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# Revisiting Homophobia in Times of Solidarity and Visibility in Uganda

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## Abstract

There is an apparent deepening in anxieties of the increasing rapid social change in Uganda, with the escalation of homophobia, if not more so. Homosexuals in their quest for solidarity and visibility have increasingly become victims of homophobic violence. In this study, I draw upon critical studies in geography, urban sociology, feminism, anthropology, Queer theories, and identity politics, to poignantly examine manifestations of homophobia in the context of changing social structures. For this purpose, I adopt a multi-sited ethnography and hybrid genre of discourse analysis.

[Key Words: *homophobia, homosexuality, solidarity, visibility, gay, Uganda*]

## Introduction

There is an apparent deepening of anxiety in relation to the subject of homosexuality in Uganda. Despite anthropological narratives of African culture's *zero* tolerance to homophobia, (see, Mutua, 2011; Epprecht, 2004; Murray, 1998, etc), its intensification and solidification has not only had dire consequences for the homosexual community, it is a matter of curiosity. This curious trend, it ought to be mentioned, has emerged at the same time that as gay visibility are increasingly beginning to emerge and obscure the *traditional* same-sex behaviours, where homosexuals are continuously stepping away from the typically African gender-stratified systems that have long characterized same-sex relations between men. Consequently, gay men in their quest to sexually construct themselves have increasingly become affected by society's aggressive compulsion to denigrate gay visibility.

And yet, a bulk of the body of work on homosexuality and homophobia persistently revolves around traditional explanations for contemporary homophobia. A few other studies either tend to disclose homophobia toward the gay communities (see, for instance, Kaoma, 2009), or merely explicate the difficulties gay men face while attempting to live the lives they feel they ought to be living. For instance, some studies on homophobia in Uganda mostly adopt a reductionist perspective often reducing homophobia to nothing more than a product of traditional attitudes and values (Chi-Chi and Kabwe, 2008; Epprecht, 2001), the American Christian Right (Kaoma 2009), and the colonial entrenchment of homophobic laws (Sanders, 2009; Epprecht, 2004). And yet such narratives are not only inappropriate as they serve to conflate the agency of the African leaders and ordinary people who engage in homophobia and homophobic practices, they also reinforce stereotypical ideas, and fail to offer consistent answers for the apparent

growth of political and public expedience and intensification of homophobic practices.

Besides, contemporary homophobia is simply too complex to be reduced to a few 'historical' underlying factors such as culture, religion, or a simple binary opposition between the religious right and advocates of feminism and/or secularism. Consequently, homophobic effects of homosexual visibility and solidarity ought to be explored. It is the aim of this study therefore to constitute the conflicts and dynamics between homophobia and western notions of (homo)sexuality within global contexts. In the sections that follow, I draw upon critical studies in geography, urban sociology, feminism, anthropology, queer theories, and identity politics, to poignantly examine manifestations of homophobia in the context of changing social structures. The subsequent section explores literature to revisiting homophobia in modern times.

### **Homophobia and the Reshaping of Homosexuality in Modern Times**

The contemporary treatment of homosexuals in Uganda cannot be considered without an appreciation of the traditional past. A narrative that is replete in the works of social anthropologists who visited Africa, Uganda inclusive, during the first half of the Twentieth Century that 'Africa was composed of primitive cultures which were not only pure, but also devoid of the influence from Western cultural traits, characterized by a high degree of sexual laxity' (see, Murray & Roscoe, 1998; Kwame and Saheed, 2009: 83-87). However, a wealth of anthropological evidence from Uganda has emerged not only signifying the danger of this narrative, but also providing valuable evidence revealing that same-sex sexual relationships existed in African communities for eons before colonialism. Among the Langi of northern Uganda, the *mudoko dako* "males" were treated as women and could marry men (Driberg, 1923, cf. Tamale, 2003). Homosexuality was also acknowledged among the Iteso, the Bahima, the Banyoro, etc (Tamale, 2003). In precolonial Buganda, some members of the Kabaka royalty, the rulers of Buganda, are said to have been homosexuals (Tamale, 2003).

