Forbidden Identity:
the link between lack of LGBT-rights and marginalisation

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Trondheim, May 2009

Abstract

This thesis contributes to understanding the problematic aspect of heterosexual dominance in leading development discourse, most especially in relation to gender, sexuality and human rights. In order to embrace a full perspective of gender, an expansion of the rights-based approach to include sexual minorities is suggested.

Based on the lived experiences of lesbian, bisexual and transgender women in Kampala, Uganda, it is argued that human rights are constantly negotiated and interpreted to legitimize a social and legal exclusion of selected members of society. Qualitative methodology has been employed to investigate issues of health, participation, employment and personal safety. The voices of the marginalised are explored from a local context and show that discrimination of sexual minorities is institutionalised and difficult to combat as the present human rights framework refrains from directly including this group as right-holders.

The author argues that there is a strong relation between lack of sexual rights and marginalisation, where the latter occurs as a direct result of social and legal pervasive practises of discrimination in society, ranging from the government level to the nuclear family.

Key-words:
Sexual minorities, LGBT, women, human rights, discrimination, marginalisation, Uganda

Acknowledgements

This study is dedicated to the bravest and most inspiring women I have ever met; the lesbian, bisexual and transgender women of Uganda. Thank you for your trust in this project and for sharing your life stories with me. It's been an honour and a privilege!

I would like to express my sincerest gratitude to a number of people involved in this project, both in Uganda and Norway. This thesis would not have become if it wasn't for you.

I want to thank my supervisor Ragnhild Lund for her dedicated and patient supervision. Thank you for the fast responses, the good criticism and for always having time for me. I could not have asked for more. Thanks also to the additional staff at the department of Geography for all your help, and to my co-students for good support and discussions throughout this process.

Andrew and Elana – my little buddies. Thank you for your interest in this project, for the laughs and all the support. You really kept my spirits up!

A most special thanks to Petter Hojem - for all your initial support and the active interest you have taken in this project. Thank you for introducing me to this topic and to people who are knowledgeable. Thanks for always having time for questions, and for opening doors I didn't even know existed. If it wasn't for you I might have been writing about something else!

I also want to acknowledge the staff at the Department of Women and Gender studies at Makerere University, and most especially Monica Agena. Thank you for the conversations, the good advice and for keeping such an open mind.

Finally I want to thank my fiancé and family in general, my little brother in particular, and all my friends in both Norway and Uganda for your support and patience throughout this last year. I owe you a lot.

Mari Størvold Holan

Map 1: Africa
(source: CIA World Factbook 2009)

Map 2: Uganda
(source Click Afrique 2008)

Table of contents

Table of maps and figures:

Attachments:

List of abbreviations:

ARVs	*Anti-viral drugs used to control HIV/AIDS-values*
CBO	*Community Based Organisation*
FARUG	*Freedom and Roam Uganda*
LGBT	*Lesbian Gay Bisexual Transsexual/Transgender*
LLH	*Landsforeningen for lesbiske og homofile / Norwegian LGBT association*
MSM	*Men who have sex with men*
NGO	*Non-governmental organisation*
SMUG	*Sexual Minorities Uganda*
STD	*Sexually transmitted disease*

List of Luganda words:

Boda-boda	*A motorbike taxi that takes one to three people behind the driver. Moves fast in the traffic, manoeuvres in and out of traffic-jams..*
Kucho	*Originally a negative word for lesbian, now adopted by the LGBT-community as an empowering label of identity*
Matatu	*Local mini-vans that operate like random busses*
Muzungu	*White person*

List of phrases and expressions:

Coming out/ come out	*To inform others that you are gay, to say it officially*
Closeted, be in the closet	*To keep one's sexuality or gender identity hidden*
Gender identity	*Internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms*[1]
Sexual minorities	*LGBT-people. Also include gender minorities, the transgender and transsexual people, even though their identity is not connected to sexual orientation, only their sex.*
Sexual orientation	*Emotional and sexual attraction and relation to individuals of same, different or more than one gender*
Sexual rights	***To not criminalise adult consenting sexual relations, to not criminalize sexual orientations or gender identities***
Tom-boys	*Expression used to describe women who look and dress masculine*
Queer	*Non-heterosexuals. Include LGBT-people and those who wish not to be labelled.*

[1] As defined in The Yogyakarta Principles 2006:6

Chapter 1

Introduction

Gender in the development context is a necessary theoretical and empirical component in academia as well as with practitioners in the field. Gender equality is an important step on the way to achieve sustainable development (McDowell 1999), but what does the word "gender" really mean?

Today there are gaps in the mainstream gender research. Those gaps are characterized by the people who are placed or misplaced in gender-categories they do not belong to, those who fall through the gaps of society where there is no acceptance for their very existence. These are the people of the lesbian, gay, bisexual and transgender community.

