a society of homosexuals would have ceased to exist. Therefore, given these consequences, the Ugandan society was left with a Choice to make. This choice is logically suggested by the AAEs having argued the phenomenon of homosexuality through the AAEs' framework of influence. It would deductively flow from the Ugandan society's understanding and analysis of *The Problem*, *The Solution* and *The Consequences*. In the part that follows, the discussion is further extended in an attempt to explore possible religious based advantages that the AAEs as foreign religious leaders would have in influencing policy making, on homosexuality in Uganda.

### **6.3.2. TOWARDS POSSIBLE RELIGIOUS BASED ADVANTAGES FOR AAEs AS FOREIGN RELIGIOUS LEADERS IN INFLUENCING POLICY MAKING ON HOMOSEXUALITY IN UGANDA.**

#### **6.3.2.1. Utilizing the umbrella of Religion and Uganda's religiosity state.**

The American anti-homosexual Evangelicals' possible influence cannot be detached from the umbrella of religion under which the AAEs held their conference. Views that tend to borrow from a religious framework can be argued to be influential in a society that has a strong religious background. Uganda is one of the countries where religious worldviews are given prominence and are even expressed on national symbols.

On one of Uganda's National symbols, which is the Uganda coat of arms, is an inscription: "For God and My Country". This is commonly known as the Motto of Uganda. This statement presents Uganda as a nation that seeks to present itself as religious. It also seeks to confirm a state whose guiding principles are informed by religious beliefs. In this way, the motto "For God and My Country" undergirds the argument that Religious beliefs constitute or inform the national identity of Uganda. Although Article 7 of the Ugandan constitution decrees, "Uganda shall not have a State religion" the constitution does not promote discrimination on the freedom of worship (*Uganda Law Reform Commission 2006:2*). In fact the Ugandan constitution "provides for freedom of thought, conscience, and belief and the right to practice and promote any religion and to belong to and participate in the practices of any religious body or organization in a manner consistent with the constitution" (*International Religious Freedom Report 2014:2*). The official records that show the distribution of population by religion in Uganda demonstrate that Uganda could be rightly classified a religious State.



The table below, adopted from the 2014 Uganda’s National population and housing census (NPHC) main report shows the percentage distribution of the population by religion.

**Table 3.**

<b>Religious Group</b>	<b>2002</b>	<b>2014</b>
Catholics	41.6	39.3
Anglicans	36.7	32.0
Moslems	12.4	13.7
Pentecostal/Born Again/Evangelical	4.7	11.1
Seventh Day Adventist	1.5	1.7
Traditional	1.0	0.1
Baptist	-	0.3
Orthodox	0.1	0.1
Others	1.9	1.4
Non Religion	0.9	0.2
<b>Total</b>	<b>100</b>	<b>100</b>

Table adopted from *National Population and Housing Census 2014 main report (2014:19)*.

From the percentage distribution as shown above, it can be construed that foreign religious leaders from a Christian tradition stand advantaged to being accepted within the Ugandan society. This is based on the findings from the above table that shows religions from the Christian tradition being most favoured by the majority of the Ugandan population. Insofar as the American anti-homosexual evangelicals fall into the most accepted religious circle, and do not seem to preach contrary doctrine to those adhered to by the local pastors, their message would be highly influential in terms of social change. Given that the AAEs evangelicals did not experience any radical resistance, it could be argued that their influence was characterized by their ability to identify and make use of Uganda’s religious background and religious freedom.

### **6.3.2.2. Presence of New Religious Christian Movements.**

The new religious Christian movements discussed here are those in Uganda “commonly known as sects, cults, new Christian movements or African Independent Churches” (Tusingire 2003:

186). Within this category we locate new Christian movements that identify themselves as Pentecostals, Evangelicals and the Born Again. These movements are known to be part of what Allan Anderson has long observed as a “rapidly growing form of African Christianity” (Anderson 2001:167). The extent to which these religions increase by number of followers in Uganda shows that they are part of the new Christian movements which are “fast becoming one of the most significant expressions of Christianity on the [African] continent (Anderson 2001:167). According to the *National Population and Housing Census 2014 main report* as shown in the table above, there is a progressive decline from the number of followers for the mainline churches as compared to a progressive increase in the number of followers for the Pentecostal, Born Again, and Evangelical churches. This increase in attracting followers also indicate that these new religions are indeed becoming influential in the society. From a Ugandan context, the influence of these new religious groups is contributed to by the public picture they portray.

Most members of these groups, especially the leaders, are seen to be good people...They emphasize strong sense of belonging and spirit of fraternity, which elements are often left to the minimum among the mainline churches... Specific attention is given to issues that matter a lot in the ordinary life of an African. Difficulties such as failure to bear children, failure to get a wife, or a husband, sickness and death are given particular attention...In this way, people find them as a source of answers to their important situations of life (Tusingire 2003:188-189).

The AAEs, seem to take advantage of the influential state enjoyed by the new Christian movements. The increasing influence of new Christian movements in Uganda would not only explain the AAEs’ ability to attract a large number of audience but also the ability to have their message incur less or no challenge in the society. In fact, the AAEs apart from being viewed as pastors with similar evangelizing approaches as the new Christian religious movements in Uganda, they were as well seen as experts on homosexuality and family values.

### **6.3.2.3. The AAEs as ‘The Missionaries’ and the Ugandan Context as ‘The Mission land’**

The context of the AAEs’ coming to Uganda can be described to constitute the mission character that distinguished the early Christian religious men and women who came to Uganda to spread Christianity.

The early Christian religious men who came to spread Christianity were known as ‘missionaries’ because there existed a territory or society suited for the title ‘mission land’. As Bosch notes, “This right to ‘send’ ecclesiastical agents to distance colonies was so decisive that the activities and designation of the envoys were to derive their names from this action; their assignment came to be called “mission” and they themselves “missionaries” (Bosch 1991:223). The idea of understanding Uganda as a mission land was not new to the AAEs. In *God loves Uganda* a documentary by Roger Ross Williams, the American evangelicals describe their intention to come to Uganda, as mission, and themselves, missionaries (Williams 2013). From the AAEs’ perspective, Uganda became a mission land insofar as it ‘hosted’ the practice of homosexuality which was the mission target. A critical analysis of the AAEs intention to come to Uganda would reveal that the AAEs reconstructed the Ugandan society as a mission land in need of missionaries to help it respond to contemporary challenges.

Like the early Christian missionaries who felt that the Ugandan society needed to be Christianized so as to inherit eternal life, the AAEs too felt that the Ugandan society needed urgent help so as to survive for the future and escape God’s condemnation. Lou Engle one of the AAEs states,

We know that Uganda is under tremendous pressure in the church...I felt that the call was to come and join with the church in Uganda. To encourage you, that in the nations, you are showing courage. To make a stand for righteousness in the earth. And I believe Uganda has suddenly become ground zero not because they asked for it, but God brought you to make a statement, to stand for righteousness. Lord, we pray, we pray wisdom to the government of Uganda, pray courage to stand.” (Williams 2013).

According to the findings from the analysis on the 2009 AAEs conference, the AAEs were also recognized as missionaries from within the Ugandan context. This is confirmed by Pastor Robert Kayanja, one of the famous evangelical pastors, in his recommendation: “The best thing the American missionaries can do today is to continue evangelizing in order to reap maximum harvest out of Africa” (Williams 2013).

It could be noted that to claim the identity of a Christian missionary in the Ugandan context would be to claim the relevance, and power of influence that the early Christian missionaries possessed and still enjoy posthumously in the contemporary Ugandan society. Firstly, it can be argued that the very fact of being invited to address the Ugandan public, to teach and instruct freely, romanticized the hosting Ugandan public as a concerned society, and intelligent of the fact that homosexuality was indeed a problem. This seems to have painted an automatic

representation of the AAEs as exporters of the ‘saving knowledge’ from the dangers of homosexuality. From the history of Christianity in Uganda, almost a similar representation was made at the time the first Christian missionaries were invited to Uganda. In his work *the history of Christianity in Uganda*, which describes the invitation of the Early Christian missionaries to Uganda, Kevin Word contends: “Stanley's famous letter to the *Daily Telegraph* painted a much romanticized picture of Muteesa [Bugandan King by then]. He represented the *Kabaka* [Bugandan King] as a great enlightened despot eager to hear the Gospel and speedily to propagate it throughout his kingdom” (Ward 2014).

From a Ugandan context, early Christian missionaries in coordination with the colonial government were known to have introduced and influenced the spread of western education which even today, is regarded as a positive contribution for eradicating illiteracy (Kisitu and Ssebunya 2015). Apart from education, the missionaries are also associated with the establishment of hospitals and the use of modern health equipment and medicine in Uganda. It is common that when the history of Christianity is retold in relation to the early Christian missionaries to Uganda, a relevance to their work as teachers, medical practitioners, as well as pastors is recognised (Ward 2014; Kaggwa 2017). The AAEs from this perspective tend to occupy a revered image of missionaries which is still remembered with respect by the Ugandan public. Just as the early missionaries are remembered to have sacrificed their lives for the Ugandan public, the AAEs, as well would easily provoke the Ugandan society to recognise their work and ministry on homosexuality as a sacrifice. Therefore, it can be argued that as long as the AAEs continue to introduce themselves as missionaries within the Ugandan society, their audience would easily continue to accommodate them, listen to them and easily conform to their teaching.

#### **6.3.2.4. A Locally supportive anti-homosexual Theological Discourse.**

Part of what Christianity has done in Uganda is to create and reconstruct an indispensable authority. It claims to present models of transformation in society especially when it comes to sexuality, morality and ethical issues. In fact this has aligned well with the argument that “religion is a central force in the configuration of reality and the conception of ethical and moral principles” (Garcia et al 2009:44). Garcia *et al.* rightly argues further, that “as belief systems and as social institutions, religious systems shape cultural meanings and community formation” (Garcia *et al* 2009:44). In Uganda, knowledge regarding homosexuality and its practice is not

only dominated by political elites and cultural traditionalists but also the local theological voices informed by a messianic religious perspective.<sup>28</sup> Homosexuality and its practice is analyzed broadly within the perceived models of sexual morality. The teachings of Messianic religions on sexual morality can, in this context, be classified as law since they tend to direct and prohibit their followers from certain sexual practices. Moreover, at times religious leaders have appealed to the same sexual moral codes to call ‘offenders’ to remorse. ‘Offenders’ who publicly refuse to recant may be subjected to stigma and isolation, a move that may have social, spiritual and psychological implications on the so called ‘offender’ (Butler and Ashby, 2010).

The AAEs anti-homosexual activism could be argued to draw support from the presence of a locally supportive anti-homosexual-theological discourse within the Christian traditions in Uganda. This is argued to favour the AAEs as foreign religious leaders in attempt to influence policy making on homosexuality in Uganda. Christian leaders from various denominational traditions have used their spaces as religious leaders and moral guardians to raise a dominant voice which calls upon the public to shun practices of homosexuality. As the study explores the anti-homosexuality religious based arguments from the Ugandan context, it takes note of the overall power of influence exerted by messianic religions in the society. It should be noted that messianic religions through their theologies, leaders, followers, and tools have historically participated in shaping and influencing public opinions on social, political, economic, and cultural aspects. This has not left the aspect of homosexuality as an exceptional topic. On contrary, through their moral teachings, messianic religions in Uganda have demonstrated their power to de-campaign some sexual practices deemed as immoral, among which is the practice of homosexuality. This has not only been observed within the emerging new Christian movements such Pentecostal and evangelical churches but also, as Kevin Ward affirms, within major churches such as the Roman Catholic and most aggressively within the Anglican church (Ward 2015).

Sylvia Tamale notes, with the coming of Messianic religions, African societies gradually inherited the foreign religions’ worldview of viewing some African practices as immoral

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<sup>28</sup>Ugandan context is animated by multi-religious systems informed by various religions. However, when I use the phrase ‘messianic religions’, I restrict myself to Christian religions. Under this part I will discuss in reference to the churches within the Uganda Joint Christian Council especially those whose leaders have been most vocal regarding homosexuality and its criminalization. The Uganda Joint Christian Council (UJCC) is an ecumenical body that brings together the “Anglican Church of Uganda, Roman Catholic Church in Uganda and the Orthodox Church in Uganda. Besides these churches, the evangelical and Pentecostal traditions through their leaders have equally been very vocal to the extent that they too contribute a supporting anti-homosexual theological voice for the AAEs. However, their contribution is explored later in the chapter under the theme “Association with Gate Keepers as a tool of influence”.

(Tamale 2014a:161). Such a condition by which the society may comply with viewing their practices as demonic, sinful or immoral would suit being described as a condition instituted by religious hegemony power. It could then be stated that messianic religion in exercising hegemony oriented power, attempts to influence society to voluntarily conform to the new social values perceived as moral.

Whilst some religious leaders have used religion to argue for homosexuality tolerance, many others have used religious spaces to denounce the acceptance of homosexuality in Ugandan societies (Tamale 2007a). Like the AAEs, the dominant voice from the churches has been predominantly intolerant to homosexuality. Very often this intolerance over homosexuality is argued as legitimate upon a conviction that homosexuality is a western cultural imposition, and besides its sinfulness, it is inconsistent with African values of family and morality (Ward 2013; 2014; Hoad 2007; Sadgrove *et al.* 2012; Jjuuko 2013:383). Referring to homosexuality as a cultural intrusion and a promotion of western forces in the Ugandan society is a theory held by the AAEs as well. From the findings, Scott Lively contends:

See, the people are coming into Africa now. And they are advancing the idea that human rights serve homosexual interests, are absolutely wrong! They have got the logic turned on its head. Many of them are absolute liars and they have manipulated history, and they have manipulated facts in order to be able to push a political agenda” (PRA 2009A).

This argument necessarily succeeds in putting homosexuality on a collision tract with the majority of the Ugandan Christian population and Ugandan cultural conservatives. This collision is eminent, given that those entrusted with the highest knowledge of faith traditions and cultural moral systems in Uganda, have already declared the inconsistency of homosexuality with traditionally valued aspects of life such as, the family. It is by no surprise that the society would attempt to stop any forces deemed a threat to its moral, religious and cultural progress. This would act in support of the AAEs attempt to convince the Ugandan society to form a policy with regards to homosexuality so as to protect the society from the perceived threat of homosexuality.

Some Leaders of religious institutions in Uganda have been vocal in reiterating their voices as individuals but also as institutions. For instance, the Anglican Church of Uganda, declared in support of the Anti-homosexual bill:

From a plain reading of Scripture, from a careful reading of Scripture, and from a

critical reading of Scripture, homosexual practice has no place in God's design of creation, the continuation of the human race through procreation, or His plan of redemption...The Church of Uganda, therefore, believes that "Homosexual practice is incompatible with Scripture"...The Church of Uganda appreciates the spirit of the Bill's objective of protecting the family, especially in light of a growing propaganda to influence younger people to accept homosexuality as a legitimate way of expressing human sexuality.

We particularly appreciate the objectives of the Bill which seek to:

- a) Provide for marriage in Uganda as contracted only between a man and woman;
- b) Prohibit and penalize homosexual behaviour and related practices in Uganda as they constitute a threat to the traditional family ;...(Orombi, 2010:2).

The views expressed by the Anglican Church are not in isolation from those expressed by other Christian denominations. In one of the statements issued by the Uganda Joint Christian Council (UJCC).<sup>29</sup> The member churches stated that homosexuality is "an attack on the Bible and the institution of marriage" and that the churches ought "to remain steadfast in opposing the phenomena of homosexuality, lesbianism and same-sex union" (Tugume 2012). Similarly, the Inter-religious Council of Uganda, (a body whose majority are from Christian denominations) declared -in the face of homosexuality debates- that:

Aware of our mandate to nurture and protect the moral fibre of our society, guided by the Holy Scriptures of the religions we subscribe to;

Hereby state that:

1. The Bible, the Quran and other Holy Teachings treat homosexuality as a sin. Both the Bible and Qur'an are categorical in their objection to same sex relationships (Lev. 18:22; Surah Ash'shura 26:165-166). Homosexual acts are contrary to the natural divine law, and under no circumstance can be approved.<sup>30</sup>

The Churches positions suggests homosexuality to be an anti-religious confession, anti-faith and anti-biblical tradition. Kawuki rightly concurs that most Ugandan church leaders categorize homosexuality as sin, and a distortion of God's intended order for humanity. He holds,

[f]or the leadership of the Church of Uganda the will of God with respect to human sexuality is simple and clear;...homosexuality is a sin...They appeal to the story of Sodom and Gomorrah for evidence of God's wrath upon the practice of homosexuality (Genesis) 19. They point to the clear condemnation of homosexuality in Leviticus 18:22 and 20:13...It is clear from these leaders' perspective that homosexual unions are not compatible with a life of faithful and

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<sup>29</sup> The Uganda Joint Christian Council (UJCC) is an ecumenical body that brings together the "Anglican Church of Uganda, Roman Catholic Church in Uganda and the Orthodox Church in Uganda.

<sup>30</sup>I have used the view of this body knowing that it also includes the position of the Muslims as one of the faith denominations in Uganda. I do not intend to give in this research the Islamic perspective but to limit my approach to Christian perspectives. However, since the majority members of this body are Christians, the position of this body on homosexuality is used insofar as it represents that of the Christian denominations who are constituent members and whose voices are of interest for this research.

obedient service to God (Kawuki 2006:176).

Some church leaders further perceive pro-homosexual campaigns as attempts to reinstall imperialistic, economic and cultural systems of domination (Sempa 2007). Homosexuality is thus categorized as a foreign medium through which local societies are 're-colonized' by proposing a reconstruction of the local conceptions of sexualities. From this point of view, the debate against homosexuality takes a socio-political and cultural perspective. Here, homosexuality, including its advocacy and practice, are all seen as agents and at the same time products of colonialism. This perception resonates with the AAEs' appeal to the Ugandan society to resist foreign powers accused of promoting homosexuality in the country. It could be stated in this case that, to renounce homosexuality with a certain form of regulation would be seen as an act of heroism, while maintaining a status quo amidst a homosexuality threat would be termed as unpatriotic. The enactment of the 2014 AHL would be seen, therefore, to suit a possible expression of patriotism in defending the country, not only against imperialism but also against a practice perceived detrimental to Christian religious beliefs and teachings. Religious leaders therefore are seen to represent "the Christian Voice" that proclaims a "Christian teaching" which seems to be part of a theoretical background championed by the AAEs.

The Christian anti-homosexual religious voice championed the AAEs and confirmed by the local religious leadership, would easily find its way into the Ugandan parliament given the fact that Uganda is predominantly a Christian country. This could also be contended as such, given that Christian leaders in Uganda demonstrate to play an advisory role to the government and other institutions regarding homosexuality. Kampala Archbishop Cyprian Kizito Lwanga once stated: "I don't know why our Parliament could take all this time discussing whether or not we should have a law against homosexuality...Let's preserve our dignity as God's loved children by preserving his own image in which we were all created and desist from such abominable acts and behaviour." (*Human Rights Trust*, 2015:5). In the *Sunday Vision*<sup>31</sup> of 4th June 2006, the former Archbishop of the Anglican Church Luke Orombi was also quoted 3 years prior to the coming of AAEs saying:

We strongly and unequivocally deplore all activities linked to the encouragement or promotion of the practice of homosexuality and lesbianism condemned in the Bible and

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<sup>31</sup>Sunday Vision is a publication of one of the leading News Papers, the New Vision in Uganda.



which constitutes a perversion of human sexuality. We call upon the clergy, parents and people of goodwill to design programs aimed at teaching people the dangers associated with homosexuality and lesbianism (Mubiru 2012:202).

If this was the case, it would mean that to the extent the AAEs influenced the legislation of the 2014 AHL, the Uganda Christian leaders' authority in directing, teaching and sensitizing the public on the subject of homosexuality was much present. This resonates with Kevin Ward's observation that the dominant local Christian churches have often assumed the role of "unofficial legislators" in influencing public view on particular aspects of society (Ward 2013:417). Kevin Ward has raised a concern that takes credence of the Ugandan context as a predominantly Christian country. Given this context, Christian based religious opinions have historically played a central role in shaping public opinions (Ward 2013). This influence has also been extended in attempts to advise not only the Christian faithful, but also politicians and legislators about homosexuality.

The multiple worldviews upon which the AAEs' make reference, bears support not only from the Ugandan anti-homosexual theological discourse but also from certain theological voices that have emerged in the recent past within African theology. The study argues that the anti-homosexual theological voice by some African theologians would be an added advantage for the AAEs. This is claimed given that some of these theologians argue from a similar framework employed by the AAEs as well as that held by the Ugandan anti-homosexual Christian religious leaders. Further, within the circle of renowned African theologians (who promote anti-homosexual activism from an African point of view) are some Ugandans such as John Mary Waliggo (Waliggo 2006). This is further discussed in the following section.