A cursory view of such literature reveals that even though regarded as deviants, homosexuals in these communities were neither persecuted, killed, nor marginalized. Murray, for instance posits that "...there are no examples of traditional African belief systems that singled out same-sex relations as sinful or linked them to concepts of disease or mental health--except where Christianity and Islam have been adopted". Murray goes on to say that where such practices existed, they were not only tolerated but incorporated into the social body with named roles and sexual identities (1998). These, views have been strongly reiterated by Marc Epprecht arguing that not only is there is no evidence of homophobia and violence in precolonial Africa, but if indeed it has been claimed, then it is possible that 'homophobic violence in pre-colonialism was only discoursed into existence' (2004:17). Seen from this perspective, the "widespread homophobia and anti-homosexuality laws in Africa" would largely turn out to be exotic to Africa.

It is perhaps because of this that discussions on Uganda and homosexuality make

reference of homophobia being the result of the American Christian right (see, for instance, Kaoma, 2009), or at least as an "import from especially the British colonial law that local politicians have since championed after the countries' independence" (Human Rights Watch, 2003). While this is nevertheless a perfect attempt, it is not sufficient to interrogate contemporary homophobia that has become synonymously associated with the subject of "homosexuality in Uganda." In view of emerging trends, with homophobia itself being a relatively new phenomenon in Uganda and Africa by extension, it ought to be explained beyond these underlying factors, as they are simply inappropriate for theorizing homophobia in contemporary times.

One trend that is quite synonymous with the contemporary times is the emergence of gay visibility, inspired by and synonymous with the "Western" model (Coelho, 2009; Isaacs and Brian, 1992). French theorist Michel Foucault (1978) arguing from a post-modern perspective, asserted that elements of Western civilization have created social constructions around identity. Matthew W. Roberts (1995) also refers to them as "gay identity formation" (Roberts, 1995: 251). It these models that are largely associated with progress and modernization, industrialization, urbanization and contemporary capitalist conditions (see, for instance, D'Emilio 1997) – with the result being some gay men questioning existent norms and attitudes on sexual and gender identity that were once silently unquestioned. Altman (2001) categorizes these trends into two primary paradigms: 'the universalizing of same-sex sexualities as identities' and the 'Stonewall' narrative of sexuality, identity, and liberation. According to Altman (2001), these paradigms are exported by 'gay organizations worldwide and in particular in the US'. According to these models, one's sexual identity—being gay—becomes a significant part of one's being (Altman, 2001).

“. . . homosexual identity [. . .] seems to indicate the ability of the individual to self report that he or she ascribes to some label of same-sex sexual orientation (e.g. gay, lesbian, and bisexual). It is critical to recognize that when sexuality is used as a signifier for identity, the agent acquires social and/or political capital offered by the sexual identity category. . . . the politics of sexual identity allow individuals to determine or negotiate a common ground where they might construct visible and active communities . . ." (Johnson, 2007).

According to Roberts (1995), gay men construct and perform identity in a myriad ways that are not necessarily constrained by homophobia or HIV/AIDS.

Gay organizations as communities of identities are self producing in two ways. First the organization depends on a membership that includes individuals who identify themselves as gay or lesbians. This individual identification makes it possible for the organization to exist. Second, by participating in a gay organization, members are able to authenticate their sexual identity and reproduce the gay identity collectively. Gay identity in the foreground while relegating other social identities to the background (Yeung & Stompler, 2000: 137).

By and large, however, the insight that identities are claimed, made, refused, and deconstructed, while rallying effectively against the view of them as preexisting characteristics or prescribed labels, has too often been taken to mean that collective identities float freely in the world (Gamson, 1996: 236-237). While such descriptions of collective identity, leave us with the thin choice between the "top down" imposition of identities and the "bottom up" creation of them (Johnston et al., 1994:18), it has been mainly a "top-down" scenario in Uganda (Tamale 2003), perhaps making it even more susceptible to homophobia – or at least anxiety. Dunn (2012), in his study, "Men as Victims: "Victim" Identities, Gay Identities, and Masculinities" argues that the impact and meanings of homophobia on gay men's identities are best explored with a particular focus on their identities as men and as gay men.