When gender is discussed in mainstream development discipline it is usually limited to the birth sex and related hetero-normal gender expressions and behaviours of male and female. The hetero-normative discourse is so strongly rooted in most academic disciplines that it is treated as a "given", as something that does not need to be questioned, mentioned, criticised or defended. This hetero gender-lens limits the impact of different development strategies; it does not embrace entire populations, it effectively excludes groups who are already marginalised and it widens the gap between those who are given support and those who are not. This sustains and contributes to a gender-regime that constrains a great number of individuals. This thesis attempts to put the LGBT-issue on the development agenda. By trying to isolate causes of marginalisation in a gendered setting it will demonstrate flaws in the academic area today and hopefully inspire others to do further research on the subject.

Eradicating poverty through empowering marginalised groups is part of the official agenda of most major contributors to the field but this cannot be done properly without "lifting from the bottom". Through exclusion of the discriminated and invisible groups in society poverty and discrimination will still remain. This thesis ventures to prove how marginalisation is connected with a lack of sexual rights and the discrimination faced by those who are different in terms of gender and sexuality. It does however only scrape at the surface of a vast area that

has yet to be explored in academia. It is my hope that fellow researchers, donors, activists and practitioners of development will soon embrace a full gender and sexuality perspective in order to support those who still have to fight for their most basic human rights.

1.1 Rationale of the study

1.1.1 Personal motivations for LGBT- research

In August 2007 a conference was held in Oslo called "Human Rights for all" (my translation). Hosted by the Norwegian LGBT association (LLH) and the Norwegian Development Network (Bistandstorget) the goal was to raise the awareness of major development organisations in Norway and debate possible inclusion of LGBT in their international strategies. I was present as the leader of Norwegian People's Aid Youth and was immediately drawn to the topic. Being a student of development studies for five years I have yet to encounter this subject in a lecture or compulsory readings. Also, at that time none of the "big five" development organisations in Norway had any references to LGBT in their international strategies. This struck me as odd since research conducted in countries with liberal legislation related to homosexuality shows that any given population, though numbers are debated, can expect to contain a minority of anything between 1 - 15% non-heterosexuals, depending on the calculations include behaviour or identity (Harry 1990, Sell et al. 1995, Black et al. 2000). That is a big part of any targeted population and should be acknowledged as a factor in development projects. In general, it is not, and the question is why?

Much of the existing material on LGBT-conditions in developing countries revolves around the man, most especially in relation to HIV and AIDS due to its public health concern. Women, lesbians, bisexuals and transgenders, are rarely mentioned. Considering the role of gender in development efforts and how the empowerment of women is a common theme, the needs and experiences of queer women should also be considered. Women need to be targeted in order to add depth to the conception we have of women in developing countries, their sexuality and their gender identities and roles.

My personal aim is to create an interest in LGBT-research and influence major actors to stop ignoring the obvious gaps in rights-based development programs. My thesis thus has a subjective entry-point with a clear belief at its foundations; human rights are rights for all

human beings, not just a privileged few. These rights transcend norms, cultures, religions and circumstance. They are universal – and ignoring, violating or forgetting human rights can never be tolerated.

1.1.2 Position of the researcher

The worldwide controversy over sexual orientations and gender minorities makes it necessary to position myself as a researcher and a private person within this debate. This thesis will not discuss the medical or spiritual debate of whether homosexuality is sinful, whether it is something you are born with or develop later on. I have not taken time to discuss the practical issues that arise from the fact that this study has been conducted by a heterosexual researcher. I will not discuss *why* people are sexual minorities or why people engage in same sex relations, I only acknowledge that they exist and are a natural part of any society.

I take the preposition that sexual minorities are human beings born with the same entitlement to universal human rights as everyone else, and as with heterosexuality and conventional gender expression, as long as a sexual orientation or gender identity is not causing anyone harm it is the right of nobody to judge what happens between two consenting adults in a private sphere. The simple standpoint made when preparing for this study is that people who are lesbian, gay, bisexual and transgender will always be members of our societies, whether they are visible or not. Their presence has to be acknowledged, and despite different opinions on the subject, all human beings should be granted full civil and legal rights as citizens of their nation, regardless of sexual orientation and gender expression, in order to fulfil the intention of the declaration of human rights.

1.2 Research questions and objectives

LGBT-issues have not been a standard part of my academic training and this has forced me to start this study from scratch. I aim to find a balanced, non-controversial angle for institutions, academics and practitioners to relate to sexual minorities and the special circumstances involved when dealing with this group, in particular women, in hostile environments. Focusing on LGBT is relatively new for many practitioners and organisations but through already established entry-points, such as the rights-based approach or public health concerns,

there are ways of including LGBT in existing development strategies. I chose human rights as my primary angle.