#### **6.3.2.5. A prospective support from an African theological perspective**

Christian religion in contemporary Africa continue as it was during colonial times to influence a plethora of world views to which many individuals in African societies construct their identities and beliefs. From an African theological perspective, it could be urged that the mission to promote a sexual moral code which prohibits homosexuality, could be seen as a long-term project initiated by early missionaries who entered into Africa (Ward 2015). In fact, as some African theologians suggest, the early missionaries' message to African societies, was

preoccupied with the mission to teach a new ‘sexual morality’ deemed acceptable in the Christian Bible (Kawuki 2006; Amadiume 2006; Ward 2006). One of the prevailing lenses through which homosexuality is framed, can be seen through the Christian theological understanding of marriage. The coming of Christianity in many African societies also meant the promotion of hetero-monogamous marriage as the ideal form of marriage which was taken at the expense of others such as polygamy, polyandry, bigamy, cohabitation (Ward 2006; Amadiume 2006). The hetero-monogamous form of marriage is often argued along the aspects of procreation and a manifestation of God’s design. It is upon this that mere contemplation of a man being in-love with another man or a woman with another woman was not only unacceptable but also claimed to be ungodly and sinful (Ward 2015:134).

The Ugandan context as well as some African theologians, hold a position that views homosexuality as ungodly and against God’s design with regards to marriage and procreation (Van Klinken and Gunda 2012; Waliggo 2006). For theologians such as, Waliggo concluding that homosexual unions may not be productive in aiding conception (and that it is a cultural perversion), is important in justifying why homosexuality has to be denounced. In an interview with John Allen, a contributor to the National Catholic Reporter, Waliggo asserted: “Things such as homosexuality are not just seen as sins, but as perversions. They are seen as hideous, they make you an outcast from your clan and village. If a man has sex with another man, this is a kind of social sin which people believe will bring misery on the entire village,...This is what the people believe” (Allen 2006; Allen 2009:24). The argument presented by Waliggo is not only theological but also social and cultural. From the Ugandan perspective, Waliggo seems to attest that the practice of homosexuality is regulated by what the people believe. It is important to note that he uses the aspect of ‘people’ and ‘belief’ in a collective manner which seems to presuppose a universal position at least as far as the Ugandan context is concerned. This position plays out well for the AAEs who seem to further include that the explanations on homosexuality are a politically perceived. This is done by linking homosexuality to a gay-movement whose intention is to destroy the society (PRA 2009a).

The aspect of Marriage in relation to procreation and human existence is one of the arguments upon which the AAEs solidly based their argument against homosexuality when dealing with the Ugandan society. This same aspect is also championed by some African theologians. As such, the AAEs succeed in locating their argument within the ‘anti- homosexuality theological discourse’ promoted by some African theologians. The theological union of the past, the present and the future in relation to human existence seems to be of great concern when the aspect of marriage and procreation is discussed, vis-à-vis homosexuality from an African

traditional religious perspective. One of the major concerns is how homosexuality would be thought to promote future sustenance of family lineages. There seems to be a considerable fear of human extinction attributed to active homosexuality among some African theologians. Theologians such as, Laurenti Magesa have long argued that “active homosexuality is morally intolerable because it frustrates the whole purpose of sexual pleasure and that of a human person’s existence in the sight of the ancestors and God” (Magesa 1997:146). As already indicted above, similar fears are raised by Ugandan Religious leaders such as, former Anglican archbishop of Uganda, Henry Orombi who suggests that homosexuality does not support the continuation of human race through procreation (Masai 2010). It can be admitted that a combination of African traditional religious perspective and the Christian religious perspective becomes an influential force to a society- like Uganda, were both African religions and Christianity continue to operate. For the AAEs this becomes an advantage. These positions raised by African theologians create a favourable atmosphere that limits questions of authenticity and legitimacy which would be raised against the AAEs teachings within the Ugandan society.

As the AAEs claim that homosexuality in African society is promoted by international bodies such as the United Nations and Human rights organizations, some African theologians have questioned the African-ness of homosexuality. The question of homosexuality to being part of the African way of expressing sexuality prepares a way for the AAEs to extend their seemingly unquestionable claim that homosexuality is promoted in Uganda to destroy the family fabric.

In Zimbabwe for example, Masiwa Gunda notes that homosexuality is labelled ‘un-African’ by some traditionalists. This is due to the fact that men, who engage in it, are unable to fall pregnant; In addition, one of the parties is considered a passive player which culturally contradicts how a male party ought to perform in sexual contacts (Gunda 2010). The view on homosexuality as being ‘un-African’ or being ‘African’ has “become part of African postcolonial identity politics in our globalizing world” (Van Klinken and Gunda 2012:115). To be African, would be to claim the African identity while to be un-African would be to deny the same identity. This view has been incorporated in attempts to rewrite what the formerly colonized, contemplate to have been wrongly described of them by the colonial powers. Voices in the Ugandan context that view homosexuality as an imposition or imperialistic, tend to follow this point of view. This position is also noted by scholars such as, Tongarasei and Chitando, who note the resistance to homosexuality in many African societies as attempts to resist influences of cross-cultural or cross-border imperialism.

Therefore it can be argued that the part of African theological perspective, which supports anti-homosexual activism, would be insightful in supporting the local anti-homosexual theological discourse in Uganda. If this is granted, the anti-homosexual African theological perspective would be easily used by the AAEs to facilitate their position in Uganda. That can be seen to blossom within the dominant anti-homosexual theological discourse in Uganda.

#### **6.3.2.6. Identity and influence.**

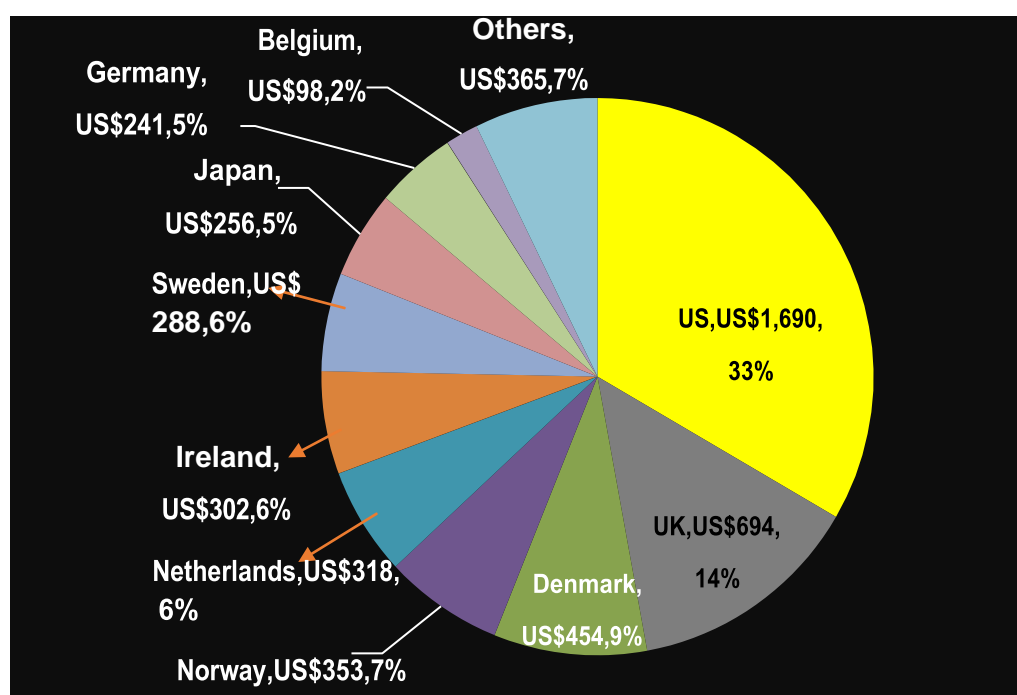
It is important to recognize how the AAEs disclosed their identity to the Ugandan public and how such disclosure affected the message and its audience. Sindic *et al.* have defined identity as being “primarily a psychological construct, since it concerns the particular way in which human beings define their self- concept and since it draws its strength as an engine of human thought and action from its psychological existence” (2015:1). The fact that individuals or groups of people introduce themselves as ‘this’ or ‘that’, other than the other, tend to communicate the authority of difference. As individuals confirm their differences from others, they also seem to affirm their access to the powers which characterizes these differences. The mode of the AAEs introduction, as well as their position against that of their audience, is argued as a tool which had animated and actualized their power of influence. What influence then, did the AAEs mode of introduction have on their audience and the subsequent discussions on homosexuality in society? To understand this mode of influence it is important to pay attention to the power dynamics behind it.

The findings showed that the AAEs identified themselves as a group of Pastors from the United States with a mission to help Ugandans in cubing homosexuality. This nature of identification could be argued to offer the AAEs, a psychological space of being listened to by their audience, given the dynamics of power that play between Uganda and United States. It could be noted, while the AAEs echoed their origin as the geographical space called the United States of America (USA), the audience occupied a geographical space called Uganda. The two spaces are unique in their differences and the power of influence they could offer those who identify with them. While the USA is one of the most developed nations with greater economic, cultural, military and geographical influence (thus a ‘superpower’), Uganda is one of the least developed countries in the World (*UN Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States 2016; Rogers 2016*). As such, the USA as compared to Uganda carries a more influential position which could be utilized by its citizens over the citizens of least influential states such as

Uganda.

Although the United States of America and Uganda are both independent countries, Uganda on the other hand, rely on several assistance programs financed by the USA government as well as USA based Non-Governmental Organizations (NGO). From 2006 to 2010 for instance, the United States ranked highest among the donor countries from which Uganda received aid. The following figure shows the top 10 government donors towards the official development and assistance to Uganda- between 2006-2010.<sup>32</sup>

**Figure 4.**



*(Development Initiatives based on Organization for Economic Co-operation and Development (OECD) Development Association Committee (DAC) data, constant 2010 prices as quoted in Smith 2012:9).*

From the above figure we can conclude that the AAEs emerged in a context where their mother country (USA) occupies a prominent position within the Ugandan local context. Its position as the largest bilateral donor becomes a tool that empowers the AAEs as representatives of a state that seem to respond generously to the social and economic wellbeing of many Ugandans. This position, apart from being used to secure for the AAEs an attentive audience in Uganda, is also

<sup>32</sup> This period is purposefully selected because it presents the time framework within which the AAEs came to Uganda for their conference on “Exposing the truth on homosexuality Agenda”.

an advantage that foreign religious leaders especially those from developed countries such as USA may have over local religious leaders in instilling confidence in local contexts. The AAEs' presence and identity in Uganda, as a tool of influence, could also be argued to have been shaped by the same factors upon which colonialism was identified and successfully achieved its agenda in the colonized territories. Factors such as religion, political protection, education and economic development were among the tools used by colonialists in presenting themselves as protectors, agents of civilization, and economic development (Rutanga 2011:1). By presenting the aspect of homosexuality as a foreign infiltration by western pro-homosexuality organizations, the AAEs succeeded in locating the aspect of homosexuality under the discourse and memories of colonial struggles in Uganda. As such, the AAEs contributed to presenting homosexuality as "an invading force which is struggling for occupancy and control" of the Ugandan society in order to impose its "power, demand and hegemony" (Rutanga 2011:8). On the other hand, the AAEs created a psychological perception for the Ugandan society to perceive themselves as postcolonial "inhabitants who wage arduous struggles to liberate themselves, their domain, property and rights" (Rutanga 2011:8).

While the AAEs seemed to present themselves with motives of transforming the Ugandan community, their presence and identity depicted a situation by which the Ugandan society is seen in continuous dependency on the western society. As Western foreign pastors and religious teachers, who intervened on the aspect of homosexuality for the benefit of the Ugandan society, the AAEs' identity portrayed an assumption that the Ugandan society would be in a less fortunate state unless helped by the AAEs. The same identity would, in reverse, construct that of the Ugandan society to reflect dependency. This is typical to how colonialism continues to play in formerly colonized states as Asongazoh Alemazung has rightly argued:

When colonialism finally ended, the big Western powers could not afford to keep their hands completely off their colonies, thus, they continued to influence politics and developments in these regions where their political and economic relationship was based on their colonial ties on multilateral relations and engagements (Alemazung 2010:63).

Apart from viewing the AAEs' tools of influence from territorial, positionality and economic perspectives, another tool of influence was grounded in the linguistic expressions employed by the AAEs before the Ugandan people. One of the tools through which power and knowledge is exerted to subjects is through the use of language. It is argued that during colonialism, imperialists used linguistic favors to communicate their superiority to the colonized people whose languages were deemed less endowed with reflective and contemplative power (Duiker

and Spielvogel 2007: 583; Dauben, *et al.* 2014). “Through the power of language”, the experiences of the colonized societies attempted to be redefined and reconstructed so as to assimilate that of the colonialists (Kisitu 2015:105).

Language is also known as one of the prevailing factors through which the imperial powers embarked on the mission of ‘knowing’ the colonized peoples’ ways of life.

The most formidable ally of economic and political control had long been the business of ‘knowing’ other people because this ‘knowing’ underpinned imperial domination and became the mode by which they were increasingly persuaded to know themselves; that is as subordinate to Europe(Ashcroft *et al.* 2006:1).

The period of knowing also meant the introduction of a European system of knowledge, education, social cultural and political organizations. These replaced or attempted to deconstruct indigenous or traditional systems of knowledge, education, socio-cultural, political and religious organizations. Ashcroft *et al.* contend that these formed the “consequence of this [European] process of knowing” (Ashcroft *et al.* 2006:1). But if language was a key factor in the process of colonization, what kind of power does it have? It is rightly argued that as a discourse of power, language “provides the terms and the structures by which individuals have the world, a method by which the ‘real’ is determined, it implies certain assumptions about the world, a certain history, a certain way of seeing” (Ashcroft *et al.* 2006:71).

It cannot be less recognized that in Uganda the question of homosexuality is partly controversial on issues related to language. Its lack of positive linguistic descriptions in local languages compels some members of the society to argue that the practice is not linked to local traditions. Due to the prejudices attached to the practice of homosexuality, the discourse of homosexuality is rarely engaged in local vernacular languages. At the national level, homosexuality is debated in English. Similarly, human rights organizations operatives in Uganda use English in discussing the issues related to homosexuality. This seems to imply that the discourse of homosexuality is easier expressed in English than in other local dialects. At the national level, it becomes therefore a subject of concern for those who can speak English. One could therefore argue that the subject of homosexuality is seen as ‘an English subject’, understood by those who speak English, and hence foreign. This, further implies that English speakers are the ones who are more informed on discussing the subject of homosexuality.

Considering that language could shape the understanding of reality and also empower the

speaker with authority in explaining reality, it is important to examine what kind of language was used by the AAEs and what impact this had within the Ugandan context? How does this medium as used by the AAEs help to understand the extent to which they influenced the legislation of homosexuality in Uganda?

In their communication, the AAEs introduced themselves through the medium of the English language. In a country like Uganda, 'English-speaking' enjoys a noticeable respect. Being a colonial language and taken to be the official language in Uganda, 'English-speaking' constructs for its speaker, a sense of respect and a power of influence upon the audience (Kisitu and Ssebunya 2016:265). From the Ugandan context, 'English-speaking' has "become a tool of political power... a sign of modernity... employed by politicians" as well as religious leaders to demonstrate the authenticity of their messages as well as to affirm their literacy (Kisitu and Ssebunya 2016:265).

The fact that the AAEs introduced themselves in English, and used English as a media in communicating their message cannot be taken for granted with regard to its implication in a postcolonial state such as Uganda. The usage of English can be scrutinized to be part of the linguistics and semiotic choices employed by the colonial systems of government, whose effect is still felt in former colonial states (Kisitu and Ssebunya 2016:265; Mazrui 2009:361). English speaking is embedded broadly, in how colonial language constructed and located *who* was *whom* and *where* in the ladder of power. It can be noted, as some scholarship has rightly argued, that language as a measuring tool located on the ladder of power whom within the colonized societies were subject of power and whom were objects of power (Kisitu 2015:107). Kisitu rightly argues, "[t]o be subjects of power other than objects of power also meant being able to use the colonial grammar books and dictionaries following the guidelines as written down by the colonial and mission schools' masters" (Kisitu 2015:107).

It is important to interrogate whom between the AAEs and the local audience, appeared higher in the rank of power and influence with regard to the topic of homosexuality. The study would hold that the AAEs in this regard, were the subjects of power while the Ugandan audience became the objects of power. The AAEs' power of influence was not only demonstrated by the fact of communicating their agenda in English but also by the introductory statements which they chose. The findings showed that the AAEs were rhetorical speakers who employed the power of rhetoric in their communication. This is discussed below.



### 6.3.2.7. Rhetoric and influence.

The findings demonstrated that main thesis for the introductory statement, chosen by the AAEs chief speaker Scott Lively, was the building of confidence in the Ugandan audience on the subject of homosexuality. It is important to analyze why particular words, statements and expressions were chosen to be part of the opening statements by Scott Lively. The opening statements of Scott Lively's address situate him as a speaker who employs the art of rhetoric in an attempt to gain the confidence of his listeners. For instance, in his opening statement Scott Lively stated:

“Am going to be speaking to you as a pastor with a degree in theology, and someone who has been studying the sacred scriptures regarding all these issues. Am also going to be talking to you as an Attorney who has been trained in secular reasoning”

“I have spoken on this topic (homosexuality) in almost 40 countries now. I have written several books, I have a doctor of theology degree. I hold a certificate in human rights from the International Institute of Human Rights” (PRA 2009a).

These statements seemed to have been specially chosen to authenticate and legitimize the speaker's authority on the subject. Further, they seem to have been specially chosen to lure the audience as to why the speaker ought to be trusted as informed on the subject. According to Miyawaki, “rhetoric is a form of communication that includes both the art and practice of effective speaking and writing, often with the intent of persuasion” (2017:1477). Leach, on the other hand, suggests three ways how rhetoric can be understood as commonly used in peoples' daily experiences. It is “[t]he act of persuasion; [t]he analysis of acts of persuasion; [a] worldview about the persuasive power of discourse” (2000:207).

A common rhetorical theme that runs across Lively's opening statements is that of justifying or appealing to his character or reputation. Appealing to one's reputation before the audience is one of the classical modes of persuasion. Joan Leach observes that “one form of persuasive argument relies on the establishment of the credibility of the author or speaker” (2000:214). It could be suggested that Scott Lively's Audience had approached his meeting with an interest to hear what had been advertised as a conference to “expose the homosexual agenda”. Secondly, the subject of homosexuality was already a contentious issue within the public domain. It is therefore possible that the AAEs were aware of the prevailing environment and

attitudes on the subject of homosexuality especially from the public domain within Uganda.

The findings have shown that Scott Lively appealed to a religious and theological background which seems to inform his character. He petitioned to aspects such as the title ‘pastor’, the concept ‘Theology’, ‘Sacred Scriptures’, and ‘Holy Spirit’, to claim how his message is inspired and based on Christian principles. In using these aspects, he establishes himself as a reputable religious leader who ought to be believed, and trusted as he represents God. By referring to the Holy Spirit, the speaker attempts to develop in his listeners a conviction that he speaks under the influence of the Holy Spirit. It is to indirectly call upon his listeners not to exercise suspicion in his message since they may find themselves casting doubt in both God’s messenger and in God’s message. Likewise, Scotts Lively’s statements make multiple references to his education status.

As both a theologian, and lawyer Lively succeeded in presenting himself as one with adequate knowledge with regard to theological teachings on the subject of homosexuality. He also succeeded in presenting himself as one who knew statutory law and one who could advise on policy making on the aspect of homosexuality. In appealing to both his theological status as an academic and as well as an attorney, he appeared to be well placed to engage on a variety of discussions; such discussions could involve issues such as, ‘how statutory law could converse with theological and religious positions on the aspect of homosexuality’. To this end, he appeared with legitimacy to offer advice to both the illiterate and literate public whom he presumably perceived to know either less or nothing about in terms of the theological teachings on homosexuality. Further, he seemed dependable to offer advice to local religious leaders on how homosexuality could be handled by Pastors even in places outside the dominion of pulpits. Further, as both a theologian and a lawyer, he appeared to be a competent authority to offer advice not only to religious leaders but also to law makers, especially those who would wish to either advocate for, or against the aspect of homosexuality using religious based tools.

Scott Lively made several appeals to cases of experience on the subject of homosexuality. He referred to his family experiences and how some members of his family had themselves been agonized by consequences related to homosexuality. By referring to his personal experience, the speaker attempted to create a feeling within his audience that he was knowledgeable with regard to the experiences of homosexuality. This helped to depict him as an insider to the discussions on homosexuality

The overall rhetoric that characterized the Chief speaker’s address succeeded in influencing some members of the Ugandan public to see AAEs as much more informed than their listeners.

This can explain why the findings have shown that the local people during the follow up meeting described the AAEs as “our friends who were better informed than us” (PRA 2009b). Therefore we can conclude that the rhetorical tool employed by the AAEs neutralized possible doubts that would have dominantly emerged within the Ugandan society over their anti-homosexuality message. Further, the findings indicated that while the AAEs were delivering their message, the audience did not show signs of disapproval, for instance, public demonstrations or engaging the AAEs in oppositional debate. On the contrary, the audience, remained silent, and some of the audience expressed signs of amusement and approval of the issues discussed by the Chief Speaker. This mode of acceptance was further shown in subsequent discussions on the topic after the departure of the AAEs from Uganda.<sup>33</sup> The AAEs presentation and their shared experiences on homosexuality were, therefore, an authoritative and motivational resource for further discussions that guided the legislation of the 2014 AHL.