And while scholars such as Dunn (2012) present more provocative and new work in the field with more evidence of the emerging forms of homophobia, they largely ignore Africa. Only a few scholars have emerged, in a way trying to address the looming gap. Marc Epprecht, who perhaps is one of the foremost African scholars to not only trace the influence, origins and manifestations of homosexuality homophobia (see, Epprecht, 2004; 2001, etc), is limited in his analyses which are mainly hinged on history and traditions among (Southern) black Africans as opposed to contemporary exploration. As such, there exists plenty of room for the exploration of issues of homophobia in relation to globalization and global trends that it has not only become necessary to rethink homophobia outside the parameters of the fetishized understanding of historical trends, but also more specifically toward emergent narratives of gay visibility.

### **Locating Solidarity and Visibility in Uganda**

The term 'gay' has been borrowed into Uganda to label a way of being openly, publicly, and exclusively homosexual without necessarily the flamboyant effeminacy traditionally signaling sexual availability. Distinct lesbian and gay urban subcultures sprung up and subsequently begun to flourish in Uganda. An active gay and lesbian press connected isolated lesbians and gay men to the urban subcultures elsewhere. Consequently, urban homosexuals are beginning to adopt an homogenized identity of some kind. For instance, some Ugandans who identify as gays commonly refer to themselves as kuchus (sing. Kuchu), a local colloquialism for "queer". Certainly, this identification helps make gay identity a possibility. The prestige of gay homosexuality is indicated by the application of such terms as "kuchu" in Uganda. It is through the adoption and application of such terms that the prestige and identity of gay homosexuality is indicated in Uganda. It is at this point, that homosexual behavior become an insufficient basis of gay life.

Here and then, gay life became associated with identity to the extent that behavior became more disconnected from homosexual practice. As such boundaries between homosexuals and heterosexuals were clearly becoming more distinct throughout the the first years of 21st Century. This period witnessed more communal belonging with assumptions about what it is to be "gay" and to belong to a "community" of people who

identify with this category. It got meaning. There was more to being a man who has sex with a man. This trend obscured the traditional same-sex behaviours, where MSM are continuously stepping away from the typically African gender-stratified systems that have long characterized same-sex relations between men. They are beginning to adopt a reasonably visible gay lifestyle, expression and culture, something that was completely unheard of in the past. Gay and gay-like social formations are beginning to emerge. Claiming for free space and asserting alternative ways of relationship formation are becoming phenomenal. Homosexuals produced urban gay communities, through which they were increasingly becoming noticeable, so that gay identifying men were able to know more easily where to find other gay men, than was the case in the past. This transformation intensified gay identifying men's attempts to form and converge, thereby organizing into publicly visible social movement organizations, while demanding inclusion and recognition in the public sphere.

These trends, which increased the visibility, and vibrancy of these urban subcultures, were enormously boosted by the growth of the modern gay scene permeated by American pop-culture, which, via Hollywood is avidly consumed in Uganda. Popular television sitcoms, serial TV programs, and pornographic material that have permeated the urban markets and local cultural frameworks, women feminist scholars and activists and international laws that establish guidelines for sexual behavior and openness have only served to reinforce an economy that supports very different notions of gender, sexuality and class.

As Western popular cultures spread the market, as people coming in and out of the country imported varied experiences of gay life out of the West, NGOs and advocacy groups and networks started emerging and operating as if sparked by these trends. In other words, this period had an unparalleled impact upon homosexuals, stimulating the growth of many more groups, often bringing gay men and women together for the first time in Kampala. Suddenly, a few gay men and lesbians could also almost openly cruise in down town Kampala despite the state controlled spaces, and a few would be seen in couples in public spaces like clubs showing affection to one another. At this point it was becoming apparent that homosexual behavior had becoming an insufficient basis of gayness, wherein gayness had become associated with identity to the extent that the behavior became more disconnected from identity. Gayness had more to do with identity, which identity led to more visibility.