Research objective:
To investigate a possible relation between lack of sexual rights and marginalisation among female sexual minorities in Uganda

Research questions:

1. How does lack of sexual rights affect lesbian, bisexual and transgender women in Uganda?
2. Does lack of sexual rights lead to discrimination, marginalisation and human rights violations?
3. If lesbian, bisexual and transgender women in Uganda are marginalised, are they marginalised because they belong to a sexual minority? If yes, how and why?

1.3 Limitations of study

This study is limited in its scope of induction mainly by the lack of representative women to interview. Because of security problems the sexual minorities or their organisations are not easy accessible to the public. Women in the networks that were used to find informants had a clear understanding of their situation and knew where they could access help and companionship from others in the same situation. This is not a privilege most queer women in Uganda have. The women interviewed are resourceful and sometimes lucky women who have managed to contact a network in the capital and gain strength and companionship from this type of organisation.

The silent majority of this group, the women living in the villages with limited knowledge of their own situation, believing they are abnormal, alone or committing serious sins have not been represented in this study. Their voices will remain silent until their identities can be talked about, protected and accepted without punishment. The lack of their contribution is a great limitation to this study, but as a group they are difficult to reach even for the Ugandan LGBT-networks. Although needed to complete the picture, a study including these women would involve a great level of risk for the participants and may not be possible to conduct at this point in time.

A second limitation is the focus on women. The question of whether marginalisation and sexual rights are linked is just as relevant for biological males. However, studying all genders at this time would require a scope too wide-ranging for this paper.

Even with the more narrow focus on biological women the informant selection was not ideal. The participants were chosen mainly from one specific interest organisation, and this may cause the data material to be more similar than if women from different areas and organisations were represented. Again this is linked to the safety concerns of the queer women in the villages, making a geographical span difficult unless a long term comparative study between Kampala and a different capital city in the region could be made.

Finally, this has been an explorative study as research on sexual minorities in development countries is not common. This paper is limited due to its entry into a new field, particularly in relation to the lack of similar projects to compare with. Consequently, this study has been forced to rely heavily on the data material collected in Uganda without being able to check against established conclusions drawn in comparable studies. Therefore, this paper emphasises on the chapters regarding methodology and analysis.

1.4 Organization of thesis

The following chapters will embrace a full discussion of the marginalisation of women living in a hostile society without acknowledgement for their sexual and gendered self. Chapter 2 will provide general background information on sexual minorities and introduce the site of study. It will describe the contemporary and historical Ugandan context for sexual minorities and discuss the structures that influence the legal and social view on this particular group. Chapter 3 will introduce the methodology and methods used when learning from the participants. The chapter is organised in three phases; preparation, execution and analysis. Chapter 4 consists of the theoretical framework for this study. It pinpoints the angle of human rights and proposes an analytical framework based on the rights-based approach, Queer Theory and intersectionality. Chapter 5 describes the major findings and provides an insight into the lived reality as a queer woman in Uganda. Chapter 6 analyses the findings from chapter 5 and Chapter 7 will provide a short conclusion.

Chapter 2

Background

All over the world, sexual minorities are living in societies that exclude them from the discourse of "normality". These individuals suffer from discrimination, marginalization, poverty, violence and silence (Samelius & Wågberg 2005). Legislative punishment varies from death penalty to imprisonment, but the social death involved with coming out of the closet is in many cases the worst to bear. Countries with protective legislation, such as Norway, still have problems with homophobia and transphobia amongst its populations and several member states in the UN refuse to sign documents with references to sexual minorities (ibid).

For many of the sexual minorities, the silence surrounding their identities is the worst kind of violation. They experience a strong politics of exclusion as they are not allowed to express themselves and their very existence is denied by political and religious leaders. Effectively, national legislations discriminate against sexual minorities, and the result is that rape, torture and other ill-treatments due to gender expression or sexual orientation cannot be reported for fear of persecution by the police (ibid). Living in a hostile environment with a lack of protective legislation causes stress, repression of feelings and identity, social exclusion, economic difficulties, physical abuse and health problems. Many live in poverty with reduced access to education and work, and their rights and abilities to be included in decision-making processes are strongly reduced (ibid).

2.1 What is LGBTIQ?

LGBTIQ, or the standardised term LGBT, stands for Lesbian, Gay, Bisexual, Transsexual/Transgender, Intersex and Queer. These letters represent loose categories of people who feel they are non-heterosexuals or have non-traditional gender-identities or expressions based on their birth-sex. Belonging to the LGBT-group can entail a different sexual attraction than the hetero-norm, or having identities and expressions differing from the biological sex. LGBT is meant to include all the people that are not comfortable in the general restricted definition and understanding of man, woman, sex and gender.