#### **6.3.2.8. Association with Gate Keepers as a tool of influence.**

The findings have shown that the coming of the AAEs to Uganda did not happen by chance. On contrary, it seems to have been effected following a well secured environment. This environment or setting involved the association with local religious leaders and local politicians (Kaoma 2014a). Therefore, this particular setting may have played an important role for correspondence as well as facilitating the AAEs’ subsequent coming to Uganda. The AAEs’ association with gatekeepers can be argued to have succeeded in winning over the Ugandan public to the advantage of the AAEs. In fact, in the follow up meeting, as it will be discussed in chapter seven, the AAEs are referred to by a local religious leader as “our friends”. The nature and effect of this correspondence can be analyzed along certain key protocols employed by colonialists while seeking to establish colonial rule.

The history of colonialism suggests that the colonialists have always devised different ways through which to successfully succeed in their colonial agenda. While some colonial powers chose to employ a direct rule tactic, others opted for an indirect approach in certain contexts (Afigbo 2005, Rutanga 2011). Indirect rule from ancient history of colonialism to 19<sup>th</sup> century modern times “has been employed to varying extents by different empires” (Afigbo 2005:271). It is a system under which an imperial power makes use of the indigenous political institutions

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<sup>33</sup>This is further discussed in chapter seven.

of a conquered territory for its administration” (Afigbo 2005:271). One of the reasons for such a move was to expedite acceptance by the local populations while the colonial government continued its penetration into the local fabric (Rutanga 2011:156). Further, it seems to have been a system through which the colonial government made to its advantage, the available contextual tools to serve its purpose. Tools such as local systems of governance, local leaders as spies, local customs, beliefs and local languages were exploited in promoting colonial rule (Rutanga 2011:156).

The tactic of using locally available tools in disseminating information and in alluring locally available support is still much alive when local and foreign contexts meet. This can be pinned as an indirect approach by which an external power of influence attempts to avoid a direct approach to a local phenomenon.

The AAEs’ approach to the question of homosexuality, in the Ugandan context, depicts similar tactics employed by colonial masters under indirect rule. Prior to the coming of the AAEs, Faith-based American non-governmental organizations had already succeeded in penetrating the Ugandan society. These organizations were either on religious or humanitarian missions. Their penetration into Uganda can be stretched back most notably to the early 1980’s, when evangelical missionaries from North America began arriving in the country (Kaggwa 2017). Following this arrival, the North American evangelical missionary work in Uganda has attracted large numbers of people including Local Born Again Pastors (LBAP). Some of these LBAP have received education and pastoral training in the United States of America (Kaoma in *God Loves Uganda* 2013). This however, is not an isolated phenomenon exclusive to the Ugandan context but a confirmation of what Kapyra Kaoma observes. This is to say that US conservative evangelicals have succeeded in penetrating many African societies through various networks that put them at an admirable state in societies they meet (Kaoma 2009:8). This point of argument resonates with the findings in this study that the AAEs did not hold their conference in isolation but in close contact with the Local Religious leaders and Local Christian based organizations such as, Family Life Network. This formed the body of local gate keepers who helped in spreading the message of AAEs.

Among the key Ugandan based institutions, that had close ties with the American anti-homosexual evangelicals at the time, was Family Life Network (FLN). According to the Family Life Network, its agenda is directed towards “restore[ing] family values and morals of the Ugandan society, by building strong families and youth with strong morals and character, through the promotion of value based morals and life skills across the population regardless of

gender, race, ethnic, social or religious background” (FLN 2017). The mission of FLN suggests a society that has purportedly lost, or, is on the brink of losing its core defining elements. The family institution according to the FLN is thought to be exposed to threats such as: the failure to recognize children as a blessing from God, the decreasing levels of accountability among parents, the increasing rates of divorce, “Polygamy, adultery, materialism, breakdown of the traditional values, adoption of the global culture and the general degeneration of our morals as a society” (FLN 2017).

It is within this framework in which leaders of FLN argue that homosexuality is one of the vices that contributes to the breakdown of families. As such to restore its former glory, vices such as homosexuality must be eliminated, at least from Uganda.

It should be noted that at the time of the 2009 AAEs conference, FLN was argued to have had close relationship with a number of U.S faith-based organizations such as, the “Family and Abiding Truth Ministries” (ATM) of Scott Lively, the “disbanded ‘ex-gay’ group Exodus International” of Don Schmiege as well as the “International Healing Foundation” of Caleb Lee Brudidge (Kaoma 2014a:21). In fact, according to Kaoma, the 2009 Anti-homosexual conference, held by AAEs was organized and publicized by the Uganda-based FLN under the leadership of Stephen Langa (Kaoma 2014a:21).

The relationship between the FLN and ATM draws much from the ideological concerns especially around the aspect of homosexuality. In both the ATM and FLN, the aspect of family as an institution is central. Both organizations argue to be pro-family defenders and ‘family value restoring institutions.’ While pro-homosexual activism is regarded by both organizations as a danger to the nucleus of society, the family, anti-homosexual activism on the other hand is welcomed and encouraged (Lively 2009a:125). ATM holds that “Our agenda is to create a more family-friendly world. Our strategy is to identify, train and organize pro-family activists to promote marriage and family as the most important and valued elements of society” (Lively 2009a:126). This resonates with the vision of FLN which incorporates concepts such as “restoring family values and morals...by building strong families” as well promoting “value based morals and life skills” (FLN 2017).

Popular local evangelical pastors such as Stephen Langa and Martin Ssempe are some of the local pastors with influence in Uganda which welcomed the AAEs message. The existence of the Local pastors’ assertiveness over homosexuality contributed to the AAEs’ influence towards the legislation of the 2014 AHL in two folds. It could be argued first that the local pastors assisted the AAEs by smoothening out the Ugandan environment to appreciate the

AAEs' anti-homosexual message with ease. This helped the AAEs to add their voice along the Ugandan society's voice who see homosexuality as a western imposition- which is contrary to 'Ugandan culture' (Nyanzi 2013a). By adding their voices to the dominant anti- homosexuality local voices in Uganda, the debate on homosexuality was further energized. This explains the reason why the findings of this study do not indicate that the AAEs received any resistance whether as foreign religious leaders, or, by their anti-homosexuality message during their conference.

Secondly, the existence of Local pastors' assertiveness over homosexuality regulates the essentialist position that sees the AAEs as initiators of the 2014 AHL in Uganda. Langa is well known as "a western-backed pastor", also described as "a conservative moralist" (Kaoma 2014a:72). His influence in Uganda is depicted by his work which suggests that he is a defender of the family institution in Uganda. Langa has also been described in some scholarship as "a fierce opponent of reproductive justice and one of Uganda's most influential purveyors of homophobia" (Kaoma 2014a:71). Despite this, Langa presents himself as a concerned elder for a society under the attack of homosexuality advances:

As an elder in an influential church in Kampala, the capital of Uganda, East Africa, and the Executive Director of a Ugandan based family ministry working to restore family values and morals, I have come face to face with these vices over the last ten years. Our organization has visited over 700 schools, reached over 350,000 youth and have counseled tens of thousands. I have also read and researched widely on a variety of vices in several nations of the world (Langa 2011:1).

Apart from Langa, another well-known pastor to have steered the debate on homosexuality in the public domain was Martin Sempa. His theological position in Uganda's modern church can be described as that which advocates for conversion and a return to the authority of biblical teachings. Sempa situates himself as a "representative of the fast-growing strands of Evangelical and Pentecostal Christianity that are coming to dominate the public and political sphere in Uganda and many other African countries" (Van Klinken and Zebracki 2016:90). As a self-made campaigner of Ugandan morals, Sempa advocates against homosexuality, claiming it to be a dirty practice which involves the eating of human wastes by those practicing it (Van Klinken and Zebracki 2016). According to Sempa the practice of homosexuality has failed to pass the Ugandan moral approval. In his views, Sempa is critical of foreign governments and foreign leaders for challenging anti-homosexual activism in Uganda.

In the film *God Loves Uganda*, Williams documents some assertions of Pastor Sempa: "I wrote a letter to Barrack Obama last week. I said, 'Barrack Obama, we do not fight sodomy

because of who they are, but what they do. The repugnant acts which they do.” (Ssempe in Williams 2013). It is clear that Ssempe makes use of phrases such as “We do not fight...” purposefully. Ssempe attempts to state that the fight against homosexuality in Uganda is communally motivated. Having chosen to speak in a collective figure of speech, he attempts to inspire his audience to approve his words as the voice of the Ugandan society. Not only does Pastor Ssempe inspire his audience to rise against homosexuality, he also uses various descriptions and explanations to explain why choosing pro-homosexual activism would be equated to committing moral, and health related risks.

The figure below by Benedicte Desrus,<sup>34</sup> showing Pastor Ssempe, at the 16th February 2010 Press conference, using multimedia to expose what he calls the evils of homosexuality (Van Klinken and Zebracki 2016:90).

**Figure 5.**



Ssempe seems to be convinced that homosexuality is a perverse practice. The images, being shown by Ssempe, attempt to stir the public into a conviction, that homosexuality is undesirable in society. It is in fact to “frame homosexuality as an inherently perverse practice that is threatening the moral order of society and therefore should be outlawed” (Van Klinken and Zebracki 2016:89). By using multimedia, coupled with gestures demonstrating how homosexuality is done, the Pastor appears to raise his audience’s emotions such as, sadness, shock, surprise and disgust. The approach used by the Pastor to communicate his message and

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<sup>34</sup> Benedicte Desrus, Available from <<http://fotoevidence.com/stories/detail/10>> accessed on 8th May 2017.

the nature of his Audience' reaction appear to convey a worldview that homosexuality is intolerable in the society and is a concern for the people in the Ugandan society. The Pastor's descriptive approach, coupled with the graphic images, seems to be very much relevant as a tool to convince the public of the dangers of homosexuality and why it has to be held with disgust.

The existence of local religious voices such as that of Ssempe and Langa, who are famous evangelical pastors, cannot be taken for granted given their probable implications. Apart from exposing their personal perception on homosexuality they also reveal their preparedness to corroborate with other forces that would seek to further their attitude on homosexuality. Given their roles as religious leaders, their positionality offers them an authoritative voice to solicit the societies' approval. Moreover, in Uganda, religious leaders such as those who belong to new evangelical and Pentecostal churches, do attract people's attention and command influence over peoples' attitudes and ways of life at a competitive level with mainline churches (Tusingire 2003:186). Henceforth, it can be argued that although the existence of anti-homosexuality local religious voices may have been used by the AAEs to their advantage, the same voices demonstrates that the AAEs contribution towards 2014 AHL was to some extent, dependent on how local religious leaders perceived the practice. The negative perception of some local religious leaders on homosexuality further confirms the findings of this study. Among these, is that prior to the coming of the AAEs, the Ugandan society had experiences and fears over homosexuality without necessarily being provoked by the AAEs. Among these fears included a conviction that homosexuality was against God's teachings as well as God's directive to procreation. The findings have shown to this extent that homosexuality was regarded sinful and evil.

### **6.3.3. Conclusion**

The chapter attempted to explore and understand how the AAEs contributed to shaping the Ugandan society's views over homosexuality. The contribution of the AAEs' was found to be multifaceted. On the one hand, it draws from the social and cultural backgrounds of the Ugandan context while on the other it does so, from the Christian religious based beliefs. The chapter has found out that the AAEs proposed an anti-homosexual theology which described the practice of homosexuality as sinful and a disobedience of God's authority. Further, human procreation was argued to be in danger in a society that encouraged the practice of homosexuality. The chapter also found that the AAEs persuasion followed a particular



framework described in the study as a framework of influence. The framework attempts to present the aspect of homosexuality as a 'Problem', to which exists a 'Solution.' It was found that the failure to act in eradicating the 'Problem' or the resolute to act along the proposed 'Solution' model, all produce a 'Consequence.' It was found that this 'Consequence' triggers 'Action.' In the chapter that follows, the study presents the findings from the reactions of the Ugandan society after the AAEs conference. The next chapter (seven) analyzes and discusses, to what extent does the reactions of the Ugandan society demonstrate trends of the AAEs' influence.

## CHAPTER SEVEN

### TOWARDS THE 2014 CRIMINALIZATION OF HOMOSEXUALITY IN UGANDA.

#### 7.1. Introduction.

Chapter six presented the first set of findings of the study in which the study explored how the AAEs attempted to shape the views of Ugandans on homosexuality. This chapter presents the second set of findings focusing on the reaction of the Ugandan public following the teachings of the AAEs in 2009. The findings are drawn first, from a Political Research Associates' published video, entitled: "Strategic meeting for combating homosexual agenda in Uganda filmed by Kapyra Kaoma in 2009. Second, from selected documentations on the subject of homosexuality, published by the Ugandan government after the 2009 AAEs' conference. The findings are presented thematically. The details on the video, documentations, procedure and analysis of the data, is explained in the methodology section- chapter two of the study. The chapter is divided into two major parts. The first part presents the findings while the second part presents the discussion on the findings. This chapter contributes to the key research question which seeks to explore and understand the extent to which the AAEs influenced the legislation of the 2014 AHL in Uganda.

#### 7. 2. Key themes, in the findings of this chapter.

The following themes were highlighted and are presented below.

*Local experiences and Fears over Homosexuality; A Rhetorical Comparison frame of homosexuality; Theological, social, political and moral perception of homosexuality; Friendship and Reception with intent to learn from the AAEs; Expression of ignorance and instant production of knowledge on homosexuality; Contemplating the revision of the anti-homosexuality regulations as a way forward; Homosexuality, as regulation; Homosexuality, Family, parenting and children; Voices from local anti-Homosexual Religious Leaders*

### **7.2.1. Local Experiences and Fears over Homosexuality.**

This theme highlights a finding that local people tend to have a fear over homosexuality informed by belief. The belief is that homosexuality negatively affects mostly the male gender in the society. It is highlighted that the practice of homosexuality inhibits men's desire to marry women so as to have children and raise heterosexual families. Suggestions to enforce certain regulations on homosexuality are in this case seen as contemplated measures to safeguard mostly the male gender. This particular gender has been identified from the way in which local people understand the meaning of homosexuality and its analysis. According to the findings, local people identify homosexuality as having sexual relationship with the person of the same sex, especially between male persons (PRA 2009a; Museveni 2014.).

Although the aspect of 'having sexual relationship with a person of the same sex' is not exclusive of a particular gender, the understanding of homosexuality is commonly analyzed, explained and wondered about from an exclusive perspective. Men and boys other than girls and women are more likely to be mentioned and referred to when the subject of homosexuality is mentioned. For instance President Museveni, in his official statement, during the signing of the Anti-Homosexuality Act into law stated, "...I could not understand why a man could fail to be attracted to the beauties of a woman and, instead, be attracted to a fellow man. It meant, according to me, that there was something wrong with that man" (Museveni 2014). Further, while explaining his discontent on whether sexual orientation was a choice or not, the President used masculine exclusive categories other than the inclusive ones. "I have heard very important people saying this is a matter of choice. That it doesn't matter whom you choose to love; that a man can choose to love a fellow man; that sexual orientation is a matter of choice" (Museveni 2014).

Similar to the Ugandan president perspective, a Ugandan member of parliament while debating on homosexuality demonstrated an inclination to understand homosexuality from a male viewpoint; He asserted,

The other day I failed to explain to my children a picture of homosexuals that had appeared on the first page of the New Vision, a government paper. Now, some of us who are parents and are responsible were at pain to explain to our children what was happening. Imagine a child asking you, "Daddy, explain to me how a man can sleep with another man"; what do you say as a parent? (Hansard-Uganda Parliament sessions 2009:747).

This emphasis on casting a fear on homosexuality as far as it is believed to affect the males of the society is noticeable in the Ugandan society according to the findings. However, this fear to which the 2014 AHL would be explained, gained more recognition during the American Anti-homosexual conference in Uganda. The AAEs had, earlier on in the same conference, made an analysis for the Ugandan society in similar circumstances; “It seems what you have in Uganda is ‘pederast’ adults sodomizing teenage boys” (PRA 2009a). The AAEs’ chief speaker, made constant references to cases of either boys or men being involved in the practice of homosexuality. In fact, he had earlier on argued this to be detrimental to the Ugandan society if precautionary measures were not taken. Therefore, the criminalization of homosexuality is seen to arise partly from the fear of possible dangers that homosexuality would bring to the society through its association with, mostly, the male community. This is seen to be prompted directly from the employed framework of the AAEs, in which homosexuality was presented as a ‘Problem.’

The findings indicated that some of the local people hold that homosexuality has emerged as a force that attracts young people and stages a competition for equality with heterosexuality. This is interpreted as “An agenda to normalize homosexuality” (PRA 2009b). An agenda to normalize homosexuality is also interpreted as an emerging attempt to expose what previously remained in the closet. One participant held, “what happened then is that they would do it [homosexuality] but secretly. They would not go around holding hands or kissing like you see now” (PRA 2009b). In various discussions on the subject of homosexuality, it emerged that local discussants employ a tactic of rhetorical comparison frame of homosexuality to pass their message. This is the second emerging theme.

### **7.3.2. A Rhetorical Comparison frame of homosexuality.**

The theme of comparison has emerged to be a power that inspires the suggestion of action on homosexuality. The findings have shown the extent to which homosexuality required the action of the Law. This had a lot to do with the extent to which it was rhetorically compared with other phenomena. Among the rhetorical descriptions used to explain homosexuality, the following featured most prominently: “A Dangerous development”, “an abnormal practice”, “poison”, “a contamination”, “psychological trauma”, “a dehumanizing practice” (PRA 2009b, Hansard-Uganda Parliament sessions 2009). Further, the findings show that homosexuality is not only explained by what it is thought to be but also by whom it is thought to be campaigned

for. Individuals, countries, or Organizations that are thought to be campaigning for homosexuality, are in this sense described as “mercenaries”, “Liars”, “Rebels”, “Thugs”, “Thieves”, “Promoters and agents of immorality” (Hansard-Uganda Parliament sessions 2009; Museveni 2014; Ministry of Foreign Affairs, Uganda 2014). Further, findings show that homosexuality is associated with the advent of diseases, especially those related to sexuality and health. For instance, a member of parliament, while arguing against homosexuality and the protection of children, claimed,

There is no neutral zone in this struggle especially if you are a parent and I know many of you are parents of young children. We need to inoculate our children against these practices. The problem is bigger than we think and diseases are escalating, diseases which we never knew before. There is anal Gonorrhoea which is now rampant, anal Syphilis, Hepatitis C which is transmitted by this practice (Hansard- Uganda Parliament sessions 2009:907).

Similarly, another Member of Parliament asserted, “Finally, I would like the medical people to do more homework and check the brains of homosexuals as it could be a disease that can be cured. Maybe their hormones are not normal or something of that sort” (Hansard-Uganda Parliament sessions 2009:750). Therefore, the findings suggest that, from the local context, homosexuality is framed as a disease or a means through which diseases such as Gonorrhoea and anal syphilis are transmitted. The process leading to the 2014 criminalization of homosexuality and the law itself are presented as necessary responses to prevent the sickness.

Although homosexuality was known in the Ugandan context prior the AAEs’ 2009 conference, the kind of framing which associate homosexuality with diseases became more rampant from 2009 after the AAEs conference. The findings from the American Anti- homosexual evangelicals’ conference in the previous chapter showed that the AAEs employed a similar rhetorical frame in their attempt to urge the Ugandan society to renounce homosexuality. In its description, homosexuality was framed as “a gender identity confusion, a sexual deviation, inherently self-evident disorder, a physical dysfunction” and at a further level, compared to the experiences of the former imperialist Nazis regime in Germany (PRA 2009a). Therefore, according to the findings, there exists a coloration of a rhetorical language which is broadly initiated by the AAEs in the 2009 anti-homosexuality conference. It can be argued, from this perspective that the AAEs contributed in establishing the ground rhetorical frame through which the policy makers in the Ugandan parliament continued to argue and debate with regards to the 2014 AHL. Apart from this nature of framing, the findings indicated that local people’s

perception of homosexuality is informed by theological, social, political and moral backgrounds. Such aspects are highlighted in the following theme.

### **7.3.3. Theological, social, political and moral perception of homosexuality.**

This theme highlights that, from within Uganda's public domain the aspect of homosexuality remains controverted by theological, cultural, political, social and moral appeals. One of the key themes, under which homosexuality is controverted is the understanding of marriage and sexuality. The understanding of marriage, from a heterosexual point of view, is used to frame homosexuality as popularly undesirable by the public. The findings show that there is a strong appeal to theological interpretations that attaches heterosexual unions to God's plan of marriage as well as a disassociation of homosexuality from it. One participant in the follow- up meeting argued,

We are coming in this as people that believe in the dignity of marriage. That believe in God's idea that he created Adam to marry Eve... We have not seen a model anywhere of God creating a man for a man at least in sexual contact. And so it is on that ground that we stand. It is that ground that we want to communicate again and again. I know there are in here some people that are practicing homosexuality. We want you to know that God's idea of marriage is man and a woman. How many of you believe that? Let me see.... *'(People raise up their hands in a sign of affirmation with the speakers views)*. Anything outside that, with all these big words they use that it is an orientation, it is not an orientation it is a problem. It is a sexual immorality. It is immoral (PRA 2009b).