### **Emergent Homophobic Trends**

Where and how you are *located* as a gay, lesbian or trans person determines how you will be perceived in that particular *space* and your experience of the space and place (Tamale, 2011). Being LGBT in Uganda still carries a significant amount of stigma, and finding spaces for the free expression, treatment, counseling and the like, remains a challenge. Gay solidarity and visibility dates to the late 1990s when a small number of mostly affluent Ugandan gays and lesbians came together to form gay people Uganda (SMUG), the first

public association to promote gay rights in Uganda. At this time, however, recruitment was largely impeded by the stigma attached to homosexuality and by the harsh penalties exacted for homosexual practice. Even service orientated initiatives required a lot of brevity and courage, as they were often squashed by a largely heterosexual society. This made such efforts (however public) less visible. A case in point is when in 2002, a heterosexual Anglican bishop, Christopher Ssenyonjo, was expelled from the Church of Uganda for associating with gay persons through his counseling unit. In addition to setting up a counseling unit for gay persons, Ssenyonjo was later to establish *Integrity Uganda* as a branch of *Integrity USA*, the Episcopal Church's LGBT outreach organization after his expulsion. He also found a community center where gay persons could safely gather, and housing and employment for those who were were forcibly 'outed' (Burroway, 2010). This way the retired Bishop was able to stand up for the gay community in times of crisis and great danger.

But while such barriers to organization were common place at the time, the homophile movement was nevertheless expanding. By 2003, there were several gay organizations in Uganda, including Freedom and Roam Uganda, Right Companion, Lesgabix, Icebreakers Uganda, Integrity Uganda, Spectrum Uganda, and Gay and Lesbian Alliance. Most of these acted as support groups, with very few engaged in activist work to improve their minority status. Moreover, the different groups according to Tamale (2003) were not connected in any way. It was not until March 2004 that Sexual Minorities in Uganda (SMUG) was founded as a loose collection of about 18 gay organizations in Uganda. It was almost the lone 'visible' element in the struggle together with its founder, Victor Mukasa, and was able to make progress, particularly in negotiating informal incorporation and building underground legitimacy for it's cause.

By 2005, a few activists including David Kato, Jacqueline Kasha, Frank Mugisha and others were beginning to gain courage to participate actively in promoting awareness through public debate and social mobilization, modeling their strategies on South African non-profit organizations, majority of members in such organizations opted to sustain their memberships mostly underground and almost exclusively through cyberspace. The avoidance of public visibility by gay organizations can be explained by the severity of Ugandan law that carries a maximum sentence of life imprisonment (Tamale, 2003). The exceedingly hostile context in which gays lived and worked made it extremely difficult for homosexuals to demand their rights with a unified voice (Tamale, 2003).

Consequently, the few organizations that were fast emerging were mostly underground and adopted names that conveyed little explicit information about sexual identity. And yet, they still attracted severe counter-responses from the state. For instance, the Minister of Ethics and Integrity at the time, Nsaba Buturo ordered the police to investigate and 'take appropriate action' against a gay organization at Makerere University (BBC, 2005). Gay rights activist Kizza Musinguzi was also jailed at just a round the same time and subjected to four months of forced labor, water torture, beatings and rape, for speaking out against anti-gay violence. In October 2004, the state also through the Uganda

Broadcasting Council, fined Radio Simba over \$1,000 and forced the station to issue a public apology for hosting a discussion that involved a lesbian and two gay men, where they called for tolerance and greater understanding of gay people (BBC, 2005). The government Minister of Ethics and Integrity at the time Nsaba Buturo told the BBC's 'Focus on Africa' that Radio Simba's programme had committed a criminal offense by telling listeners that homosexuality was 'an acceptable way of life'(BBC, 2005).