The meaning of a word varies in time and context, and the characteristics for people attracted to their own sex are numerous. The claim that lesbians are biological women attracted to other women is a standardised description. Women defining themselves as lesbians are as different from one another as heterosexuals are and their identity as a lesbian is closely tied to politics, religion, culture and genetics. Many women are attracted to and have sex with other women without labelling themselves as lesbians. Many self-proclaimed lesbians have a long sexual history with men; some have children or plan to get pregnant. Some have had a conscious relation to their sexuality since childhood whilst others discover their lesbian identity when they are adults (Ohnstad and Malterud 2006).

People attracted to their own sex are as diverse as heterosexuals and to consider sexual minorities as a group with similar feelings and traits of character is a grave misconception. No one knows the reason why people have different sexual orientations and gender identities. Some experience same-sex attraction from childhood, others need time to find who they are (ibid). Whether homosexuality or transgenderism is genetically determined, culturally created or a mixture of both is not certain. It is however not a mental illness or a sign of moral demise. It is a natural as heterosexuality, only science and history rarely question the origin and boundaries of opposite sex attraction. Heterosexuality throughout history has been regarded as standard and "normal", (ibid), causing anything that diverges from the norm to be labelled unnatural.

When Jane M. Ussher (in Ohnestand and Malterud 2006: 16) comments upon the contemporary interpretations of sexuality she concludes that

"(…) we cannot separate factors of matter and discourse when we analyse and interpret sexuality. (…) The body can not be comprehended outside the discourse and the discourse is – since it's about sex – always bound to the physical body".

This raises interesting questions of how we conceptualise sexuality in our own time but also how the physical expressions and urges of the body shape contemporary opinions. Discussing sexuality is a complicated matter. However, by recognizing the artificiality of sexual and gendered boundaries one can also be allowed to generalise in order to discuss sexuality in a comprehensive way. When describing briefly what the different identities of the LGBT-letters

entail it is crucial to keep the complex picture in mind and not assume that these categories are fixed or static.

Men attracted to other men are usually referred to as gay or homosexual, in other settings like HIV-research they are described by sexual behaviour, such as men who have sex with men (MSM). Bisexuals are generally not bound by gender based attraction and can be attracted to both women and men. Transgender is a loosely used term but generally entails people who feel they are born partially or completely in the wrong physical body. They are individuals whose gender identity and/or expression differ from the conventional expectations of the biological sex they were ascribed to at birth. Common terms used when referring to transgenders is cross-dressers or drag-queens/drag-kings. Transsexuals are people who have gone through or want to go through gender-corrective surgery and change their biological sex to the one they are comfortable in (LFTS 2009, LLH 2009a, LLH 2009b).

Intersex people are often called representatives of the third gender. Intersex babies can be born with atypical genitals, mosaic genes or other physical traits that make it difficult to characterize them as one of the two conventional sexes, male and female (Hegarty 2005). Queer is a common term for those who do not want to be specifically defined in terms of gender or sexuality and all people that generally belong to the LGBT category. Although queer is a way of labelling it is also a non-specific way to be distanced from traditional heterosexuality. The word queer is also used to express pride in one's non-heterosexual identity (Long 2003). Together, the LGBT(IQ) are the sexual minorities.

Amongst the LGBT group lesbians, bisexuals and gays are now accepted or somewhat tolerated in many societies, especially in the West. For the transgender and intersex individuals it is still more difficult to gain acceptance. They are a particularly vulnerable group as they are visibly different from the majority of society. Transgenders are often exposed to hate-crimes and discrimination whilst intersex persons are extremely marginalised. The latter are regarded as abnormal, their existence is unknown by the society at large and they are often subjected to gender-corrective surgery when they are babies (Samelius and Wågberg 2005). This surgical procedure alters the genitals of a person born intersex to ascribe them to one of the traditional sexes, male or female. According to intersex organisations this particular procedure is equal to gender mutilation, and also extremely sexist since nine out of ten intersex children are made female during surgery (Hegarty 2005).

2.1.1 Labels and categories

Using labels such as LGBT, having the need to place someone in a category or a box, is a debated approach. The use of the term LGBT is often controversial outside a Western context, also among the people who supposedly fit into the term. Human beings by nature tend to categorize, simplify and generalize. It makes our world easy and organized. However, this brings up a question of identity. Which box is mine, and if I do not have one, do I even exist?

Labels are a way of producing identity. To some people it is liberating to finally find their label, to find their box and other people who belong there with them. However, many feel that these labels do not properly describe them and their identities and they are left out. This creates alienation and a feeling of not belonging. Many prefer not to describe themselves in absolute terms, or they may choose a combination which can entail any meaning they want it to have, such as "trans-lesbian" or "straight-trans".

In this thesis I will use LGBT as a general guiding definition, and LBT when referring to biological women. This is in the spirit of keeping the use of abbreviations simple and consistent but also in lack of alternatives. It should therefore be noted that these terms are not absolutely inclusive, identification with one or several labels might change in different periods of a person's life and in general labels are not suited in all contexts used. The utilization of LGBT as a term in this study will include intersex, queer, and those who prefer not to be labelled at all.