The observation of the audience's reaction to the speaker's claim demonstrated that many of them agreed that homosexuality was unacceptable on account of the biblical interpretation of marriage. The raising of hands when the audience was asked to express agreement, confirms the act of resistance to any claim that could associate God's order of marriage with homosexuality. The framing of homosexuality as incompatible with the aspect of marriage, was also expressed in Uganda's parliament:

Hon. Members will recall that both the National Anthem and the Motto of Uganda are about God and Uganda. As much as possible, most Ugandans strive to be guided by standards that God has prescribed. To the best of my knowledge, those standards do not include the promotion of anal sex at the expense of heterosexual sex as a means of maintaining human reproduction (Hansard-Uganda Parliament sessions 2009:744).

Besides being incompatible to marriage, the findings show that homosexuality is as well denounced from the argument of human procreation.

My acid test for rejecting that position is that nature is purposeful. One of the main purposes of man is to perpetuate life. You cannot perpetuate human life without copulation of opposite sexes for the majority of animals. Even many plants rely on cross-pollination... Therefore, homosexuality and lesbianism if not mercenary or out of social frustration (for sexually starved women), is an abnormality and must be treated as such” (Museveni 2013:8).

A Ugandan parliamentarian viewed homosexuality as a threat to civilization given that human procreation is seen to advance the idea of civilization. “If we were to legalize homosexuality, wouldn’t it spell the end of human civilization as we know it today? Where would children come from to take over from us when we all go away from this earth? What about God’s command that we should reproduce for procreation? (Hansard-Uganda Parliament sessions 2009:747). It is clear from the findings, that there is a social and religious discomfort within the Ugandan society around the phenomenon of homosexuality. From both religious and cultural understanding of the norms that govern sexuality the findings shows that homosexuality as far as it is associated with its advocacy, contravenes these norms just as it is argued to contravene legal frameworks that regulate sexual relations. Findings further highlight that homosexuality is rejected from a social and cultural perspective on a claim that it is associated with sexual exhibition which is thought to be inappropriate to the norms that govern the social and cultural sexual behaviours of the people. While the expression of sexuality is thought and expected to be a private affair, findings show that some members of the Ugandan public felt that homosexuality was not conforming to this expectation. This feeling was exhibited by those in political offices such as the Ugandan Head of State.

Homosexuals exhibiting themselves; Africans are flabbergasted by exhibitionism of sexual acts - whether heterosexual or otherwise and for good reason. Why do you exhibit your sexual conduct? Are you short of opportunity for privacy - where you can kiss, fondle? Are we interested in seeing your sexual acts - we the Public? (Museveni 2014).

It is important to note that public opinion on homosexuality exhibition was thought to be related to a claim that its promotion aims at recruiting followers into homosexuality. This is shown to have contributed to the demand to enact the 2014 AHL in Uganda. Although it didn’t appear a contention as to whether homosexuality was practiced in Uganda or not, the existing common view suggests that the aspect of homosexuality is equally a political concern. There exist a

number of views that hold that the publicity of homosexuality is energized by some Western countries that have conditioned the Ugandan government either to legalize homosexuality or to have foreign aid cut. At the signing of the 2014 AHL into Law, the Ugandan Head of State was asked a question which unveils this contention: “You have signed this bill. How is it going to affect your relation with the Western countries since most of them had already threatened to withdraw aid to Uganda as a result of this bill? In his response, the President categorically declared: “...The Outsiders cannot dictate to us, this is our country, this is our society, this is our future, it is not anybody’s future, and the Outsiders will have to live with us, or if they don’t want they take their Aid ...Uganda is very rich we do not need Aid here. In fact Aid is part of the problem (the audience claps)” (Museveni 2014). The clapping of the audience emphasized the extent to which the audience agreed with the President’s response. In fact, in Uganda clapping is usually an expression of joy, a welcoming gesture or agreement.

Similarly, prior to the enactment of the 2014 AHL, a Member of Parliament had earlier on expressed related views:

... We do not need help from dirty hands, from those who we think are doing bad things. They should not blindfold us by giving us gifts. I think as a country, we should also stand up if some countries are sending poison to our country... We should detest help from such friends who bring it with double-edged swords. We do not want them to give us help and at the same time contaminate our society (Hansard- Uganda Parliament sessions 2009:748).

In 2009, the Minister of State Office of the President, ethics and integrity James Nsaba Buturo noted:

In Uganda, UNICEF, Amnesty International, Human Rights Watch, Frontline Human Rights Defenders, and East and Horn of Africa Human Rights groups have been in the forefront of a campaign to legalise homosexuality...In fact, ten years ago UNICEF helped in the funding and distribution of books to schools, which were unknown to the Ministry of Education and Sports, and they were popularizing homosexuality” (Hansard-Uganda Parliament sessions 2009:744).

The findings therefore, indicate that there exists within the local domain feelings of outside interference upon which the Ugandan society fears political pressure. The aspect of homosexuality is therefore seen as channel through which the political pressure is felt to be exerted. From this perspective, there seems to be an accusation from the Ugandan local context to the outside pro-homosexuality contexts of being ignorant of, or simply undermine the



culture, religious, and the sovereign state of the Ugandan Nation. The findings have thus shown that the 2014 AHL seeks to respond to this inner-felt challenge of political pressure. The aspect of attempting to demonstrate Uganda's capacity with dealing with its internal affairs holds a strong force capable of influence the government's position to go ahead with enacting the 2014 AHL. The 2014 AHL is seen in this case not so much as law directed to curb homosexuality but a political law that echoes the sovereign of the Ugandan State.

It is probable that the going ahead to enact the 2014 AHL, was not only to control homosexuality but an antagonistic expression directed to 'External' forces. The public review characterized such forces with a hidden political 'Agenda.' It could be argued that pro-homosexual advices from outside Uganda, coupled with threats that seem to expose Uganda's inability to support itself economically, could be read as imperialistic. The findings show that the Ugandan political elites such as the members of parliaments and the Ugandan Head of State argued this political interpretation of pro-homosexuality activism especially from outside Uganda. In the following theme, the study highlights how in the Ugandan society, were developed signs of mutual friendship between the Ugandan society and the AAEs.

#### **7.3.4. Friendship and Reception with intent to Learn from the AAEs.**

This theme highlights that some members of the Ugandan community who attended the AAEs conference developed and continued to express mutual feelings of friendship with the AAEs. This was also coupled with the availability of the Ugandan community to offer a receptive 'Audience' to the AAEs with the view of being oriented on the subject of homosexuality. The AAEs were spoken of not only as friends but also as a people with whom the Ugandan community shared values on certain social issues such as family and homosexuality. One of the participants in the follow-up meeting noted: "We had a seminar here conducted by our friends from the US, with whom we share similar convictions about the family. It was a great time together. They gave us a great understanding the whole area of homosexuality...; we had to engage some of our friends that are better informed than ourselves" (Participant in PRA 2009b). Given these feelings demonstrated by some members of the Ugandan public, findings suggest an impressive earnest to hear and to learn from the AAEs. The call made by Uganda's Speaker of Parliament to the Parliamentarians requesting parliamentarians to attend the AAEs lecture also highlights this earnestness:

Before we go, I have this communication to make. All Members are invited to an executive breakfast meeting seminar on the dangers of homosexuality. The theme is, “Exposing the truth about homosexuality and the homosexual agenda”. The meeting will take place in the Parliament Conference Hall tomorrow Thursday, 5th March starting at 7.30 a.m. to 9.00 a.m. Guest speakers include Dr Scot Linley (Scott Lively) of the United States, Caleb Lee of the United States and Mr Stephen Langa of the Family Life Network. All Members are invited to attend and breakfast will be served. (Hansard-Uganda Parliament sessions 2009:231).

For the parliament to accord the AAEs an audience within the National building-the Parliament Conference Hall, while putting aside government business, indicated a special reverence that the Ugandan parliament had for the AAEs. Therefore, it could be argued that the AAEs’ influence towards the legislation of the AHL began by establishing a close relationship with the Ugandan public. This relationship was not only directed to capture the attention of the common people of the Ugandan public but also policy makers, law enforcers as well as religious leaders.

The findings further demonstrate that the nature of this relationship was similar to a teacher-learner or benefactor-beneficiary relationship. At certain times, findings show the Ugandan community taking the space of the learner while the AAEs take the space of the teacher. This can be seen especially where some members of the Ugandan community confirm to being brought to “a more understanding of homosexuality” following the AAEs conference. As teachers, and foreign religious leaders, the AAEs are suggested to have been seen with religious authority. As such they were well placed to inform policy makers, law enforcers and local religious leaders on certain aspects of homosexuality- of which the Ugandan society appeared ignorant. The AAEs influence in this case, stands in relation to how the Ugandan public responded to them as informed foreign religious leaders who happened to understand the particulars of the local context. It is also critical note that some members of the Ugandan society did not only express a friendly relationship but also an expression of ignorance on some matters related to homosexuality. This aspect is explored in the theme below.

### **7.3.5. Expression of ignorance and instant production of knowledge on homosexuality.**

This theme highlights that debates on homosexuality, which preceded the enactment of 2014 AHL, were preoccupied by some claims of ignorance and sudden production of knowledge on

the aspect of homosexuality. The findings show that even though some members of the public knew cases of homosexuality practice in the society, they lacked information on its prevalence and consequences. There is a claim that the coming of the AAEs and the knowledge gained during the AAEs' conference, contributed to the exposure of the Ugandan society to the prevalence and consequences of homosexuality practice.

For instance, one person stated during the follow-up meeting: "This thing of homosexuality is serious and alive here in Kampala. I did not know that it was this serious until last week" (Participant in PRA 2009b). In the follow-up meeting, a participant narrated a story which, according to him, contributed to the state of ignorance on the subject of homosexuality saying: "In the schools we pass through including, sorry to say so, the seminaries which we cannot name certainly, this evil has been there, was there, and is still there intact only that there has been protection from administrators and teachers for the reputation of those institutions" (APA 2009b). The nature of ignorance, however, is not so much on whether homosexuality is known or not, but it is more oriented on the aspect of '*Threat*'. The findings have highlighted that communities have often times covered up stories purporting the presence of homosexuality in the society. This seems to be an element that has hindered the discovery of the threat of homosexuality. To some members of the society, what is argued as 'a threat of homosexuality' remains to be a phenomenon of recent times. For some members of the public, the knowledge purporting this threat is attributed to the AAEs. A participant in the follow-up meeting confirms this as he shares his experience of the AAEs' conference. He mentions:

I also had a chance to attend the seminar. The man of God told us about the origin of all this. He said there is a movement behind the promotion of homosexuality and it is called gay movement. He told us that it is more serious than we have ever thought. For me I had never heard of that, but I got to know that there is a force that is behind homosexuality which we need to attack also with force... And when they come to Africa, Uganda in particular where there is poverty, you find that is very easy for the young generation to get attracted to their evil (PRA. 2009b).

As a sign of appreciation, some members of the public also attempted to recall, in affirmation, what they were taught in the conference by the AAEs. In recalling these messages, these participants did not appear to challenge the information or to distrust it but to affirm it as authentic. For instance one person recalled how homosexuality had affected the country of Brazil: "Doctor. Scott told us about Brazil where homosexuality was unheard of for the last ten years. Five years ago everybody thought it was just a joke...today it is the capital...So that how

serious it is” (Participant in the PRA 2009b).

The extent to which homosexuality is promoted in the society became a key issue of knowledge in the encounter between the AAEs and the Ugandan ‘Audience.’ While giving their responses on the issue, during the follow up meeting, some of the participants seemed to re-echo what exactly the AAEs had already expressed to them in the Anti-homosexuality conference. Among the aspects that repeatedly surfaced included:

Going against homosexuality attracts a lot of pressure and people have to be prepared to fight. The promotion of homosexuality is a force that need to be attacked by force; the people behind the promotion of homosexuality are evil; promoters of homosexuality have a lot of resources which they use to attract people; It is easy for young generation to get attracted to their evil; Heteronormativity goes beyond individual choices and homosexuality is dangerous to society” (participants in PRA 2009b).

By repeating these same statements, which the AAEs had used to frame the discourse of homosexuality, the Ugandan public demonstrated an acquisition of knowledge from the AAEs as well as an affirmation of that knowledge. Similarly, this same ‘knowledge’ about homosexuality found its way among Uganda’s parliamentarians; some of these parliamentarians were present in the Conference addressed by the AAEs (Kaoma 2014a).

For instance, during the 2009 parliamentary proceedings, the Minister of State, Regional Affairs Isaac Musumba reiterated:

Madam Speaker, this country has of late been besieged and is under attack from homosexual advocates and people who do unnatural things to each other. People are even talking about men marrying men. Those practices out there have come in the past two or three years and become so pronounced that our children, and I am a father of several boys, are in danger (Hansard-Uganda Parliament sessions 2009:903-904)

Reference to AAEs’ opinions on homosexuality without necessarily challenging them demonstrates certain levels of influence that the AAEs had on the Ugandan public. The Ugandan society’s worldview of on the prevalence of homosexuality in the country and its supposed effects seems to be shaped by the knowledge gained from the AAEs’ conference. On the other hand, an overly emphasis on the knowledge gained from the AAEs regarding homosexuality and its effects to the public reflects a seemingly ‘dramatized’ lack of interest in the subject. Further, it points to the public silence which accords homosexuality, such expressions as “the unspoken” and discussed subject in public”. This is true to the subject of homosexuality whether on streets, public gatherings, in media centers or even in scholarly works. But the notion of silence is also advanced by what Stella Nyanzi describes as a

"fallacy of an undisturbed, pure and pristine period" within the Ugandan past (2013:954). In reference to this, it is highly advanced that Ugandan societies had no historical knowledge, and formal acceptance of homosexuality,- enough reason to claim ignorance and foreignness of the practice. Various views from the Ugandan context have suggested a previously undisturbed social, cultural, religious setting before homosexuality debates became more aggressive in the public domain. The perceived silence on sexual politics especially around the discourse of homosexuality and the locally controlled advocacy on sexual rights activism, informs equally the current state of affairs on homosexuality politics in Uganda. The fact that the 2014 AHL surfaces when homosexuality politics have increasingly gained international attention, yet locally still under enormous suppression, succeeds in erasing and dismissing local acceptance of homosexuality (Oloka-Onyango 2012; Sebagala 2011).

In the following part, the study presents a theme that highlights a desire for a way forward by the Uganda society.

### **7.3.6. Contemplating the revision of the anti-homosexuality regulations as a way forward.**

In discussing the aspect of homosexuality, it came out strongly that the current approach to homosexuality in Uganda was not sufficient to address the fears and experiences of the people on homosexuality. Findings indicated a common interest in many responses, that a lack of trust had developed in the existing law that attempted to regulate homosexuality since the colonial time: "Right now our law in the penal code is ineffective. It is like one verse, statement. It was coined in the 1950's. It is totally outdated. It does not deal with the causes of this issue" (Participant in PRA 2009b).

The findings indicate that the observation purporting the inefficiency of the law on homosexuality was pragmatic to the events of the AAEs' conference. For instance, the nature and timing of this observation demonstrated a recent inspirational causality that may be drawn back to the AAEs' call for a way forward on homosexuality in Uganda. Moreover, it appears from the findings that it had not been long since members of the Ugandan public became aware of the inefficiency of the law. The nature of the sentence construction by a member of parliament during the 2009 parliament proceedings affirms this: "*Having known* that the current law on homosexuality is weak, Government will instead proceed to enact a more comprehensive one, which will treat as

illegal, among other things, the promotion of homosexuality and membership to homosexual groups” (Hansard-Uganda Parliament sessions 2009:747).<sup>35</sup>

It can therefore be recognized that having highlighted a need for policy in Uganda, the AAEs provoked the Ugandan public into instant doubts in the efficiency of their law framework on homosexuality. This can be argued as such, basing on the analysis done on the 2008 parliamentary discussions. According to the 2008 Hansard records of the Uganda Parliament, the case of homosexuality did not feature in 2008; but it was only mentioned twice in pursuing (Hansard-Uganda Parliament sessions 2008). It is interesting to note that the issue of homosexuality and the feelings of insufficiency of the law on homosexuality were mentioned and gained momentum in 2009 after the conference of the AAEs.

Similar to the AAEs suggestion for a need for a public policy on homosexuality, local discussions and engagements were characterized by suggestions of “what to do next regarding homosexuality”. The findings indicated a domineering attitude from the public characterized by a sudden growing call for some kind of action towards homosexuality. In the follow-up meeting, some participants suggested a course of action,

Right now what we need is to draft a new law that takes care of all the issues that we are raising now. The laws we have in place are not very helpful...I would encourage all us to participate...Our Law Makers should come and strength the Laws of this country” (Participant in SMCHAU 2009).

The findings drawn from parliamentary debates indicated that a similar call for a way forward was sought.

The minister has outlined that we have laws in place as per now, but he also admitted that they have been really weak... If they are a failure, it is very urgent that we immediately change these laws to address the need of our society. We need to prosecute people who are contaminating the African society” (Hansard-Uganda Parliament sessions 2009:748).

“For example, if you read the Penal Code, you will find that we have a problem of the definition of a gay marriage and other unnatural offences. We want a law that clearly states all these things so that we can use it to rid this country of this scourge. I support the motion” (Hansard-Uganda Parliament sessions 2009:904).

In the parliament, unlike at the follow-up meeting, it was not unilateral suggested to have a

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<sup>35</sup> 32 Stress by italics is by the researcher.

new law on homosexuality. Some members, who although were a minority, urged that there was no need of the new law (Hansard-Uganda Parliament sessions 2009:903). It is important to note, however, that despite different views, it was commonly indicated in the discussions that homosexuality was a problem that needed to be contained either in the revision of the 1950' penal code or in the legislation of a new law altogether (Hansard-Uganda Parliament sessions 2009:900-903). This revision would see, the “protection of the society before being exterminated by homosexuals,” defending of the young, and an introduction of “rehabilitation programs” for those involved in the practice (Hansard-Uganda Parliament sessions 2009:748, 904). From these findings, it is important to note that the AAEs' framework is at play. Homosexuality is well presented as a problem, with a call for a revision of the 1950 Penal code; both a ‘Solution’ and ‘Choice’, need to be taken, and the protection of the society is seen as the projected ‘Consequence.’ Although there was a call for protection of the society through law, it emerged strongly that homosexuality was known as already regulated in the country. This aspect is discussed in the theme that follows.

### **7.3.7. Homosexuality is assumed regulated**

This theme attempts to highlight that prior to the AAEs conference, local voices did not perceive homosexuality legal or an openly accepted practice. It was commonly indicated in the discussions and arguments that homosexuality was already regulated by: human rights, the Ugandan Constitution, Religious beliefs and local cultural norms human rights, and the Ugandan Constitution. The findings show that the 2014 AHL was to some extent an affirmation of the known illegal status of homosexuality in the country.

In the discussions, especially by members of the Ugandan parliament, findings show a common view that homosexuality was illegal in Uganda and its practice had, since colonial times, been a criminal offence (Hansard-Uganda Parliament sessions 2009). As one member, affirmed, “As a practicing lawyer, I and everybody else here who has taken trouble to read the Penal Code will find that homosexuality is an offence under the Penal Code” (Hansard- Uganda Parliament sessions 2009:903). The practice of homosexuality was thought to be illegal in the society on the basis of social orientation. According to the official position of the government on homosexuality, as explained by the Ministry of foreign affairs, the Ugandan society has certain ways of socializing its citizens, of which the practice of homosexuality is incompatible. “It is

important to underscore the fact that the Law is not intended to discriminate, persecute, or punish homosexuals by sheer fact of their sexual orientation. Rather, the Law is aimed at protecting and defending Ugandan society from social disorientation” (Ministry of Foreign Affairs 2014:2).

Findings further indicated that some members of the Ugandan society felt that homosexuality as far as it is analyzed along the aspect of human rights, remains unacceptable within the Ugandan society. There is a belief that human rights, are at times, confused with strange interpretations and are not supposed to be interpreted unilateral. For instance one person at the SMCHAU held:

... There are some of the values that are expressed differently here in Africa than how they are expressed in America... so we are telling them that, our human rights may not be very good but this is our stand. As far as we are concerned what you practice in the west are actually not human rights. Because things like homosexuality when has it become actually a human right?(PRA 2009b).

In a similar view, the Ministry of Foreign affairs, also directed that homosexuality was contradictory with human rights: “[Homosexuality] Prejudices the fundamental or other human rights freedoms of others” (Ministry of Foreign Affairs 2014:2). This means that as far as the understanding of human rights is concerned, some members of the Uganda public as well as the official position of the government do hold the practice of homosexuality to be unconstitutional. Referring to the Ugandan constitution the ministry of foreign affairs indicated:

...Ugandan constitution guarantees enjoyment of fundamental human rights and freedoms by all people. However, the same constitution also affirms that in the enjoyment of such rights and freedoms, no person shall prejudice the fundamental or other human rights freedoms of others (2014:2).