Homophile groups at the time were lone in the struggle for visibility. They were often alienated and were sometimes avoided by many mainstream organizations including feminist and human rights associations. According to Maurick, et al (2005), such organizations claimed that it was impossible to fight for a group of people that were invisible, and that homosexuals themselves had no choice but to lead the way by speaking out for themselves (Kiragu and Nyong'o, 2005). Also, it is important to mention that the Ugandan public (political, cultural and academic) sphere was still almost absolutely heterosexualized. There was only but a handful of public persons like Sylvia Tamale and Bishop Christopher Ssenyonjo who were willing to help raise awareness about gay issues. By keeping away from such issues, persons from the mainstream organizations remained part of the gay problem, maintaining an environment silence and criminalization in as far as issues of homosexuality and homosexuals respectively were concerned.

By 2007, the gay struggle in Uganda gain even more visibility through increased populist activism. During this time, two specifically spatial issues caught the attention of gay activists: the segregation of homosexuals and the violence against persons perceived to be homosexuals. While the activists' approach to each of these problems illustrated no particular ideological perspective on the role of space in the constitution of their homosexual identities, it was able to establish a small and tight-knit community. Through courageous efforts and astounding underground work, homosexuals hoped to establish an improved and visible community. Homosexual activists adopted a conventional form of social affiliation, solidarity and awareness that led to the homogenization of the gay community, and the proliferation of anonymous gay enclaves in Kampala city, thereby inhabiting and transforming public spaces into urban spaces that were in ways Western-like.

In August 17, 2007, SMUG led by Victor Juliet Mukasa held Uganda's first ever gay human rights press conference at the Speke Hotel in Kampala. Many of those who attended the press conference wore masks and gave only first names, because they were fearful of identification and arrest. Mukasa, who had been forced to flee temporarily into exile in South Africa in fear of her life after police raided her home in 2005, had now returned and spearheaded the campaign. During the same time, she was also able to pursue a civil law suit against the government ministers who had sanctioned the raid on her home. Speakers at the press conference protested the police's harassment of law-abiding gay people, it's persistent demand for sexual favors and personal bribes in exchange for release from custody, and trumped-up charges, brutality and harassment. They called for an end to homophobic discrimination in the legal, education and health systems. The language of



delivery was Luganda, an impressive strategy, as homosexuals were often told they had no place in Uganda as homosexuality was not African.

### **Toward the Anti-Gay Act**

By October 2009, the battle lines were drawn and the Anti-Homosexuality Bill (hereinafter, 'Bill') was thrown in as the trump card for the anti-gay group (Hugo, 2012; Anti-Homosexuality Bill, 2009). A first term little known Member of Parliament (MP) David Bahati introduced the Bill in Parliament that would inadvertently lead to stringent legislature against gay people. The Bill which was colloquially named the 'Kill the Gays Bill,' originally proposed to mete out several severe punishments that would have seen jail sentences increased to life imprisonment and the death penalty for 'aggravated homosexuality' (Anti-Homosexuality Bill, 2009).

While the sanctions were not strange to the gay community and indeed represented a cyclical pattern of abuse under an administration that was known for its human rights violations, the proposed legislation whipped up homophobia in Uganda and drove many homosexuals out of the country. They were widely perceived as both a step back to strides made throughout the world in the protection of human rights and promotion of sexual diversity. The contents in the Bill captured global attention and were also immediately denounced by the U.S. Secretary of State Hilary Clinton, and by numerous Commonwealth countries. In February 2014, the Bill (*henceforth* Act) was signed by President Yoweri Museveni into law, setting more challenging conditions, struggles, and agenda for the hitherto repressed and submerged homosexual groups and individuals, and their ability to come out.