2.1.2 History and visibility

Despite secrecy and taboos related to intimacy and sex, research shows us that homosexual behaviour and practices has existed all over the world and throughout recorded history (Tamale 2007b). In Africa it is known that homosexual behaviour was common in many parts of the continent before the arrival of the colonists. Anthropologists have recorded the homosexual practises of various sub-Saharan tribes, and it is a well known "secret" that the last indigenous ruler of Buganda (a small area of present day Uganda), the Kabaka King, was gay (ibid, Hoad 2007).

Debatably the big controversy about homosexuality in Africa started with President Robert Mugabe of Zimbabwe and his characterisation of homosexuals as "sodomists" and "sexual

perverts" in 1995. Political leaders in countries like Zambia, Namibia, Kenya, Botswana and Uganda have followed the example of Mugabe and publicly expressed hostility and disgust towards homosexual practices (Hoad 2007, Long 2003). Interpreting their messages of hate must be done with the understanding that religion, culture, colonialism and political tactics play different parts in the anti-gay motives of African leaders. Today the main arguments consist of homosexual practices being un-African and imported from the west to corrupt the strict African morals. Religion also plays a major part in the official statements, but there is reason to believe that the matter is more nuanced than what is expressed. Today, Africa is in many aspects the most dangerous continent for sexual minorities. Ironically, it is also home to the world's most liberal state in terms of gender equality and sexuality-legislation; South Africa adopted a very progressive law of non-discrimination and equality in 1996 after the fall of the apartheid-regime in 1994.

With the devastating HIV-epidemics came an opportunity for LGBT-people to be recognised. In order to stop the spread of the virus it was necessary for governments to identify at-risk groups and educate them. One of these groups is MSM. Political leaders who refused to acknowledge the existence of non-heterosexuals had to become practical and to some extent include them in anti-spread strategies. This is now working as an entry-point for some LGBT-organisations (Manum 2007), but it is not a good approach to combat prejudice in the short-run. Sexual minorities are now recognized to exist but are negatively associated with disease, despite the overwhelming number of infections caused by heterosexual contact in sub-Saharan Africa.

2.1.3 Gaps in present development research

There is a lack of research on the situation of LGBT-people in the Global South and most of the existing development projects including sexual minorities are related to health and safe sex. LGBT-organisations all over the world agree that what is needed is a focus on capacity-building for their members in order to combat poverty and marginalisation and fight for their own rights in their own cultural context. This poses a major challenge to the development discourse which up to recently only related to gender as in socially constructed differences between men and women in heterosexual relationships.

Research is needed on how the discrimination of non-heterosexuals affects society as a whole, its connection to the cycle of poverty and the link between lack of sexual rights and human rights violations (IDS 2006). According to Samelius and Wågberg (2005:16);

"(…) material poverty and lack of human rights is closely linked, (…) all people should be included in the development of a society for it to be sustainable, and (…) lack of power, choice, security and material resources, in combination, constitutes the essence of poverty".

We know that LGBT-people all over the world are suffering from discrimination that causes severe limitations in their daily lives. How these limitations affect their economic situation, their position in society and the society as whole is something we know little about. As of today there only exist a few studies of sexuality-based discrimination and marginalisation. The knowledge is there but it keeps recycling through internal groups in the LGBT-forums and small academic circles. This is surprising because today there is a knowledgeable and strong global activist network that would be more than willing to participate in research programs and share their knowledge and experience with interested parties.

2.2 Site of study – Kampala, Uganda

The Republic of Uganda has like many other African countries endured long periods of political malgovernance and the country still struggles with violent political opposition and poor civil rights. Since their independence from the British in 1962 the country had a few turbulent years of democracy before General Idi Amin seized power through a military coup and plunged the country into a period of corruption and brutal executions of those opposing the regime (Avirgan & Honey 1983). The sitting President Yoweri Museveni seized power in 1986 and managed to stabilize the country, bringing relative economic growth and international funding to Uganda. However, the raging war between the government army and the military opposition group, Lord's Resistance Army, has exhausted resources and the goodwill of the people. The President's lack of ability to end the war in the north, the widespread corruption and the brutal treatment of peaceful political opposition has received international condemnation and on some occasions caused foreign aid to be withheld from the country (FN-sambandet 2009).

The human rights situation in Uganda is continuously criticised by human rights organisations and nation-state representatives. According to Amnesty International the regime in Uganda continuously violates the rights of its citizens and refuses to change a legal system that protects the perpetrators of sexual violence. It also allows a corrupt system to sentence prisoners to death row and maintains governmental censorship of the media (Tabaire 2007). Although much of the international criticism directed towards Uganda is related to the ongoing civil war in the north, human rights defenders, journalists of the free media or people engaging in politics are running the risk of detention and even torture also in the peaceful south (Amnesty International 2008).