It was further highlighted as contested whether even homosexuality was a right or destruction. The findings indicated that homosexuality was thought to be destruction and would not qualify into the realm of human rights. In fact, one member of the Ugandan parliament argued:

Today they are talking about a right to homosexuality, tomorrow it might be a right to walk naked or to defilement. And I think the so called right will lead to the destruction of our social fabric and value system. We cannot afford to see this pass on as we watch (Hansard-Uganda Parliament sessions 2009:906).



Therefore it emerged that, to some members of the Ugandan community, informed by their knowledge of homosexuality and human rights, homosexuality was already seen to present an eminent risk of destruction to the community. It was also suggested by the findings that failure to criminalize homosexuality would be a failure to protect the lives of the vulnerable, and to respect the constitution.

The findings have also indicated that the Ugandan government was aware of the state of homosexuality criminalization, that is, globally. There seems to be an element of motivation in this regard which may not necessarily be related with the AAEs conference. The findings indicate that the Ugandan government attitude towards homosexuality and its practice is also motivated by how homosexuality is controlled by other countries. This motivation is triggered by knowledge of other countries that criminalize homosexuality. In fact, from the Ugandan government point of view, Uganda's position on homosexuality was neither new nor unique compared with some other countries. "In fact there are at least over 80 countries worldwide, who have such legislation in their statutes many of whom also subscribe to major international human rights instruments" (Ministry of Foreign Affairs 2014:2).

From a religious and cultural point of view, homosexuality was believed to be unacceptable. The findings show an existence of moral frames that cut across the social, religious and cultural understanding of homosexuality. These moral frames are thought to regulate the privileges of sexual relations but at the same time, isolate the practice of homosexuality as: unethical, bad or dishonest sexual behavior. Homosexuality as 'The problem' is also highlighted in judgments of right and wrong practices, or the moral and immoral acts. From these parameters, the judgment against the practice of homosexuality has shown to be negatively constructed. It is immoral in contrast to moral or 'wrong' in contrast to being 'right.' As the practice of homosexuality is described in negative terms, its practitioners and advocates are equally labelled negatively. From this point of view, it appeared that the AAEs' conference did not essentially introduce new inspirations toward the regulation of homosexuality but only persuasively made use of the existing knowledge on the subject from within the society. The findings indicated that some community members felt an increasing exposure of homosexual practices which demonstrated that both the cultural and religious fabrics of the society were at risk.

It was discovered from the findings that some Ugandans were concerned that there existed a promotion of homosexuality in the country and that this was in contrast with the Ugandan culture. It was argued that "Sexual exhibition is contrary to sexual privacy principles" promoted

by Ugandan cultures (Museveni 2014). Therefore, it can be argued that the fear of the increasing calls to recognize the practice of homosexuality in the country was felt as an intrusion of cultural and religious traditional values. In relation to this argument, one Member of Parliament recommended:

Uganda needs a comprehensive and enhanced legislation to protect cultural, legal, religious and traditional values. We need to protect our children and youth who are being made vulnerable to sexual abuse as a result of cultural intrusion (Hansard-Uganda Parliament sessions 2009:906).

It was clear, that as a country, the aspect of homosexuality was already demonized in terms of Law, religious and cultural beliefs, even prior to the holding of the AAEs conference. Given that the AAEs also made an appeal to similar categories in which they affirmed the demonization of homosexuality one could argue that the AAEs provided a pillar of support and reference to the anti-homosexuality arguments that contributed to the enactment of the 2014 AHL. The analysis of the findings suggests that, by appealing to cultural and religious experiences, coupled with the knowledge that other countries also criminalize homosexuality, with affirmations from the AAEs, the Ugandan society felt motivated to initiate the process leading towards the 2014 AHL. In the following section, a theme that highlights how homosexuality was associated with aspects such as family, Parenting and Children is presented.

#### **7.3.8. Homosexuality, Family, parenting and children.**

The theme highlights that the aspects of family, parenting and children were central points of reference in the discussions on homosexuality which preceded the enactment of the 2014 AHL in Uganda. While appealing to the authority of religion, culture and the law, it was broadly affirmed that only persons of the opposite sex were privileged to have found a family, possess children and, hence, be known as parents (Hansard-Uganda Parliament sessions 2009). The findings highlighted that this principle seemed to be under attack from homosexual lifestyles. There was a belief that homosexuals could not be parents since they were believed incapable of having children- and their unions were not granted by culture- religion or the statutory laws of Uganda. As one Member of Parliament urged:

Mr. Speaker, the 1995 Constitution, Article 31(1), provides: “Men and women of the

age of 18 years and above have the right to marry and to found a family and are entitled to equal rights in marriage during marriage and at its dissolution.” Clause 3 of the same article further provides thus: “Marriage shall be entered into with the free consent of the man and woman intending to marry” (Hansard-Uganda Parliament sessions 2009).

From a socio-cultural point of view, some members of the Ugandan society believed that homosexual unions could not even be contemplated in the Ugandan context as it was a source of shame. In the follow-up meeting a participant expressed how homosexual unions would be a humiliation to the parents:

It would be an embarrassment for your daughter bringing another girl for ‘*okwanjula*’- (Traditional introduction ceremony ritual of marriage)... [*People laugh sarcastically, which expressed a demeaning attitude for homosexual relations*]. [Also] an embarrassment of your son coming with another boy and saying this is your daughter in law. You will be like waking up in a dream. For you see a man and someone is saying no, he is not a man... (Participant in PRA 2009).

The same sentiments were echoed by a Ugandan Member of Parliament:

In Africa and the world at large, we value families. What is a family? Can you generate a family by being a homosexual? Can you produce children? Can a society reproduce itself because men are sleeping with men? (Hansard-Uganda Parliament sessions 2009:748).

The findings thus indicated that some local people believed that homosexuality brought contamination into the society. In fact, the initial presentation of the homosexual bill in the Ugandan Parliament highlighted that homosexuality “targets the vulnerable youth, children and the destitute” (Hansard-Uganda Parliament sessions 2009:903). The Findings highlighted a consistent assertion that is; the family institution was not secure and thus needed to be protected. One Member of Parliament argued, “Defending the natural and traditional family is one of the key defining issues of our time” (Hansard-Uganda Parliament sessions 2009:906). Similarly, another Member of Parliament contended: “Government believes that the traditional family must be protected from those who wish to destroy it” (Hansard-Uganda Parliament sessions 2009:747).

It is evident that prior to the criminalization of homosexuality in Uganda, there existed a socio-cultural phobia regarding the co-existence of both the homosexual and heterosexual unions.

This socio-cultural phobia does not seem to have emerged in 2009 after the conference of the AAEs. Findings from the local context indicated references to existential experiences of the meaning of concepts such as: family and children to the society. Children were thought to be the future of the next generation and the continuation of civilization. These, when contemplated along the perception of being attacked by the presence of homosexuality, are shown to have had a significant influence to the legislation of the 2014 AHL. The findings also suggested that the Ugandan society's views on family are not only informed by local experiences but also by a similar knowledge system believed to be held by other societies in Africa. This is why there exists a tendency to use phrases such as "In Africa...We value families" (Hansard-Uganda Parliament sessions 2009:748).

Drawing from the local perceptions of homosexuality as analysed in chapter three and in this present chapter, it can be rightly held that the concept of 'traditional family' plays a critical role in shaping public notions on homosexuality. This is clearly expressed in language usage in both the 2009 AHB and the 2014 AHL premeable. In these documents the Law seeks to "establish a comprehensive and consolidated legislation for the protection of the 'traditional family'. It is assumed from these expressions that there exists a traditional family model to which the Ugandan community generally subscribe. Such presumption is advanced irrespective of present ambivalences and ambiguities surrounding the current complex understanding and conceptualization of the term marriage today in Uganda (Nyanzi 2013:953). Even though in Uganda literature has shown as Stella Nyanzi, Wakholi and Kalina observe, that the existence of various forms of marriage such as polygmy, polyandry, monogamy, bigamy, cohabitation, surrogate, levirate, window, inheritance, exogamous, endogamous, marriage types, this has not deterred the public from emphasizing the presence of a traditional family model based on heterosexual normativity (Nyanzi, 2013, Nyanzi, Wakholi and Kalina (2009).

It can be argued, however, that even though findings from the local experiences show the society being influenced by the worldview on family, children and parenting as entities under attack, these similar frames were classical with AAEs. The Findings from the previous chapter indicated that AAEs argued the aspect of the traditional family being attacked when homosexuality is condoned. In fact, it was upon frames such as these, that the AAEs suggested a destructive nature of a 'homosexual Agenda'. However, despite the AAEs use of similar frames, the findings do not show that the Ugandan society was ignorant of the conflict which existed between the practice of homosexuality and the status quo of the heterosexual family.

The findings have shown that some voices within the Ugandan local context cited the idea of giving birth to children as that which could not be done by homosexuals; upon such position they resisted its public recognition. Therefore, it can be argued that the AAEs did not introduce these ideas as a new phenomenon but as found out in chapter six, they animated a worldview under which these ideas could be used to argue against homosexuality. The AAEs contribution in this sense seems to be limited to the charisma and the rhetoric through which they used the concepts of family, children and parenting to argue against the practice of homosexuality. Such charisma and rhetoric seems to have characterized the spirit under which the anti-homosexuality law was debated and enacted in 2014.

It was discovered further in the findings that local religious leaders were key when it came to presenting their voices on homosexuality. In the following theme, the contribution of local anti-homosexual religious leaders is presented.<sup>36</sup>

### **7.3.9. Voices from local Anti-Homosexuality Religious Leaders**

The existence of Anti-homosexual Local Religious Leaders demonstrated that their presence and advocacy on homosexuality cannot be taken for granted. In the analyzed documents, findings indicated that local anti-homosexual religious leaders, in their opinions, were very vocal in their anti-homosexual messages. The findings further showed that some of these Religious Leaders' often visited the parliament in its sessions while parliamentarians debated the subject of homosexuality. For instance, according the 2009 Hansard records, anti-homosexuality religious leaders were present when the Anti-homosexuality Bill was first presented in parliament. This is highlighted in the statement made by Uganda's Speaker of Parliament before the house:

Let us hear from Hon. Bahati. In connection with the motion he is moving, we have in the gallery Apostle Julius Peter Oyet, Vice-President of the Born Again Federation; Pastor Dr Martin Sempa of the Family Policy Centre; Stephen Langa, Family Life Network...They are all here in the gallery (Hansard-Uganda Parliament sessions 2009:902).

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<sup>36</sup>Here a restriction is made to Religious Leaders from the Christian traditions. This is because unlike other religious leaders from other faith traditions such as Muslims, leaders from Christian traditions were more vocal in campaigning against homosexuality

The presence of these religious leaders in the Parliament could be read as an exhibition of moral support that the local Christian church had towards the 2014 AHL, even in its initial stages of debate. The impact of their presence is signified with numerous compliments in recognition of their presence during the sessions. This also highlighted recognition of their contribution on the subject of homosexuality as religious leaders:

The forces behind homosexuality are not sleeping. They are working day and night and yet in this country we are leaving this struggle in the hands of a few people. Dr Martin Sempa has been acknowledged, Mr Steven Langa, Archbishop Henry Luke Orombi and other religious leaders (Hansard-Uganda Parliament sessions 2009:902).

While the views of vocal Religious leaders such as, Pastor Martin Sempa and Archbishop Henry Luke Orombi, have been discussed in chapter three, the findings in this section attempt to highlight the effect of the religious leaders' presence and recognition, in the Parliament. The fact that these religious leaders also appear in the Parliament and receive parliamentary recognition for their work (on the subject under discussion), suggests a high level of authority they hold on the subject. Although members of the public are not barred from visiting the parliament during sessions, these particular visits of the local religious leaders was timely.

It is also highly suggested that Local religious leaders were seen by the public as fulcrums upon which the success of the Anti-homosexual law would passionately rely. This is evidenced by a call to attention, directed to religious leaders by Members of Parliament for their support: "Government also calls upon religious leaders to work with Government in fighting this type of immorality" (Hansard-Uganda Parliament sessions 2009:746). Similarly another Member of Parliament expressed: "I want to call upon the Church leaders...to strengthen their service of teaching and preaching against homosexuality as well as rehabilitating the victims of homosexuality" (Hansard-Uganda Parliament sessions 2009: 906).

It is most probable that the campaign which led to the successful enactment of the AHL drew a lot of support from the existence of local religious leaders who are in most cases, regarded as a moral conscience of the public. Aspects such as moral guidance, rehabilitation which were also echoed by parliamentarians as means to help homosexuals, were also employed and supported by local religious leaders. It could be suggested that local religious leaders appeared to be informed on the subject of homosexuality with a recognized ability to offer guidance and rehabilitation on persons involved in homosexuality. It is also important to note that prior to the coming of the AAEs in 2009, some of these religious leaders such as Archbishop Henry Luke Orombi of the Anglican Church were already involved in the Anti- homosexual debates

in and outside the country. It could then be argued that factors such as, the involvement of Local Religious Leaders on the subject of homosexuality alters an exclusive opinion which attempts to limit the legislation of the 2014 AHL in Uganda to the influence of the AAEs. Having presented the findings, in the section that follows, the study presents a discussion on these findings in relation to the key research question of the study.

#### **7.4.1. The role of a pre-AAEs existing surveillance of homosexuality.**

The findings have shown that the legislation of the 2014 AHL in Uganda is aligned along influences of certain forms of phobia that the Ugandan society had built against the practice of homosexuality and sexuality in general. The powers behind these phobias seem to be entrenched mostly within the social, cultural, religious and political worldviews which informed the Ugandan society's knowledge on homosexuality. Although the findings in chapter six showed that the AAEs were kin on employing tools from these sources to argue against homosexuality, a dominant heteronormative norm in Uganda is seen as contributing to the debate. The findings from chapter seven show that the Uganda society was not uninformed on using similar arguments against homosexuality. In fact the findings here affirm the analysis done in chapter three in which sexuality and homosexuality were found to be subjects of surveillance.

Drawing from Sylvia Tamale's perspective on how 'Religion', 'Culture' and 'statutory law' render ordering of sexualities in Africa societies, it could be argued that the power of control generated by 'Religion', 'Culture' and 'Law' has historically offered a constant avenue that facilitated the construction and reconstruction of sexualities, including the aspect of homosexuality in Uganda (Tamale 2011). This was systematically done by dictating how sexuality is ought to be understood, lived and experienced. As analyzed in chapter three, the control of 'Religion', 'Culture' and 'statutory law' combine with other evolving forces such as politically driven ideologies, to form a hybrid surveillance system on homosexuality. According to the findings, this surveillance system was in operation prior the AAEs 2009 conference.

It would then be argued that the way individuals experience, understand and talk about homosexuality in Uganda depended to the extent to which it has been acted upon by the surveillance system. Therefore, it can be contended that the traditionally present surveillance

system on homosexuality in Uganda has been active in generating fears and prejudices on the practice of homosexuality; this is something that an analysis of the contribution of the AAEs on the legislation of the 2014 AHL could take into consideration. For instance, long before the coming of the AAEs, through the role of Christian religions in Uganda, the practice of homosexuality had already been treated as a sin and that which would bring condemnation from the Christian God.

A key factor that has played a role in the generation and transmission of knowledge on sexualities in Uganda has been the discourse of religion and the phenomenon of the sacred. Kevin Ward has rightly argued that traditional Christian religions such as, the Anglican and Catholic in Uganda have traditionally condemned homosexuality, thus forming most of the people's consciences with anti-homosexual views (Ward 2015). To some extent, as Van Klinken and Ezira Chitando would rightly argue, Christian religions such as the Anglican and Catholic, without excluding the fast growing Pentecostal and charismatic traditions, have been active participants in orchestrating and perpetuating a religious form of homophobia (Van Klinken and Chitando 2016:4). This has been manifested in cases where religious leaders have made public statements condemning homosexuality, participated in anti-homosexual demonstrations, as well as where they have endorsed and blessed anti-homosexual politicians. Since this has been done by religious leaders who, by virtue of their offices have great power of influence in the society, people's perception of homosexuality cannot be separated from the effect of their influence.

The condemnation of homosexuality by Christian religious leaders has, on the other hand, been used as an opportunity of reassertion of supremacy and recognition of religious power and dominance even within political spaces. With the changing powers of influence among various Christian traditions, the aspect of homosexuality has been 'captured' to become one of the contemporary defining tools that religious traditions use to reassure the public of their commitment to preserve 'traditional values'. The recent internal debates, with regards to the criminalization of homosexuality in Uganda, have been overshadowed by a high level of Pentecostal charismatic churches' involvement through their leaders. This experience makes relevant a question: "Why many African Pentecostal leaders have come to demonstrate such a concern with homosexuality?" (Van Klinken and Chitando 2016:4). At the national celebration, organized to celebrate the passing of the 2014 AHL and for thanking the Ugandan Head of State for signing the 2014 AHL, Pentecostal pastors were among the leading religious leaders of the Inter-religious council who, dressed in their church vestments, led processions to the rally (Hodes 2014). Therefore it could be argued that such an occasion represents the



extent to which homosexuality is put under public scrutiny by both ‘the politician’ and ‘the religious leader’ in Uganda, thus contributing to the effectiveness of the surveillance system on homosexuality.

According to the findings from the Ugandan local context, the surveillance system on homosexuality has also been perpetuated by fears that homosexuality impedes procreation. This has been mostly argued and was based on how the Ugandan society understood the concept of family and its values. Heterosexual marriages and the aspect of procreation are seen as that which maintains the society, family and individual identity. In fact, the failure to have a family or giving birth has been highlighted by scholars, Kawuki and Otiso, as that which has the ability to deny one a respectable recognition as a responsible and productive member of the society (Kawuki 2006; Otiso 2006). In their arguments, the AAEs built upon the Ugandan society’s theories of family and procreation by arguing that the family was in danger due to homosexuality (Wahab 2016). The aspect of family and the heteronormative values attached to it were not new. According to the study’s findings communities believed in the superiority of heterosexual families and the attached values of procreation such as identity, security and posterity. In this regard, it could be argued that the AAEs’ contribution to the legislation of the 2014 AHL is limited to how the aspects of family, reproduction and heterosexual forms of marriages in Ugandan societies tend to inform the accepted sexual morality which characterizes the desirable family and the individual’s identity.

Like in many other African countries, Uganda’s concern for homosexuality is relatively recent even though homosexual practices have long been traced in number of communities (Hassett 2007; Tamale 2007b). According to the scholarship on homosexuality in Uganda, it is argued that public concerns over homosexuality had less attraction not until the last decade of the 20<sup>th</sup> century. As Hassett rightly contends, “Uganda’s public debate over homosexuality arose relatively late in terms of this larger picture, but nonetheless emphatically. Homosexuality became a recurring issue in the Ugandan press and government statements in mid-1998...” (2007:84).

This means that even though there existed a surveillance system on homosexuality, it almost remained unnoticed. However, to the extent homosexuality continued gaining more publicity in the last decade of the 20<sup>th</sup> century, the surveillance system on homosexuality in Uganda became more noticeable through its production of fears on the subject of homosexuality. As pro-homosexuality activism and interventions from human rights groups strengthened, anti-homosexuality rhetoric, through which fears over homosexuality were articulated, also

intensified especially from politicians and religious leaders. The emergence of an active homosexuality discourse in Uganda from the 'closet' tend to follow Joseph Massad's concepts which he utilizes in his attempt to suggest explanations for homophobic experiences in the Arab world (Massad 2007).

According to Massad, homosexuality in the Arab world remained in the 'closet' with no particular concern to issues of same-sex relationships not until this part of the world gained contact with the Western formed pro-gay-rights groups. As such, Massad would argue, the advent of campaigns for same-sex rights within almost an unconcerned environment gave rise to homophobic experiences and binaries such as 'fear', 'hatred', 'homosexuals', 'heterosexual', 'gay', 'straight' (Massad 2007). Although Uganda's case would not align entirely with Massad's concept, to the extent that it would deny the pre-existing surveillance system on homosexuality, empowered especially by Religion, culture and Law, it nevertheless resonates with it to the extent that it recognizes vigorous debates on homosexuality emerging after a head-on encounter of two opposing sides.

It is possible, from an increasing anti-homosexuality rhetoric in Uganda- from the late 1990s to the present- that religious based fears were added to other socio-cultural fears such as contaminating the culture, and the fear of the discontinuation of the Ugandan generation. This also saw a growth in active homophobic experiences in the country and more debates as to whether or not homosexuality or homophobia was introduced to Uganda (Lunyiigo 2011, Kiyimba 2004, Nyanzi and Karamagi 2015).

The pre-existent surveillance system on homosexuality which is argued to back-date the AAEs conference is also not to be understood as static. Findings have shown that this system is not static to the extent of its control of homosexuality but evolves in relation to the publicity that homosexuality gains from time to time. Therefore, it could be argued to some extent that the 2014 AHL is held by an evolving surveillance system on homosexuality; As far as appealing to religion, culture and the law, the AAEs essentially preached within the frameworks of how the society perceived homosexuality and homosexuality practices. It can be admitted that the AAEs affirmed and motivated the local knowledge and beliefs, thus assigning the level of their influence not so much to what was preached but to how it was preached. The persuasive language of the AAEs as well as the AAEs 'Framework of Influence' played a great role in aiding and motivating the Ugandan society towards the legislation of the 2014 AHL. However, the question would be: how was the AAEs rhetoric and framework of influence able to impact on the Ugandan society to the extent of contributing to the legislation of the 2014 AHL?