While the Act is by and large an attack on the most fundamental principle of the human rights framework, its foundations are reminiscent of a neoliberal agenda. It was particularly framed by conservative right-wing Pentecostal pastors and American evangelicals through a series of seminars and conferences under themes such as "exposing the homosexual agenda" that clearly laid out strategies on how to support further criminalization of homosexual practices and demonize homosexual people by enticing vulnerable populations, those in lower income brackets, politicians and decision-makers. It was clear therefore that the anti-gay movement gained its legitimacy in the West rather than in Uganda. Consequently, they were later to find themselves endangered by their own-made threats, as their efforts mobilized the gay community into even greater political activity.

It is important to note, however, that homophobia and anti-gay legislation in Uganda has led to the emergence of a brave and more organized form of activism, with gay persons literally fighting for their lives. The formation of the Civil Society Coalition on Human Rights and Constitutional Law (CSCHRCL) in October 2009 is a case in point. As a counteraction to the Bill's tabling, the CSCHRCL's composition of over 40 gay and mainstream organizations has been a key player in coordinating both local and

international efforts around sexual rights, and against the Anti-Homosexuality Bill. The CSCHRCL, through its common goal, steadily worked to advocate for rights in Uganda. While challenges did exist as to how to reconcile the interests of mainstream vis-a-vis gay rights organizations, the CSCHRCL nonetheless enhanced the gay struggle. Through the CSCHRCL, the gay community acquired more energy, support, and zeal than was the case two or three years before the Bill had been tabled.

Beyond CSCHRCL efforts, SMUG in a ground-breaking move in March 2012 filed a federal lawsuit against a U.S.-based American evangelist and self-described world-leading expert on the 'gay movement,' Scott Lively, in federal court in Massachusetts, accusing him of violating international law by inciting the persecution of the gay community in Uganda. The Center for Constitutional Rights (CCR) filed the lawsuit in the United States District Court in Springfield, Massachusetts for his involvement in orchestrating anti-gay homophobic violence and persecution in Uganda. Lively was sued under the Alien Tort Statute (ATS) that provides federal jurisdiction for any civil action by an alien, for a tort only, committed in violation of the law of nations or a treaty of the United States. The suit alleges that Scott moved beyond 'mere' hate-mongering when he became a kind of persecution consultant and strategist with the aim to silence and criminalize gay advocacy. It portends to his decade-long active participation in the conspiracy 'to persecute persons based on their gender and/or sexual orientation and gender identity.' The Judge on August 14 2013 ruled that persecution on the basis of sexual orientation was indeed a crime against humanity and that fundamental human rights of gay people were protected under international law. The ruling provided a different and perhaps an alternative pathway for defending civil and political rights and for seeking justice for victims of persecution which is an integral element of Uganda's gay space.

That such redemptive efforts for the Ugandan gay community have transpired in a foreign country and not Uganda is not in itself surprising. Irrational fears that surround the issue of visible homosexuality and homosexual lifestyles mean that gay people live in constant fear of arbitrary police arrest and detention, torture by other state institutions, discrimination in education, employment, housing and access to services (especially health services), excommunication from places of worship, and blackmail. The deliberate exemption of gay people from protection under the law is not only an official tolerance and endorsement of discrimination, it reflects deep currents of social prejudice that have, become entrenched in the country.

## **Conclusion**

This paper targets the overt homophobia in Uganda to poignantly portray the apparent homophobia and gross rights violations in Uganda over the last couple of years. It shows how the diffusion of ideas of gay visibility, and the subsequent creation of urban gay communities and subcultures feed into deep cultural anxieties about rapid social change, thereby escalating homophobia – if not more so. It establishes that gay visibility are contrary to the prevalent Ugandan cultural understandings of homosexuality. The paper

shows that while the drafting and passage of the anti gay bill occurred as the last nail to gay visibility, it also served to inspire an overwhelming counter-resistance as a few individuals have sought to raise their voices for an end to their discrimination and hatred. In other words, this trend has only served to create more visibility – and from it, even more solidarity and resistance from anti-gay lobby. As such, gay people by struggling to constitute their own identities visibly have found themselves also contesting the anti-gay lobby whose goals are detrimental to their own existence. For, to truly promote gay visibility is to stimulate political positions and/or acts that challenge authoritarian structures.

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