Kampala is the capital city, and it is situated in central Uganda by the northern shores of Lake Victoria, housing a population of approximately 1.5 million people (City Populations 2009, CIA 2009). Kampala is home to people of various backgrounds, clans and ethnicities, causing the social climate to be more tolerant and westernized than the rural parts of the country. Kampala is the biggest urban space in Uganda, offering job-opportunities, shopping, social networks and a chance to live anonymously for people migrating to the capital.

Kampala relies heavily on a semi-official transportation network, mainly consisting of special hire cabs, pirate cabs, the *boda-boda*s and the *matatus.* The cheapest option to move around Kampala is the public taxis, locally known as *matatus*. These are white mini-vans driving predestined routes like a bus, only there are no fixed stops along the route and they are almost always dangerously overfilled. A popular and fast choice of transport is the *boda-bodas.* They are mopeds or small motorbikes that moves fast and can weave through the traffic jams. Safety-wise these are a bad choice, as the *boda-boda* drivers do not give their passenger helmets and they drive fast, irresponsibly and often under the influence of drugs and alcohol. They charge more than a *matatu* but less than a special hire and are available on every street corner within the city.

Kampala was chosen as the site of study as the big city is likely to harbour the main network of sexual minorities because people who are different and disadvantaged have a tendency to move to the big cities where the closed rural communities can not monitor the individuals who stand out. Despite the fact that the city borders are the site of study, the state of Uganda is strongly connected to the conclusions drawn in this study. This is because Kampala, like any other part of the country, is submitted to the same rules and regulations, national

legislation and general macro structures that make Uganda a country. These structures, religion, political actors and the legal system, are common to the entire nation and have equally affected participants who, despite their present residence in Kampala, come from cities and villages spread out over the entire country.

2.2.1 LGBT in a Ugandan context

Homosexuality is illegal in Uganda. The sodomy law incorporated in the penal code originates from British colonial times and ban "carnal knowledge against the order of nature". The interpretation extends to all homosexual practices, including consensual relations between same sex adults (Human Rights Watch 2007). Initially the legislation was intended for men having sex with men but women can also be convicted. The penal code section 140 states that the crime of sodomy carries a sentence of fourteen years to life imprisonment. Section 141 punishes attempts at carnal knowledge with a maximum of seven years imprisonment and section 143 punishes acts of "gross indecency" with up to five years in prison (ibid). On the basis of these laws, suspected and confirmed members of the LGBT-community in Uganda are arrested and detained for days, subjected to torture, sexual violence and degrading treatment before their release.

Politics and the media

By incorporating the fight against homosexuality with the resistance against colonial inheritance and westernization, prominent figures in Ugandan society claim that homosexuality is a western decadence and perversion that is threatening to destroy African tradition and values. By making same-sex intimacy equal to European influence in Africa, political leaders have united the people against a common enemy, creating nationalistic pride in the traditional Ugandan culture and morality.

The state-sponsored homophobia, spearheaded by President Museveni and the Minister of Ethics and Integrity along with religious leaders, justifies the police violence and mob justice experienced by members of the LGBT community. In July 1998 President Museveni was quoted in the state-owned Newspaper New Vision: "I have told the CID [Criminal Investigations Department] to look for homosexuals, lock them up and charge them" (as quoted in Hoad 2007:xii). The minister of Ethics and Integrity at the time, James Nsaba Buturo told BBC in 2005 that homosexuality was "unnatural" (as quoted in Human Rights

Watch 2007) and the state owned media as well as a number of independent newspapers have continuously called for stronger action against homosexuality. On July 6, 2005, a New Vision article said that "the police should visit the holes mentioned in the press, spy on the perverts, arrest and prosecute them (…)" (as quoted in ibid).

In an effort to make life difficult for homosexuals a tabloid paper, The Red Pepper, published a list of names and other personal details of forty-five alleged gay men and thirteen alleged lesbians between August and September 2006. The Red Pepper stated that

> "to rid our motherland of the deadly vice [lesbianism] we are committed to exposing all the lesbos in the city. (…) Send the name and occupation of the lesbian in your neighbourhood and we shall shame her" (as quoted in UK Gay News 2006).

These acts of exposure earned Uganda international condemnation by major human rights organisations stating their concern for the safety of the named individuals. Many were fired from their jobs, thrown out of their houses and arrested as a consequence of the Red Pepper's anti-gay campaign. Simultaneously the press is forced to censor positive attitudes towards homosexuality. In October 2004 a radio station was fined one thousand US dollars by the Broadcasting Council for hosting sexual rights activists who discussed discrimination and HIV-issues. The Council claimed the program was in violation of existing laws and "contrary to public morality" (as quoted in Amnesty International 2006).