The findings from both the AAEs perspective in chapter six, as well as from the Ugandan perspective in chapter seven, confirm that the AAEs rhetoric and framework of influence did not happen in a vacuum without support from the local context. The indirect approach facilitated by the use of local participants of influence such as religious leaders and politicians contributed by winning acceptance and the presence of Ugandan audience. This, however, is not unique to the operational methodology employed by AAEs in Africa. Kapya Kaoma's research on '*Globalizing the Cultural Wars*' highlights that,

Leaders of the U.S. Christian Right have cultivated African politicians and used the resulting broad access to push for antigay laws. They have created an insidious, inverse relationship between LGBT rights in the United States and in Africa, by depicting advances in the United States as evidence of a growing homosexual threat that must be stopped (Kaoma 2012:14).

In Uganda, politicians such as David Bahati, who proposed the Anti-gay Bill in the Ugandan parliament for the first time in 2009, is said to have been a close associate of the American Christian Right organization "The Family" which has influence on many other African politicians (Pierceson 2015:167). To some of the religious leaders and politicians, the AAEs have appeared as close friends, while to others, they have appeared as teachers or both. The effect of this relationship could be argued to have established for the AAEs a respectable authority to inform and teach the Uganda society on contemporary issues, presumed to be loosely understood by the society. A similarly related advantage that could have facilitated the influence of the AAEs was the claimed attitude of ignorance on certain issues of homosexuality by some members of the Ugandan society. This is further discussed in the following section.

#### **7.4.2. Claim to ignorance versus the intention to instruct.**

The claimed attitude of ignorance from the Ugandan context can be seen in this case to have become a fertile ground to authenticate the AAEs' intentions to instruct thus replacing ignorance with knowledge. This is confirmed in one of Scotts Lively's report on his activity in Uganda: "I'm writing from Kampala, Uganda where I am teaching about the "gay" agenda in churches, schools colleges, community groups and in Parliament" (Lively 2009b). According to the findings, discussions on homosexuality from the Ugandan context indicated an existing gap of knowledge on the 'seriousness' of homosexuality, which was claimed to have been filled by listening to the AAEs. This gap seems to have been exposed through the rhetorical nature

of speech that sought to compare homosexuality with other demonized aspects which would easily be used to motivate the Ugandan society into action. Descriptions such as Predatory gays, molesters, gay's movement, molesters, where used by the AAEs in attempting to articulate the extent to which homosexuality would be a problem to the people of Uganda if not acted upon. It is probably to such approach that the findings show the Ugandan context referring to the AAEs as "...our friends that are better informed than ourselves" (Participant in PRA 2009b).

Therefore, while certain expressions and admission of ignorance on homosexuality became weakness for the Ugandan society, the demonstration of knowledge became power for the AAEs. The demonstration of knowledge is depicted in the rhetorical language employed by the AAEs, in the message and in the way by which the message was delivered. This could be seen in part from Scott Lively's report after meeting the Ugandan Members of parliament in 2009:

In March of this year I had the privilege of addressing members of the Ugandan parliament in their national assembly hall when the anti-homosexuality law was just being considered. I urged them to pattern their bill on some American laws regarding alcoholism and drug abuse. I cited my own pre-Christian experience being arrested for drunk driving. I was given and chose the option of therapy which turned out to be one of the best decisions of my life. I also cited the policy in some U.S. jurisdictions regarding marijuana. Criminalization of the drug prevents its users from promoting it, and discourages non-users from starting, even while the law itself is very lightly enforced, if at all. Additionally, I urged them to actively promote the marriage model in their schools as a form of inoculation to the anti-family messages flooding their country through Western media (Lively 2012).

It is important to note the power embedded in this particular language chosen by Scotts Lively. One of the key features through which colonialism effected colonies was through the communication of the world to the colonized through particular languages and words which in itself carried power of influence (Ashcroft et al. 2006). Language could affect how societies understand the world around them. It could be argued that when language does not sufficiently describe a certain worldview, such a worldview could remain unknown or even denounced in a particular context. On the other hand, where a certain worldview is expressed in language, it gains publicity and acknowledgement. It could be argued that by employing the use of language, which has seen to have carried a negative and threatening message on homosexuality, the AAEs motivated the Ugandan society to further perceive the aspect of homosexuality as both negative and threatening. By attempting to teach the Ugandan subjects on homosexuality and using various approaches to win its audience, the AAEs would be seen to act within the postcolonial frame of Orientalism as proposed by Edward Said. According to Said, Orientalism

could be discussed as a corporate institution for dealing with the Orient by making statements about it, authorizing views of it, describing it, by teaching it, settling it, and ruling over it. In short, Orientalism, is a Western style for dominating, restructuring and having authority over the Orient (Ashcroft and Ahluwalia 2001).

Under Orientalism, the Orient is devoid of freedom to imagine its own existential freedom. Its agency to conceive independent ideas seems to be blocked by a superior power. According to Said, Orientalism involves traces of manipulation and the influence to execute tasks. For Said, this understanding is critical in offering an insight on European power of control. It helps to suggest a leeway to explore how “European culture was able to manage and even produce-the Orient politically, sociologically, militarily, ideologically, scientifically, and imaginatively during the post enlightenment period” (Chatterjee 1993:36). Said’s analysis of the interaction between the Orient and the Occident suggests that while Orientalism offers the Occident the power to direct, instruct and teach, it denies the Orient the power to challenge and reconstruct independent knowledge without external influence. The study does not intend to argue that the findings implied that the Ugandan society lost its agency to direct its affairs or act independently of the AAEs influence, as it would be implied by the relationship between the Orient and the Occident. However, the study underscores that insofar as the AAEs lectured the Ugandan society and insofar as the Ugandan society admitted some levels of ignorance- while the AAE claimed knowledge on the aspect of homosexuality- then the implications of the Orient and Occident relationship were at play.

Studies in postcolonialism could affirm that colonialists were to some extent, able to exert control over their colonial subjects simply because they convinced many of their subjects of their inferiority, ignorance, and barbaric lifestyles. On the other hand, the colonial subjects were meant to believe that their colonial masters were superior, knowledgeable who were, with modern lifestyles sufficient for advancing human civilization. This was true, for instance, firstly, with early European explorers, by claiming to have discovered various physical features such as lakes, mountains, and rivers, giving them colonial names like Lake Victoria, in Uganda while ignoring the fact that the local people had already known such features by name; secondly, with early Christian missionaries as they introduced new forms of worship while demonizing as immorality some of the traditional religious practices; thirdly, with colonial administrators as they introduced colonial systems of governance while suppressing those formerly recognized by the colonial subjects. The argument that African societies needed knowledge so as to know their surrounding environment; needed knowledge so as to

understand how best to honor their creator; and they needed knowledge so as to know how to lead and live in modern society, all at the mercy of their colonial masters who used, imposed and sustained colonialism in many colonized African societies. The claim to possess knowledge by the colonial master and the willingness from the colonized to accept the colonial masters' systems of knowledge became the basis to claim authority to impose power and control.

Following Edward Said's analytical frame of the relationship between 'Knowledge' and 'Power', it could be argued that the effect of the AAEs' demonstration of knowledge over the Ugandan society was an attempt to impart the same knowledge into the consciences of the Ugandan society which would in turn prompt power to act. According to Foucault "Knowledge linked to power, not only assumes the authority of 'the truth' but has the power to make itself true. All knowledge, once applied in the real world, has effects, and in that sense at least, 'becomes true.' Knowledge, once used to regulate the conduct of others, entails constraint, regulation and the disciplining of practice" (Foucault as quoted in Wetherell and Taylor 2001:25). In this case to have knowledge guarantees [P]ower which has the ability to establish, incite, provoke and produce forms of [K]nowledge which in turn actualizes, modifies, redistributes and stabilizes [P]ower.

It is possible that, having transformed the acquired knowledge into power, the Ugandan society must have resorted to action. Therefore, the imparted knowledge could have triggered policy makers to develop further desires to educate the public on homosexuality while at the same time create stricter measures on halting the practice of homosexuality in the country. It should be noted that as knowledge is transformed into power, it tends to aid the formation of institutions to meet the demands of society (Juniper 2007:280). The legislation of the 2014 AHL could be seen to have been contributed to under the categories of the acquired knowledge through the influence of the AAEs.

#### **7.4.3. Uganda's 2014 AHL, the Arm of Sovereign.**

The emergence of the 2014 AHL has unveiled not only a space of influence contested by religious power but also political power which seeks to reassert the social, political and economic independence of Uganda. According to the findings, the 2014 AHL could be read

from another angle as a reaction from an internally felt social, political and economic dominance being proposed by external forces. The presidential statement on signing of the AHL, as well as some arguments raised by members of the National assembly during debates on the Anti-homosexual Bill, underline a proposition that the 2014 AHL is not only a criminalization of homosexuality but an ‘Arm’ that attempts to reassert Uganda’s sovereign status. In postcolonial societies attempts to continue asserting sovereignty especially after feelings of external pressure signposts how effects of colonialism still imparts the contemporary. This is further demonstrated through the Ugandan Head of State statement:

Since Western societies do not appreciate politeness, you see this is the problem of westerners, they cannot understand politeness. They cannot understand that somebody is keeping quiet but not happy with me, No!... You know these people are keeping quiet they are not answering. You do not check on their history, on their culture, you just come... we have been disappointed for a long time by the conduct of the West. But we just keep quiet. We just see how you do things, and the families how they are organized, all these things we see them we keep quiet. So since there is now an attempt of social imperialism to impose social values of one group on our society, then our disappointment is now acerbated. And, Am I worried? Not at all. I should be worried about what? Because to tangle needs two people to dance. If the West doesn’t want to work with us because of homosexuals, then we have enough space here to live by ourselves, and do business with other people (Museveni 2014).

In a similar way the Ugandan Speaker of parliament Rebecca Kadaga, while attending the 127<sup>th</sup> Inter-Parliamentary Union (IPU) Assembly in Quebec Canada in 2012, attempted to remind the Canadian foreign minister and the international community as to why Uganda’s position on homosexuality demonstrated its sovereignty against perceived colonialism.

When we came for this Assembly, to which we were invited, we expected respect for our sovereignty, our values and our country... I, therefore, on behalf of the Ugandan delegation, and, indeed, the people of Uganda, protest in the strongest terms the arrogance exhibited by the Foreign Minister of Canada, who spent most of his time attacking Uganda and promoting homosexuality... If homosexuality is a value for the people of Canada they should not seek to force Uganda to embrace it. We are not a colony or a protectorate of Canada (Kadaga as quoted by Mugerwa 2012).

Although it seems imperative to consider that societies that were once colonized as the case is with Uganda gained independence, it is difficult to state when, and how, the fact of colonialism along with its consequences ended. When Ugandan politicians relate homosexuality with

discourses of social and political independence, a point of contention emerges as to whether it could be taken for granted that the once colonized societies feel that colonialism was merely a historical event that ended with a 'turn of a clock'. The 2014 criminalization of homosexuality diverts from being seen as a mere attempt to promote morality (as far as Christian religious worldviews were apparently interpreted) to a phenomenon that reminded the Ugandan society how the colonialists' values were seen as exemplars of humanity.

In other words some social, political and cultural values and behaviors of the colonized- in the case the pre-independent Ugandan society- were framed to be of less of 'what ought to characterize humanity.' What characterized humanity was perceived to be the "universal" features of humanity" embedded in the lives of those "who occupy positions of political dominance"- the colonialists (Ashcroft *et al.* 2006:71; Chibber 2014:65). From a postcolonial lens, the 2014 AHL is seen as a signification against an approach in attempting to deny the legitimacy of differences amongst cultures. During colonialism, cultures that were seen different were viewed as less of the universal qualities, as the case was on recognition of local languages and customs of the colonized. For instance, in his well-documented speech, "Thomas Babington Macaulay (1800-1859) a British historian and Whig politician" rhetorically attempted to lure the Indian elites and the colonial administration that English language was essentially superior to both Arabic and Sanskrit (Dauben, et al. 2014:379). He argued that English occupied a superior space in literature and that it was unchallengeable in its communication of knowledge. Such assumptions are critically fundamental for the "construction of colonial power" (Chibber 2014:65). By insisting of the use of pronouns "We", referring to the Ugandan society and "They or Them", referring to the outside powers, Ugandan politicians seem to have attempted to remind the international community to recognize social and cultural heterogeneity especially when it comes to the aspect of homosexuality. The findings from the Ugandan context, therefore, show that the Ugandan society felt that ignoring social and cultural heterogeneity in respect to their position on the practice of homosexuality, involved actions and motives of social, cultural and political suppression.

In postcolonial contexts, colonialism has been critiqued for denying individuals and societies a platform to express cultural particularity as independent of universalized cultural ideologies. Many postcolonial scholars as Hawley confirms, hold a view that universalism rejects notions of cultural and historical differences by attempting either to deconstruct their particular relevancy, given a new interpretation or by completely replacing them with imperial notions (Hawley 2001:445). The Ugandan societies attempt to make the 2014 AHL, seems to be a



response to what was felt from the Ugandan public domain as an infringement on their independence of the ‘universalized cultural ideology on homosexuality practice.’ This also seems to follow a supposition that societies seem to be more sensitive to what defines them and how it is has been received, kept and how it is being transmitted from one generation to the next.

The history of homosexuality in Uganda, as discussed in chapter three, has highlighted that although homosexuality was not totally condemned, was not openly accepted altogether; it was kept under suppression. Therefore, it could be sustained according to the findings that the legislation of the 2014 AHL, was not only influenced by the coming of the AAEs and their anti-homosexual rhetoric, but also by a conviction that pro-homosexual activism was an imperial force- thus being seen as a contemporary hybrid of colonialism.

It can be noted according to the findings of this study that there are voices in the Ugandan context that view the calls that challenge local opinions over homosexuality as those that challenge the country’s independence. Further, these voices continue to presuppose that the Ugandan society is not free from colonialism insofar as it accommodates a practice of homosexuality which is viewed as part of the ‘Western agenda’ to destroy the family institution. Such advances in thought suggest a pessimistic approach to postcolonialism, which is constructed along a view that in postcolonial societies, there exists a continuation of certain aspects of colonialism which must be resisted. Whether the advocacy of homosexuality in Uganda is a sign of an existing culture of colonialism or simply a state of mind demonstrated by the anti-homosexual society in Uganda, it remains it remains imperative to recognize how the pessimistic view of colonialism still manifests itself in the Ugandan society when it comes to the debate on homosexuality. Theorists such as Gikandi have attempted to shade more light on the pessimistic view of postolonialism within the formerly colonized societies.

Gikandi defines postcolonialism as “a code for the state of undecidability in which the culture of colonialism continues to resonate in what was supposed to be its negation” (1996:14). Gikandi’s definition draws attention to the notion of change and that of continuity. The two notions that seem to be held in contrast to one another constitute what he calls a code that links the pre-decolonisation experiences and those that followed the decolonization. For Gikandi (2005), there is skepticism on how the concept of postcolonialism has been discussed in relation to colonialism. Like other pessimist theorists on the supposed temporal connotation of the term postcolonialism, Gikandi insists on the ‘misleading’ impression that the term brings. According to Gikandi, postcolonialism as a concept portrays a picture as if colonialism is no longer in

existence. For him this is a “false impression” (Huggan 2001:236). Gikandi further reiterates along a view that even though colonialism changes, its order of operation still exerts with certain power and influence. This is enough to guarantee its presence in formerly colonized societies. In addition, Gikandi asserts, “If postcoloniality has been defined as the transcendence of imperial structures and their histories, such a definition is obviously contradicted by the everyday experiences and memories of the people in the ex-colonies” (Gikandi 1996:15).

It should be noted that Gikandi does not intend to argue that the contemporary experience of colonialism in terms of its power and influence is equally the same as it was prior to decolonization. Gikandi instead, seems to believe in what could be termed as the neutralization of colonialism in contrast to both its complete discontinuation and complete continuation. In the process of ‘the neutralization of colonialism’ the colonized have a role to play just as colonial mentality still operates in the mind of the formerly colonized- especially among the elite class. While the elite class may define policies and laws that continue to carry forward the colonial knowledge systems or consolidate some of the imperial policies, there still exists among the members of the society “the power of social and cultural projects that have sought to transcend the imperial legacy and the ‘state of mind’ they have generated” (Gikandi 1996:15).

A critical analysis of Gikandi (1996), Stuart Hall (1999), and McClintock’s (1994) definitions of postcolonialism as seen in chapter two of this study points to a certain agreement that recognizes continuity of colonialism irrespective of the changing time, civilizations and geographical spaces. The theorists seem to guarantee that postcolonialism cannot be understood in reference to a close ended object of study. Instead, the theorists seem to suggest, there is a need to expose the discourse through critical engagement in order to discover multifaceted manifestations of colonialism within the experiences of the formerly colonized people. It could be argued therefore from the above theorists’ point of view that to infer postcolonialism as ‘after colonialism’ or past the state of colonialism is problematic, inconceivable and insensitive to the legacy of colonialism which “continues to identify with contemporary societies.

The subsequent part of the study further discusses the findings by exploring and analyzing a connection between the 2014AHL and the AAEs.

#### **7.4.4. Analyzing a Logical connection between 2014 AHL and the AAEs.**

Apart from highlighting an active contribution from internal factors within the local context towards the process leading to the 2014 AHL, the findings have nevertheless, demonstrated a chronological relationship of events between the tabling of the 2009 AHB and the 2009 Anti-homosexual conference. This chronological relationship of events seems to raise critical questions as to why events, that preceded the criminalization of homosexuality in 2014, had to follow such pattern. For instance, according to the findings and the existing literature, it has been contended that the Ugandan society had kept homosexuality in the private partly due to patriarchal fear for being destabilized. This fear, as it has been discovered, has been evolving given the attention towards the aspect of homosexuality from the local and international community. If there existed local experiences and fears over homosexuality, why was the question of criminalization not raised before 2009, or even a year later? Could it be argued that, before 2009 the gruesome effects of these fears were less serious which could not influence the legislation of the 2014 AHL? Although this remains an existing gap to be addressed, the findings of the study from both the AAEs perspective and the Ugandan context, exhibit a logical connection between the timing of the Anti-homosexuality Bill and the presence of the AAEs in 2009.

The Hansard records from 2008 to 2014 of the Ugandan parliament, indicate that the argument to legalize against homosexuality, which resulted into the 2014 AHL, was more debated in 2009 than it was in the previous year (2008) and in the following subsequent years before its enactment in 2014. Also, the sequence of the debates on homosexuality from 2008 to 2014 places 2009 at a higher frequency. This raises critical questions: How significant was the year of 2009 in influencing more debates on homosexuality in the Ugandan parliament than in other years? According to the findings and the existing literature on the AAEs, the Ugandan society hosted the AAEs delegation in 2009 (Kaoma 2014a:64). The AAEs were hosted at a time when the issue of homosexuality had generated several debates worldwide, especially in the African context but also within the Ugandan context. For instance, within the Anglican Church of Uganda, the aspect of homosexuality was already controversial to the extent that the Anglican Church had earlier, in 1998, agreed to be signatory to the Anglican Communion document of the Lambeth conference which rejected “homosexual practice as incompatible with Scripture” and “blessing of same-sex unions” (Orombi 2008).

Although the subject of homosexuality had already taken a sharp and controversial state

especially within the Anglican Church of Uganda, in the previous decade prior 2009, the Ugandan parliament did not present the aspect of homosexuality for debate. It is also noted that Ugandan parliamentarians did not express intention to debate the eminent criminalization of homosexuality, even though the same subject had already prompted the Anglican Church (of the Province of Uganda) to boycott the 2008 Lambeth conference (Orombi 2008; Valentine *et al.* 2013). The findings have, however, showed that the intention to debate the eminent criminalization of homosexuality took a more emphatic surge in 2009 after the AAEs conference. Therefore, this timing could not be argued to have been by chance, instead, it was related to the coming of the AAEs in Uganda and the power of motivation that was drawn from the AAEs Anti-homosexual messages.

Further, the 2014 AHL in its ignition stages, began to be debated after the AAEs conference. According to the findings, the anti-homosexual law was introduced and read for the first time, as a bill in parliament, on 14<sup>th</sup> October 2009. Members of parliament began expressing their discontentment in parliament over homosexuality as early as 1<sup>st</sup> April 2009 (Hansard-Uganda Parliament sessions 2009). It should be noted that the AAEs had earlier on addressed members of parliament on 5<sup>th</sup> March 2009 and successfully held their conference from 5- 7<sup>th</sup> March 2009. Given that the Ugandan law makers did not express discomfort on homosexuality to the extent of proposing the anti-homosexual bill prior the AAEs conference or even prior to being addressed by the AAE, but only expressed this after encountering the AAEs, the AAEs to this extent influenced the timing and the tabling of the 2009 Anti- homosexuality Bill in the Ugandan Parliament.

It can also be recognized that the AAEs' strength of influence is indicated from an ideological point of view. The findings have highlighted that the AAEs emphasized the idea of 'threat' and related this to homosexuals penetrating Africa under support of the international organizations. Kapya Kaoma has argued that U.S conservative groups to which we locate the AAEs, interpreted the advances of sexual minorities as "a neocolonial homosexual threat" that has not only happened in the United States but on its way to Africa (Kaoma 2009:4). The AAEs' idea of interpreting homosexuality as a neocolonial threat- that facilitates the recruitment of 'normal' people into homosexuality and the possibility of 'helping' them with therapy- precedes the view of homosexuality from the same lens within the Ugandan context. For instance, the Ugandan president approached homosexuality following the AAEs' mode of framing: "Apart from the people who are born abnormal, it seems there is a larger group of those that become homosexual for mercenary reasons-they get recruited on account of financial inducements. This is the group that can be rescued" (Museveni 2013:5). Far from being used

prior to the AAEs conference, this framing takes prominence after the AAEs' conference.

The findings from the local context revealed that the idea of homosexuals being a timely threat and a cause for alarm was something recent in Uganda. In fact some voices from the local context affirm through their mode of expression: "This thing of homosexuality is serious and alive here in Kampala. I did not know that it was this serious until last week" (PRA 2009b). Similarly, another participant asserted: "Madam Speaker, this country has of late been besieged and is under attack from homosexual advocates and people who do unnatural things to each other" (Hansard-Uganda Parliament sessions 2009:903). Another participant also added: "We have heard that there are some foreign NGOs that are funding these activists" (Hansard-Uganda Parliament sessions 2009:457). It should be noted that while this kind of language is used in the 2009 parliamentary sessions after the AAEs conference, it was never used in previous parliamentary discussions according to Hansard- Uganda Parliament sessions documents of 2008.

It could be deduced that the sudden awareness of homosexuality in the country with regard to its supposed 'seriousness' and implication to the people and the State, is related to the 2009 'Anti-homosexual lectures' given by the AAEs. Therefore, it can be argued that -far from being a mere coincidence of events- the timing of the 2009 AHB, the conceptual framework of debate which was followed within the local context, seem to relate back to the 2009 event of AAEs in Uganda. Moreover, the argument from the chronological relationship is also backed by the provision of similar arguments used during the debating of the law and those used previously by the AAEs (Hansard-Uganda Parliament sessions 2009). Therefore, it could be held that as far as there exists a supported chronological relationship of events between the AAEs conference and the legislation of the 2014 AHL, the AAEs contributed to initiating the legislation of the 2014 AHL and the formation of certain frames under which homosexuality was perceived.

## **7.5. Conclusion.**

This chapter has found out that although the AAEs attempted to teach and instruct regarding the aspect of homosexuality, the Ugandan society was not uninformed especially on propositions that homosexuality was unconventional with the local cultural beliefs, Christian

teachings and statutory law. The chapter found out that the AAEs' framework of influence which presented homosexuality as a problem, affirmed the locally existing phobias on homosexuality. To some extent, the theological views of the AAEs that claimed homosexuality as sinful, and a threat to heterosexual marriages and family values were found to be shared by members of the Ugandan public. Therefore, this study admits that insofar as the making of the law appealed to these factors, the AAEs' role was limited to mere affirmations of what was already perceived by the Ugandan society. However, the chapter has, found that the AAEs' influence is more explicit through the power of communication which appeared persuasive and convincing. This persuasive and convincing nature of the AAEs' communication is argued to be partly responsible for inspiring the introduction of the 2009 Anti-homosexuality Bill and the public vigorous discussions and debates on homosexuality which followed in 2009. This explains the chronological relationship between the 2009 AAEs' conference and the 2009 introduction of the anti-homosexuality bill in the Ugandan parliament. The next chapter presents the summary of the Thesis and a general conclusion.

# **CHAPTER EIGHT**

## **RESEARCH SUMMARY AND FINAL CONCLUSIONS**

### **8.1. Introduction.**

The previous chapters sought to answer the key research question and respond to the objectives of the study. In this current chapter I summarize the entire study and draw final conclusions. The chapter is divided into three main sections. In the first section I revisit the Aim, Research question, Objectives, as well as an overview on the approach and organization of the study. In the second section of the chapter, I present a summary of the chapters, highlighting key findings and arguments. This is followed by the third and last section of the chapter under which, I present a unique contribution of the study to new knowledge and concluding remarks.

### **8.2. The Aim; research questions and the objectives of the study.**

This study focused on religion and homosexuality criminalization in Uganda: The contribution of the American Anti-homosexual evangelicals to the legislation of the 2014 Anti-homosexuality Law. This study aimed at understanding the extent to which the AAEs contributed to the legislation of the 2014 AHL in Uganda. It intended to contribute towards an ongoing discussion that focuses on how the development of public discourses and policies on homosexuality in Africa is influenced under the umbrella of religion. The major assumption which influenced my motivations for conducting this study was that: “The American Anti-homosexual Evangelicals (AAEs) were responsible for influencing the Ugandan public towards the criminalization of homosexuality in 2014”. This influenced the research problem of the study. In summary, the research problem of the study stated: The American Anti-homosexual Evangelicals (AAEs) are perceived as the prime instigators of the legislation of the 2014 Anti-homosexuality Law in Uganda, and as a result, the role of contextual factors and Local actors is either dismissed or reduced to a secondary contribution.

In this view, the key research question of the study was: To what extent did the American Anti-homosexual Evangelicals influence the legislation of the 2014 Anti-homosexuality Law in Uganda?

In line with the key research question the study was guided by four critical sub-questions. These were as follows:

- I. What is the historical and contemporary perception of homosexuality within the Ugandan Context?
- II. How have the AAEs shaped contemporary Ugandan views about homosexuality?
- III. In what ways did the AAEs activities during their 2009 conference in Uganda and their address to the Ugandan members of parliament on homosexuality influence local decision making directed to homosexuality criminalization?
- IV. What possible religious based advantages do foreign religious leaders have over local religious leaders that can be utilized to influence policy making in Uganda?

In the light of the above critical questions, the following objectives were sought to be achieved.

- I. To understand the historical and contemporary perception of homosexuality within the Ugandan context.
- II. To establish how the AAEs have shaped contemporary Ugandan views about homosexuality.
- III. To explore in what ways could the AAEs activities in Uganda during the 2009 conference and their address to the Ugandan parliamentarians may have influenced local decision making aimed at homosexuality criminalization.
- IV. To understand the possible religious based advantages that foreign religious leaders have over local religious leaders which can be used to influence the process of policy making in Uganda.



### **8.3. Approach to the study.**

The study took a four-phase approach. In the first phase a general introduction to the study was given in chapter one. This was followed by a presentation of the research methodology and theoretical framework upon which the study was done. This was done in chapter two. The objective of this phase was to provide a proper introduction of the study, key research question, motivations, and objectives as well as how the study was to be carried out in terms of its proper methods and lenses. This phase further indicated that this study was non-empirical and followed a qualitative research design, within a postcolonial theoretical framework.

In the second phase, presented in chapters three and four, the historical and contemporary perception of homosexuality within the Ugandan context was reviewed. The aim of this phase was to foster an understanding of how homosexuality has been perceived historically and how it continued to be framed in the Ugandan contemporary society. It was important at this stage to identify local indicators that would have either influenced or lacked the power to influence the legislation of 2014 AHL which was exclusive of the AAEs role.

In the third phase, presented in chapter five, the study discussed the background of the AAEs. In this discussion the worldview that shaped the AAEs' approach to homosexuality and to the practice of homosexuality was analyzed. The aim of this phase was to understand 'who the AAEs were' by paying attention to the history behind their theological convictions on homosexuality. In addition, this phase paved way to understand the tools of influence which may be drawn by AAEs from their worldview, which would be used to influence the 2014 legislation against homosexuality in Uganda.

The fourth phase provided an analysis of the 2009 AAEs' conference in Uganda. Thus, the disposition of the AAEs, their message with its mode of delivery was analyzed and discussed. This was followed by the analysis and discussion of the Ugandan context's reaction following the AAEs' conference. The motivation under this phase was to understand first, how the AAEs attempted to shape the Ugandan society's view on homosexuality; second, was to explore and understand how the AAEs' theologies and disposition as well as the mode of communication became tools of influence to the Ugandan society; third, whether within the Ugandan society

the AAEs' influence would be consequential towards the legislation of the 2014 AHL. The fourth phase, presented in chapters six and seven, was concluded by a research summary provided in chapter eight.

In the following section, I elaborate on the contents covered in the four phases by providing a summary of each of the chapters of the study.

### **8.3.1. Chapter summary.**

Chapter one began by providing a brief overview on the location of the study. Second, it presented the background to the entire study, under which homosexuality and the practice of homosexuality was located as a subject of global interest. After this, the chapter narrowed to the Ugandan context where it presented the subject of homosexuality in relation to the AAEs and the legislation of the 2014 AHL. In this chapter, personal and academic motivations to the study were highlighted. Having discovered a scarcity of literature that debated the phenomenon of homosexuality from within the Ugandan context, I highlighted a need for this study; - that it would help to enhance future scholarship on the subject especially that which intends to focus on the Ugandan context. The chapter concluded by discussing the scope and limitations of the study, and by giving the outline of the chapters in the thesis.

The study in Chapter two presented the methodology and theoretical framework. It was highlighted in chapter two that the study was qualitative and non-empirical. The study used qualitative content analysis to identify relevant themes and patterns within the reviewed literature as well as in the transcribed data and the selected Ugandan government documentations. The themes were identified and developed inductively from both primary and secondary data sources, through a postcolonial theoretical lens. It was found that a postcolonial theory was appropriate for this study as it provided analytical tools upon which the study would succeed in answering the key research question and satisfactorily respond to its objectives.

The study in Chapter three, responded to the first objective of the study. The objective was to understand the historical and contemporary perceptions of homosexuality within the Ugandan context. This objective was achieved by employing a qualitative content analysis on a selected body of literature which focused on the aspect of homosexuality within the Ugandan context. It was found out that knowledge on homosexuality within the Ugandan context is characterized with ambiguities which reinforce both acceptance and rejection of homosexuality in the society.

Local and foreign ethnographers, colonialists, Christian missionaries, European explorers as well as ordinary members of the public were all found influential in generating knowledge on homosexuality in the Ugandan context. Further in chapter three, the study found out that in Uganda there exists a conceptual framework through which homosexuality is monitored. The study described this conceptual framework as the Surveillance System on Homosexuality (SSH). It was found out that through the SSH, knowledge on homosexuality is constructed and disseminated to the public. The study in this chapter thus argued that certain models of framing employed on homosexuality from the historical perspective, continues through the contemporary times to influence how the Ugandan public view or perceive homosexuality. These models, the chapter admitted, may have the power to affect the degree to which the AAEs may be claimed to have influenced the legislation of the 2014 AHL in Uganda.

Chapter four contributed to the understanding of homosexuality criminalization from a legal perspective. Through a qualitative content analysis on government documents regulating same-sex relations in Uganda and relevant literature, the study discovered that homosexuality was already subjected to legal restrictions prior the 2014 AHL in Uganda. As such, the 2014 AHL can be hardly described as a 'totally' new criminalization of homosexuality in Uganda. This concurs to some extent with previous scholarship that has attempted to argue that the 2014 AHL was a re-criminalization of homosexuality in Uganda (Nyanzi and Karamagi 2013; Tamale 2016). However, this study went further to discover that even though the 2014 AHL seems to be a re-criminalization of homosexuality, it nevertheless demonstrates some uniqueness from the prior existing homosexuality regulations in the country. The study further analyzed a claim that, prior colonialism, homosexuality in Uganda was never 'criminalized' (Tamale 2007b; Nyanzi 2015). The study argued that a claim which depicts homosexuality as historically "neither fully condoned nor totally suppressed" risks a temptation to pursue the root cause of homosexuality criminalization along external forces. It is therefore an argument of this study that sodomy laws or colonialism introduced advanced and stricter forms of homosexual intolerance written on papers but not necessarily the motivations from which homosexuality criminalization would eventually emerge. It was maintained in this chapter that motivations which would partly lead to the criminalization of homosexuality lay hidden in the failure to fully condone the practice of homosexuality under similar terms as heterosexuality.

Chapter five sort to unveil the background that seem to shape the AAEs views and approach to current debates on homosexuality. It was discovered that the AAEs are characterized by a

spirituality of evangelicalism and radical reference to scriptures (Hunter 1984; Marsden 1991). Further, it was found out that the AAEs were influenced by aspects of mission and civilization as traditionally understood within the history of American evangelicalism. Thus the study found out that the AAEs emphasized an anti-homosexual theology based on the aspect of procreation through which they emphasize radical adherence to categories of family, children, and Parenthood. In addition, it was discovered that the AAEs' worldview was equally informed by a Puritanism ideology on family, children and marriage. It was thus an argument of this chapter that the anti-homosexuality activism promoted by the AAEs was not an isolated phenomenon, instead, it is connected with the theologies of American evangelicalism and fundamentalism which have been experienced within the history of Christianity in the United States.

Chapter six responded to the Second and Fourth objectives of the study. The chapter found out that the AAEs' influence was animated by how they introduced themselves to the Ugandan public and how they employed the notion of persuasion while delivering their message. It was found out that the AAEs constructed the Ugandan public as a society that either knew little or nothing regarding homosexuality- a condition that legitimized the intervention of the AAEs (PRA 2009a). It was found out in the chapter that the AAEs focused on explaining homosexuality as a personal choice. This meant that the practice of homosexuality could be either approved, or rejected by the individual without committing any offence. Theological concepts of sin and procreation were found more utilized by the AAEs to justify what could be termed as a Christian-linked condemnatory notion on homosexuality. The study found out that the AAEs succeeded in presenting the phenomenon of homosexuality as 'the problem' while on the other side, presented the 'Solution' to the 'Problem'. Both the 'Problem' and the 'Solution' produced specific consequences that necessarily inspired a demand for action. Further, in chapter six, the study found out that the coming of AAEs as religious leaders, pastors and under the umbrella of religion played to their advantage. It was further discovered that the AAEs rooted their power of influence from a historical advantage associated with the concepts of 'Missionaries' and 'Mission'. They were seen as missionaries and thus occupied the space which early Christian missionaries in Uganda once had and still enjoy posthumously in the contemporary Ugandan society. The study found that AAEs employed the art of rhetoric which scholars have come to describe as the art of persuasion and influence (Miyawaki 2017; Leach 2000). This tool presented the AAEs as expert theologians and academics with ability to advise not only the common members of the public but also law makers and local religious leaders. The concluding argument of the chapter was that the AAEs' influence, as it can be deduced from their disposition, teachings and associations with

gatekeepers was multifaceted.

Chapter seven focused on analyzing the local reactions and the decision-making process on the 2014 AHL by Ugandans, following interactions with the AAEs. This chapter responded to objective number three of the study. The findings indicated that Ugandan local participants actively contributed to the process leading to homosexuality criminalization in 2014. The findings showed that prior to the coming of the AAEs, there existed an active force that placed homosexuality under surveillance. The study found out that the Ugandan society was not ignorant on using similar arguments against homosexuality as those used by the AAEs, especially as far as appealing to biblical interpretations was concerned. The 2009 AAEs' conference was not found to predate the surveillance system on homosexuality (SSH) which was active prior the 2009 AAEs conference. The study argued that as far as the AAEs used the already locally known worldview, they performed more a motivating, persuasive and affirming role than totally a teaching or instructing role. However, the chapter found out on the other hand, that the making of the 2014 AHL depicted a claim to social, political, cultural and economic and religious sovereignty- a status which the Ugandan State, cultural leaders and local religious organizations had sought to reassert. Basing on these findings, the study found out that the AAEs' influence was effective insofar as it coincided with contextual political, economic and cultural climate which sought to reassert an independence of the Ugandan society in dealing with the aspect of homosexuality. More to chapter seven, the study found out that the AAEs' influence to the 2014 AHL could be elsewhere explained by an existing chronological relationship of events between the tabling of the 2009 AHB and the 2009 AAEs' conference. The study argued that the supported chronological relationship of events between the AAEs conference and the tabling of the 2009 Anti-homosexual Bill, in the Ugandan parliament, demonstrates a contribution of the AAEs' influence towards the initiation of the law for discussion in the Ugandan parliament.

In chapter eight, a summary of the research was presented. This summary included revisiting the focus of the study, highlighting the key integral parts upon which the study was carried out as well as presenting each of the chapters in a summary form. In the following section, which is the fourth part of chapter eight, I present the unique contribution of this study to new knowledge and some concluding remarks.

#### **8.4. Value of the Study and its contribution to new Knowledge.**

- The study offered a conceptual contribution that reclaimed an active role of the local context when it came to the subject of homosexuality criminalization in Uganda. Through a critical analysis of the existing literature the study revealed the existence of an active historical and contemporary models which worked harmoniously in constructing how the society identified itself with homosexuality and its practice. In constructing these models, actors such as local and foreign ethnographers, colonialists, Christian missionaries, explorers and ordinary members of the public contribute an active role. The actors have participated at different levels depending on the tools and expositions they enjoy in the public. For instance, while some have been missionaries with religious power (thus enjoy the authority of religion), others have been colonialists with political power. It is through these models or representations, and depending on the space which the actor enjoys, that often conflicting theories on homosexuality, or ambiguous explanations of what homosexuality is, have been developed. These theories, definitions or explanations of what homosexuality is or how homosexuality practice ought to be perceived, have been drawn extensively from knowledge informed by factors such as religious beliefs, cultural beliefs, statutory law, experiences of people, as well as cross-cultural integration of people. To be able to sustain an active force or power on homosexuality and its practice, the historical and contemporary models operate under a certain system which the study describes as the Surveillance System on Homosexuality.

The degree, upon which the surveillance System on Homosexuality is observed, depends upon the degree to which homosexuality and its practice is accorded recognition in the society. This explains why, before human rights organizations, (both internationally and locally) intensified the call to recognize rights of homosexuals, the discourse on homosexuality in Uganda was hardly a public concern as some scholarship have rightly held (Tamale 2007b). However, after such calls gained momentum especially from the later years of the 20th century, anti-homosexual activism which is a product of the Surveillance System on Homosexuality became more visible in Uganda.

- Supported by the findings from a critical analysis of the existing literature, the study concluded that while the AAEs contributed to the making of the 2014 AHL, the Ugandan society was not an inactive contributor. Through the recognition of the role played by local

religious leaders, politicians and the media, the Ugandan society was found to be active. The findings showed that prior to the coming of the AAEs, there lay an active force which placed homosexuality under surveillance. This force or power was found to be routed mostly within the social, cultural, religious and political worldviews that informed the Ugandan society's knowledge on homosexuality from both historical to contemporary times.

Further, it was found out that the making of the 2014 AHL had, on the other hand, a political identity motivation other than strictly a social, religious and cultural inspiration. Drawing from statements, especially those that sought to expose the Ugandan government's position, the debate on homosexuality became a scene and a platform to express the political, economic, and cultural independence of Uganda. These are key elements in demonstrating Uganda as a sovereign state. Accordingly, the 2014 criminalization of homosexuality diverted itself from being a mere attempt to promote social, and religio-cultural morality to a phenomenon that reminded the Ugandan society of the effects of colonialism and why homosexuality and, its practice ought to be seen as a colonial hybrid. Therefore, from this perspective, the study admitted that the extent to which the AAEs influenced the making of the 2014 AHL, did not seem to diminish or subdue the role played by the local factors. In fact, the reactions of the local actors at public forums, such as media, as well as the debates leading to the criminalization of homosexuality in 2014, exposed the 2014 AHL as a product of the intention to rebel or resist against political and economic veiled pressure from foreign countries and institutions.

- The study offered a critique to an existing argument in the scholarship which suggests that: Homosexual intolerance from a legal perspective is an exclusive product of colonial sodomy laws (Tamale 2013; Kaoma 2016). This critique is based on the Ugandan context, supported by an argument that: In Uganda “as was the case elsewhere in the world, homosexual practices were neither fully condoned nor totally suppressed” (Tamale 2007b:18). The study argued that homosexuality to be “neither fully condoned nor totally suppressed” would mean that to some degree homosexual practices were restricted or denied unrestricted recognition even though it could be practiced with some level of tolerance. Therefore, far from arguing that sodomy laws introduced homosexuality intolerance the study held that sodomy laws or colonialism introduced advanced and stricter forms of homosexual intolerance written on papers. Further the study stated that having introduced written sodomy laws and communicated them with tools of power such as language and colonial government's institutions, this gradually suppressed the recognition of unwritten forms of

homosexuality intolerance within colonized societies. Thus, the study held that an exclusive attribution of the advent of homosexual intolerance to colonialism risks a temptation to pursue the root causes of homosexuality criminalization along external forces. Further, this position would be simplistic as it attempts to place more recognition on the role played by external influences over that of the local factors in orchestrating the ideals upon which policies are formed. As evidenced by the findings of the study, this position has been challenged by the Ugandan context.