Religion and culture

Uganda has a deeply religious population and the Anglican Church plays an important role in the condemnation of homosexuality. In the summer of 2008 one quarter of the Bishops invited to the Lambeth conference in Britain decided to boycott the event over a homosexuality debate that has been going on for years. The Lambeth Conference is held once a decade where Anglicans from all over the world come to pray and discuss ecclesiastical matters. Many Ugandan Bishops decided not to attend as a protest against the Archbishop of Canterbury, Rowan Williams', liberal views on homosexuality (Sunday Vision 2008).

The rift over sexuality is plunging the Anglican Church into a deep crisis and the African leaders have taken a strong stand against liberal interpretations of the Bible, especially in regards to homosexuality (Daily Nation 2008). This international divide, mainly between the

developed and the developing Anglican countries, indicates that the issue is bigger than the debate over sexuality. The factions are polarised in that of the west and south, liberal and conservative. The developing countries now hold the majority within the Anglican Church and have no intentions of letting the minority of liberals from the west introduce interpretations that go against the literal teachings of the Bible. This can be viewed as not merely a religious standpoint but also taking a stand against history. In many ways this is a signal to the western world that it shall no longer be allowed to impose its culture and values on the global south.

Bishops and priests in Uganda have engaged in an active smear-campaign towards sexual minorities for many years. They encourage their congregations to fight same-sex practices and also use the media actively to promote their views on homosexuality, morality and God. In July 2008 (New Vision 2008a:1) Archbishop Henry Luke Orombi said that

> "Nowadays, I don't wear my collar when I am in countries which have supporters of homosexuals. I am forced to dress like a civilian because those people are dangerous. They can harm anybody who is against them. Some of them are killers. They want to close the mouth of anybody who is against them"

The Bishop of South Rwenzori Diocese, Jackson Nzerebende Thembo warned the public of donations, volunteer workers and foreign aid because promoters of homosexuality were using donations to woo Christians in Africa (New Vision 2008b). By rhetorical means it is clear from the Bishop's warning that homosexuality is not an African phenomenon and that it is forced and lured on innocent Christians in Africa by western culture. By making homosexuality a "foreign import" it is easy to discredit sexual minorities as disloyal to the indigenous African culture.

During an investigation into homosexual practice in boarding schools Minister Geraldine Namirembe Bitamazire said that: "Religion and culture are against gay activities (…)" (New Vision 2008c). Voices arguing that homosexuality existed in Uganda before the arrival of the Europeans, and priests and Bishops arguing that God accepts homosexuals, have effectively been discredited, harassed, ridiculed and in some cases removed from their positions. The church is wielding political power through its interpretations of the Bible, encouraging violence and other sanctions against sexual minorities. The human rights violations against members of the LGBT-community is encouraged by high ranking church members, and this attitude is carried down to the grass roots through the congregations and the media, forcing

the sexual minorities in Uganda to go partially underground to protect themselves in a rapidly growing hostile environment.

Uganda compared to the region

Despite the hostile environment for sexual minorities in Uganda, the country is probably one of the safest in the East Africa region. The LGBT-community is relatively well organised, they have initiated public debates and they continuously challenge the media and the legal system. This has lead to increased awareness among the population and has drawn international attention. When the world is watching the government is not able to react as strongly as it would like, especially since the country relies heavily on foreign aid. Sexual minority activists in Uganda have a saying: 'if you want to party you go to Kenya, if you want to hide you go to Tanzania and if you want to go political you go to Uganda'. Thus the country has established a reputation for itself as a nation for political activism and in some cases safer than the surrounding countries.

Chapter 3

Learning from the LGBT-community

The research for this study was based on a qualitative methodology. Methods applied were semi-structured interviews and observation. Interviews were conducted with one or two participants at a time who have largely been able to shape the ongoing discussions and introduce new topics and insights found relevant in the process. Their reflections have continuously shaped the focus of the study, introducing levels that never would have been reached through a closed-ended structure. The lived realities of the participants have been emphasized through-out the data analysis, allowing the individual to surface and portray the everyday life of a LBT-woman in Uganda as honest, diverse and contextual as possible.

Twenty-two interviews were conducted during a time-span of approximately nine weeks in Uganda, the summer of 2008, and one additional interview was made in Oslo during fall. Out of these, three are interviews with key participants, two are interviews with male to female transgenders and the remaining are interviews with queer women residing in Kampala. Although the sample initially was to consist of biological women only, the course of research forced a new perspective on gender and birth sex, that is; what makes someone a woman? The male to female transgender interviews have been left out in the analysis but they are representing an important debate in regards to gender and how one categorizes oneself, even within the LGBT-community.