- The study offered a theoretical contribution based on a thematic analysis of the AAEs' message on homosexuality and its mode of delivery. The analysis showed that the AAEs employed a certain theoretical framework. The study described this framework as the American Anti-homosexual Evangelicals' framework of Influence (AAEs' FI). The AAEs' FI is a four stage category frame. It constitutes the 'Problem', 'Solution', 'Consequence', and 'Choice'. In this framework, the phenomenon of homosexuality is constructed as 'The Problem'. Not only did the AAEs construct homosexuality as 'the problem' but also constructed a solution to the problem. In their communication, the AAEs implied that both the 'Problem' and the 'Solution' have consequences which necessarily invoke the taking of a 'Choice'. Therefore, by presenting the issue of homosexuality as a 'Problem' and on the other hand construct a supposed 'Solution' to this problem, whereby both the 'Problem' and the 'Solution' have particular consequences, the society or the audience to which the communication is done is triggered to take a choice. It is within this framework that the extent of the AAEs' influence to the legislation of the 2014 AHL in Uganda may be analyzed.
- The study found that despite Uganda being a postcolonial state where there is a growth of local religious leaders, foreign religious leaders still attract the attention of local people. This is much more experienced of these foreign religious leaders who introduce themselves as missionaries with a mission of great importance- as did the AAEs. Foreign religious leaders under the umbrella of 'missionaries' tend to root their power of influence from an historical advantage associated with the concepts of 'Missionaries' and 'Mission' in Uganda. In the Ugandan context, the language of 'missionaries' and 'mission' is still remembered, and associated with factors such as the introduction of education, modern medical services, as well as Christian religion with popularly regarded moral codes. Therefore, under the umbrella of missionaries, the AAEs thus merited to claim the relevance



and power of influence that the early Christian missionaries once had and still enjoy posthumously in the contemporary Ugandan society. Therefore this study has found that when foreign religious leaders present themselves as missionaries before the postcolonial state where early Christian missionaries still enjoy popular recognition, they tend to have an advantage over their local counter parts in projecting their communication as authentic, thus gaining an influential status.

- The study exposed how the extent foreign influence, in this case religious based influence, would require a mutual cooperation of local religious leaders. The findings showed that the coming of the AAEs to Uganda did not happen by chance, instead, it was achieved following a well secured environment animated by local correspondence. The study held that, by establishing correspondences and associations with some local gate keepers in Uganda, the AAEs employed a tactic similar to the colonial system of indirect rule. This tactic neutralized possible local resistance. Thus, the study found that the tactic of using locally available tools in disseminating information and in alluring locally available support is still much alive when local and foreign contexts meet. As evidenced by the findings of the study, this tactic was found to offer foreign powers of influence new identities such as “Our informed friends”, and ‘Experts’.
- Insofar as appealing to religious beliefs, heteronormative understanding of family and statutory law, the AAEs were not found to have proposed new knowledge that would independently alter local perceptions over homosexuality. This is because before the 2009 AAEs’ conference, there existed a surveillance system on homosexuality which had already gained a more active force as homosexuality debates gained public interest in Uganda but also globally. However, the study argued that in terms of affirming and motivating a worldview, already championed within the walls of the SSH, the AAEs played a role of influence. This was further facilitated by a rhetorical methodology of communication which was employed by the AAEs and the AAEs’ ‘Framework of Influence’ as shown in the study.
- Further to the theological contributions of this study is to demonstrate that foreign religious organizations backed by religious power and influence over formerly colonized societies, such as Uganda, still have the ability to influence these societies even though under particular limitations as provided by the context. Taking the case of Uganda's 2014 AHL, the study helps to demonstrate that public religions such as Christianity have the ability to motivate for the formulation, modification and application of anti-homosexuality laws in

societies where these religions command wider public influence. These observations may be helpful to motivate future research as to why more critical approaches are necessary when interrogating the case of religion and its contribution to controversies over policy making on homosexuality in Africa.

#### **8.4. General concluding remarks.**

Examining the case of the 2014 AHL in Uganda has revealed that while evaluating the factors that lead to policy making on a phenomenon of public interest and where foreign powers are involved, there is a tendency of dismissing the role played by local participants in postcolonial states. However, basing on the findings of this study, it could be further emphasized that it would be simplistic to exclusively portray postcolonial states as less active in policy making processes especially in instances where foreign powers tend to intervene. Drawing from Uganda's case, feelings of foreign intervention on a phenomenon of public interest would provoke internal forces to reaffirm publicly sentiments of political, economic, social and cultural independence when it comes to making. This means there is always a need to employ a critical engagement in an inquiry of this nature.

The study set out to explore the extent to which the American Anti-homosexual evangelicals influenced the legislation of the 2014 Anti-homosexual Law in Uganda. One of the academic motivations for this study was inspired by a dominant position expressed through media especially western based media, on internet blogs as well as in scholarship that the AAEs were far more responsible for initiating and provoking the legislation of the 2014 AHL. As such, this dominant voice appeared to suggest that- had the AAEs not held the 2009 anti- homosexual conference- the Ugandan society would not have come up with the 2014 AHL. As a consequence of this perspective, the role of the AAEs seemed to take prominence over the possible roles of the Ugandan society in contributing to the 2014 criminalization of homosexuality. Therefore, this approach assumed that either the Ugandan participants played a secondary responsibility or had no role at all. Similarly, there existed contrary voices in the scholarship that attempted to dismiss the role of the AAEs while exclusively attributing the legislation of the 2014 AHL to contextual factors. Basing from the study's findings which have shown an active contribution from both the Ugandan context and the AAEs towards the 2014 AHL, the study argued that it would be deceptive to hold an exclusive position in any case. It would be equally misleading to fail to recognize the power of influence that was demonstrated

by the AAEs while holding the anti-homosexuality conference in Uganda during 2009, as it would be to exclusively attribute the 2014 criminalization of homosexuality to the AAEs. To both positions, the study offered a critique. The critique resided not in dismissing the roles of either the AAEs or the local context but in recognizing what each position takes for granted. In line with the study's findings, it is maintained that the extent to which the AAEs influenced the making of the 2014 AHL was limited to the influence of local factors. In addition, the rhetoric and the theoretical framework which was employed by the AAEs evangelicals and by which the supposed Agenda of homosexuality was exposed, did not act in a vacuum.

Further, while the AAEs preached and taught the Ugandan public, the Ugandan public demonstrated a priori knowledge of interest with regard to the topic that the AAEs sought to handle. This a priori knowledge of interest cannot be detached from the evolving Surveillance System on Homosexuality which was already in existence before the 2009 visit of the AAEs. Through the SSH the Ugandan society had certain conclusions on homosexuality such as, homosexuality was 'illegal', 'immoral', 'abomination', 'aids not procreation', 'against God's commandments'. Therefore, while framing homosexuality in similar categories, the AAEs did not seem to have fundamentally introduced new knowledge, but through their art of persuasion and the particular theoretical framework employed, they succeeded in rejuvenating the already present and evolving sentiments on homosexuality within the Ugandan society.

The study has expose how the extent of AAEs' influence as foreign religious leaders would still require the mutual cooperation of local religious leaders. In this way, it would be difficult to argue for a direct contribution of the AAEs especially where such a contribution would only be effective through the assistance of local religious leaders. Local religious leaders could be argued to be the gatekeepers by whom the AAEs would necessarily seek acceptance before penetrating the local context. As it has been shown in the findings, not only are the voices of ordinary people influenced when local religious leaders speak, but also Members of Parliament, who argue in reference to their religious leaders' points of view. The availability of local religious leaders, who at the same time draw recognition from the local contexts, seem to offer an indispensable tool in executing the influence of foreign religious leaders in local contexts. They seem to essentially provide a contribution similar to what local chiefs provided during colonialism in societies where indirect rule was applied. This would mean that while foreign religious leaders would teach, instruct and attempt to persuade local participants, local religious leaders would concentrate on positively publicizing the image and intentions of foreign religious leaders among the public. Therefore, for the influence to take place both the local and foreign leaders would need mutual cooperation.

This revelation could be used to reassert a conclusion that is, the extent to which the AAEs influenced the legislation of the 2014 AHL was further limited to the extent at which the local religious leaders rejected or approved the AAEs' messages and teachings in Uganda. Although the study found the AAEs' contribution to the legislation of the 2014 AHL limited to the role of contextual factors, thus exposing the agency of the local context, the limitation of local contexts needs to be thoroughly explored altogether. In other words: What factors would limit the agency of local contexts in its contribution to the legislation of the 2014 AHL and why?

APPENDIX 1

*Appendix 1 (A)*

**The complete set of themes identified as they emerged from the AAEs communication to the Ugandan audience during the 2009 Conference on Homosexuality.**

**Theme 1: *Identity and claimed legitimacy on homosexuality***

1. I have experience in family life. 2. I have done research on the issue. 3. Am a Pastor, religious leader. 4. Am a scholar, an academic in theology. I hold a doctorate, graduated Magna cum laude. 5. Am an Attorney, expert in the law. 6. I have experienced God's power. 7. I know the difficulties that are cause by the breakdown of families. 8. I know more about this than almost anyone in this world. 9. I have a brother and sister that went into homosexuality. 10. Am a changed, transformed man. 11. I have spoken on this issues worldwide in almost 40 countries. 12. I have knowledge of human rights. 13. Am willing to take the abuse that come from doing this. 14. I will be talking things that you might never ever heard before. 15. I will present a lot of facts and a lot of analyses. 16. I have a website with extensive details on homosexuality. 17. I am one of the few people in US that has the ability to actually stand up against the practice of homosexuality. 18. Am capable more than capable to analyze professional documents. 19. Am fully qualified to be able to interpret all these types of things.

**Theme 2: *Homosexuality as understood and defined by the AAEs.***

A state of the mind. 2. It is a behavior. 3. It is an individual's choice of identity. 4. It is more of an emotion than anything else. 5. Homosexuality is a mental confusion. 5. Homosexual orientation can be corrected. 6. Homosexuality brings about torture and suffering. 7. It can bring lifelong pain with no chances of recovery especially to children. 8 It emanates from painful experiences. 9. It is related to power and influence. 10. It is a deviation from sexual normalcy. 11. Rejection of homosexuality leads to restoration of happiness. 12. Homosexuality is a deviation from God's commandments. 13. Homosexuality has a place in God's anger as it is sinful.

**Theme 3: *Misrepresentation and ignorance of facts on homosexuality***

1. Homosexuality is not equal to heterosexuality. 2. Homosexuality is not innate, Homosexuals are not born [homosexuals] that way, and to say so is a lie. 3. Homosexuality is not a normal intentional core of human desire but a deviation from the normal. 4. Homosexuality doesn't fit the standard of the design of what a human person ought to be. 5. We will not have a society if we do not have the heterosexual norm  
6. Homosexuals use terms like discrimination out of context. 7. Homosexuality would collapse the society. 8. To have an impulse to opposite desire doesn't legitimize to actually do it. 9. Homosexuals do not admit that to practice homosexuality is a sin. 10. Homosexuality is not a blessing from God. To be against homosexuality is not to be homophobic.

**Theme 4: *Homosexuality advanced through power, authority and influence.***

1. People are coming into Africa advancing the ideas of homosexual rights. 2. Human rights struggle advances homosexual interests. 3. Supporters of homosexuality have a political agenda. 4. There is invention of human rights for homosexuality. 5. There is use of enormous money, power for homosexuality protection. 6. Some people incorporate others into homosexuality. 7. Homosexual recruiters are on a campaign to change everything. 8. People of influence from gay movements, lure the people. 9. People in high powerful organization attempt to change society. 10. Supporters of homosexuality use numbers and power to legitimize homosexuality.

**Theme 5: *A way forward: Informed pro-activism against the Gay movement and homosexuality.***

1. Evaluate foreign knowledges for truthfulness. 2. Use your knowledge of the God's truth to judge the truthfulness of foreign knowledge. 3. Zero tolerance to persons spreading homosexuality openly, on streets, homes and to everyone. 4. Freedom of action depends on what one does. 5. Homosexuality can't be accepted unconditionally as perfectly normal, health natural and something. 6. Question the people who claim that homosexuality is innate. 7. If homosexuality is acquired, then we should do something to protect people from acquiring it. 8. We should run to protect children. 9. Homosexuality is something that is wrong, that should be looked at to be corrected. 10. Homosexual behaviors done in privacy can be tolerated but not that done in public. 11. There are conditions: no promotion of homosexuality no change of law to suit homosexuals demands. 12. No creation of gay society. 13. Do not allow homosexuals doing things that will harm society. 14. Help homosexuals to overcome their problem. 15. It is appropriate if you tie criminalization with mandatory option for treatment. 16. Need for therapy if convicted. 17. No going into people's bedroom. 18. Homosexuals doing it in private, not molesting children, not making it public and not breaking the law may not be arrested. 19. Be against homosexuals who want to go public, and change the law and change everybody in society. 20. Homosexuality must be discouraged. 21. Let us use the ability and intelligence God has given us.

**Theme 6: *Fighting homosexuality is for A good cause, therefore not regrettable***

1. Homosexuality is hated by most people. 2. The practice is ugly and painful. 3. It takes away one's freedom and brings torture, suffering. 4. Increased sexual abuse due to homosexuality. 5. Gays have knocked down the foundations of human rights for homosexual regulations. 6. There is weakening of the church authority e.g. in England. 7. Support for homosexuality manipulates history and facts. 8. Many supporters of homosexuality are absolute liars, they are wrong. 9. There is trampling of religious freedom for civil rights of homosexuality. 10. Gay church against Christian church and confuses the church. 11. Natural family is superior based on heterosexuality. 12. Without heterosexuality the society would collapse. 13. It harms the society that embraces it, the children and families. 14. It creates a contradiction to the marriage based culture. 15. Gay groups and pro-gay organizations hate and fight anti-gay Christians. 16. We don't like it. We don't think it's a good

thing. 17. Homosexuals go against what their moral choices would command. 18. Gay movement aims at defeating the marriage based society and replace it with it a culture of sexual promiscuity. 19. Homosexuality is associated with gay movement, an evil institution.

**Theme 7: *Challenging Homosexuality presents consequences and a need of preparedness***

1. People are intimidated from looking into this Area of homosexuality. 2. People what you to be silent on homosexuality. 3. When one speaks out is termed intolerant, hateful, and homophobic. 4. If you dare to say that homosexuality is wrong or abnormal, you get crucified. 5. Have to be insulated from attacks. 6. One needs the Holy Spirit to be invulnerable to intimidation. 7. No need to bow to political pressure. 8. Be a believer.

*Appendix 1 (B)*

**The complete set of Themes identified as they emerged from the Local context post the 2009 AAEs conference on Homosexuality.**

**Theme 1: *Local experiences and fears over homosexuality***

1. This country has of late been besieged and is under attack from homosexuals. 2. Young people blindly involved in homosexual activities. 3. There has been visitors from UK who lured an innocent girl into homosexuality. 4. A white priest introduced a black man to homosexuality. 5. Homosexuality is covered up in some institutions by teachers and administrators. 6. Human beings are picking up the behaviour even dogs cannot practice. 7. To bring homosexuality at the same level with heterosexuality in Uganda. 8. This thing of homosexuality is serious and alive here in Kampala. 9. There is an agenda to normalize homosexuality. 10. Western ways of approach are coming to Uganda. Homosexuals have won a case in court already. 11. Homosexuality is pushed by people of influence. Homosexuality is more of a western behaviour than African. 12. Homosexuality is still a shock. 13. Democracy and human rights give way to homosexuality. 14. Homosexuality comes with donor funding. 15. Homosexuality was done in secrecy but now there is an attempt to make it public. 16. Pressure from the donor community some international organization and some Western embassies to legalize homosexuality. 17. Homosexuals can take over power, world power and Uganda. 18. Nature must not be tempered with. 19. They just want to come and occupy this land.

**Theme 2. *A Rhetorical Comparison frame of homosexuality.***

1. A law is required to regulate the practice because it is a dangerous development. 2. It is an abnormal practice, poison, contamination, psychological trauma and dehumanizing. 3.

Existence of campaigns for homosexuality by mercenaries supported by organizations and outside countries. 4. Homosexuality attracts Liars, Thieves, Thugs, and Rebels. 5. Homosexuality brings health and sexuality disorder. 6. Need to examine the brains of homosexuals medically.

**Theme 3. *Theological, social, political and moral perception of homosexuality.***

1. Homosexuality contradicts our belief in the dignity of marriage. 2. We believe God created Adam to marry Eve but did not create Adam and Steven. 3. No model anywhere where God creates a man for a man in sexual relations. 4. We believe that homosexuality is demon and it can be cast out. 5. Homosexuality is not an orientation. 6. Homosexuality is immoral and Homosexuality embarrasses. 7. For us homosexuality is a perversion, an abomination. 8. Homosexuality is not a human right. 9. Fighting homosexuality is a fight against evil. 10. Promoters of homosexuality are Rebels, thugs and thieves, liars and agents of immorality. 11. Homosexuality is a dangerous development. 12. It is contaminating the African society. Some countries are sending poison to our country. 13. It is a psychologically traumatizing, a dehumanizing practice. 14. Promoters of homosexuality use people of responsibility in our land. 15. Homosexuals relegate human beings to a level they are incapable of differentiating between a male and female and vice versa. 16. Western culture contrasting African culture. 17. Western societies come over to Africa societies and talk, lecture and teach. 18. African societies tend to be polite to western societies. 19. What is right for African should be in line with the culture, and history. 19. Homosexuality is a Wrong practice, promoted by some outsiders. 20. Homosexuality promotes Mercenary actions. There is need for rehabilitation. Pro-homosexual foreign knowledges is imperialistic.

**Theme 4: *Friendship and Reception with intent to Learn from the AAEs.***

1. Our friends from the Unites States of America, we share similar convictions about family. 2. We engaged with our friends and they gave us a great understanding of the whole area of homosexuality. 3. Our friends are better informed than ourselves. 4. The seminar helped to reaffirm our knowledge on homosexuality. 5. Some values are dangerous in advancing homosexuality in not checked. 6. In brazil homosexuality was unheard of, but now everywhere celebrated. 7. There is a movement with force, behind the promotion of homosexuality, the gay movement. 8. The force need to be attacked by force. 9. Going against homosexuality attracts a lot of pressure. 10. These people behind this evil, have all the resources. 11. These people came to Africa 12. It is easy for young generation to get attracted to their evil. 13. Homosexuals and pro-homosexuals use legal suits as their main tools. 14. Homosexuals use discrimination out of context. 15. Sexual orientation is not a matter of choice.

**Theme 5. *Expression of ignorance and instant production of knowledge on homosexuality.***



1. Homosexuality is serious, alive in Kampala yet I didn't know about it. 2. Homosexuality seems to have been under protection. A threat of homosexuality is current here. 4. In the meeting I attended the man of God told us the origin of homosexuality. We were taught homosexuality was more serious than we thought. 5. I had never had of the seriousness of homosexuality. 6. We were told five years ago homosexuality was like a joke in Brazil but now it is serious there. 7. Madam speaker, this country of late has been besieged and it is under attack from homosexual advocates.

**Theme 6: *Contemplating the revision of the anti-homosexuality regulations as a way forward***

1. We need to come on board to save this nation. 2. We would like the government to take this very seriously. 3. As a people who were there (in the AAEs conference) we now need to stand firm to fight homosexuality. 4. We must deal with the causes, and the root causes. 5. Take awareness of people who come and are in positions of influence and they take advantage of these young innocent people. 6. Right now our law in the penal code is ineffective. 7. Right now we need to draft a new law that takes care of all the issues that we are raising now. A comprehensive law is needed. 8. The laws we have in place are not very helpful. 9. We all have to participate, our law makers should come and strengthen the laws of this country. 10. Members of the public to be vigilant. 11. We must exterminate homosexuals before they exterminate society. 12. Churches and families must also be values are dangerous in advancing homosexuality in not checked. -brought on board to eradicate this evil. 13. Check the brains of homosexuals as it could be a disease that can be cured. 14. Advocating for a change of policy. 15. This country and Parliament must have the courage to defend its young people, to defend the stability of this nation. 16. People need rehabilitation.

**Theme 7: *Homosexuality is assumed regulated***

1 Homosexuality is already illegal in Uganda. 2. Criminalizing homosexuality is to protect the lives of the vulnerable. 3. Constitution prioritizes heterosexual unions. Legalizing homosexuality threatens human civilization. 4. Homosexuality is evil, sinful, and contrary to God's will and Natural law. 5. Homosexuality kills our culture, and our values. 6. These values, (of homosexuality) our forefathers did not have. 7. Condoning homosexuality is to risk the lives of the vulnerable. 8. Condoning homosexuality is a sign of weakness, failure to address the needs of society. 9. Homosexuality is a crime, against natural justice and national values 10. Homosexuality diverts the understanding of human rights. 11. Homosexuality is not a right. 12. Right to homosexuality equals destruction. 13. Homosexuality is not a human right and as a country, we shall never accept it. 12. Our religious norms do not allow homosexuality.

**Theme 9: *Voices from Local anti-homosexuality Religious Leaders***

1. We acknowledge the contribution of local religious leaders. 2. Local religious leaders strengthen, teach, and preach against homosexuality. 3. They help victims of homosexuality to



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