To constrain the sample to women was a choice based on how the development discourse deals with issues of gender today. Now more than ever the focus is on women and equality but it is failed to recognize that not all women belong to heterosexual families, that some women have different needs and problems than the rest. Women are generally poorer than men (Pressman 2003) and it would thus be interesting to investigate the situation of those who do not fall into the patterns society expects all women to follow.

This chapter is divided into four sections. The first section will justify the application of qualitative methodology in research on sexual minorities. The second section will describe the

fieldwork preparations and show the value of pre-field research. The third section is explaining the course of the research and the fourth section is concerned with the analysis and post-field interpretations of the data material.

3.1 Applying qualitative methodology

Kitchin and Tate (2000:6) defines methodology as

"a coherent set of rules and procedures which can be used to investigate a phenomenon or situation (within the framework dictated by epistemological and ontological ideas)".

A qualitative methodology was chosen based on the number of participants available and the nature of the research objective. There is a limited base of LBT females in Kampala and many of them are extremely difficult to reach. A sustainable study based on quantitative data alone would not suit the framework for the study and would have to be placed in a comparative setting. There is a general lack of knowledge regarding the lived experience of LGBT-persons in hostile environments. There is no existing public knowledgebase big enough to draw upon to make closed-ended questions that could do justice to the complexity of their situation. A format of semi-structure is thus required in order to let participants raise issues on their own initiatives, allowing personal stories and points of view to contribute to and develop the study. Qualitative methodology allows personal biographic styles of narrating, and participants are personalized rather than reduced to figures and statistics. By using a format that provides the participants with a face and a voice it might make it harder for policymakers to ignore the impact of lack of sexual rights on the individual.

The qualitative methodology belongs naturally to the gendered studies. Only recently established as equally scientific to quantitative methods the qualitative has gained a new position where non-countable values are given the academic respect they deserve (Crang 2002). Although criticised for lack of non-verbal methods, dependency on the semi-structured interview and the production of "*very wordy worlds*" (ibid:501), it is acknowledged that qualitative methods are able to dig deeper into lived realities and examine "softer" values in a way that quantitative methods never could. The open-ended responses are a key signature to the qualitative methods, and they effectively shift the power from the researcher towards the participants, allowing them to interpret the questions and voice out their opinions and angles without constraints (Mikkelsen 2005).

Weaknesses such as small samples make it hard to draw conclusions that are not context-specific and the analysis of qualitative data demands a great deal of interpretation. The outcome of the analysis therefore often rests on the lived experience of the researchers and their ability to relate to the realities of the participants. However, not focusing on "hard scientific facts" but on the co-production of knowledge between researcher and the researched brings the qualitative academics to a reflective and self-critical place in social science. By acknowledging the utopia of objective knowledge one can open up for a discussion on how knowledge is created, how data is interpreted and the question of reliability in qualitative data (Crang 2003, Crang 2002).

Finally, qualitative methodology is generally the best option when dealing with sensitive issues (Davies & Dwyer 2007), such as gender, sexuality and criminal behaviour. It allows the researcher to place more importance on the relationship with the participant when working in the interview setting. A qualitative approach allows for informal meetings where trust can be more easily earned through personal interaction and the researcher is free to introduce the topics for discussion in a language suitable for each individual participant.

Entering into a practically unknown field, first-hand encounters and perspectives are necessary in order to understand the context of what one is dealing with. The methods used in this study are divided into text and context. They will include semi-structured interviews with one or two individuals in the category of text, and observation in the category of context (Mikkelsen 2005).

3.1.1 The interview

Kvale (1996:105) states that

"interviews are particularly suited for studying people's understanding of the meanings in their lived world, describing their experiences and self-understanding, and clarifying and elaborating their own perspective on their lived world".

Interviewing is described by Mikkelsen (2005:169) as "the practitioner's method 'par excellence' in development studies" and the interview, according to Kitchin and Tate (2000:213) "(…) allows a more thorough examination of experiences, feelings or opinions that closed questions could never hope to capture".

The interview is important in this specific context of study because it is capable of linking theory and methodology together. Queer Theory, which will be discussed in detail in chapter 4, relies on dissolving "the normal", and through the interview participants can position themselves through open-ended discussions where no limitations based in theory can placed on them by the researcher. Strengths of the semi-structured interview or the interview guide approach are identified by Mikkelsen (2005:171) and include that the setting is conversational and relaxed, the general outline makes the data collection systematic and logical gaps in the data can be closed in the situation. At the same time, weaknesses worth noting are that the comparability of the answers can be reduced when questions are not asked identically and important topics could be dodged or forgotten during conversation.

The choice of semi-structured interviews as a main method in this study is supported by Nichols (2006:14), who says that "individual unstructured or semi-structured interviews are especially suitable for work on attitudes or opinions and for dealing with sensitive topics".

Through conversations with LBT-women there were topics that were both sensitive and difficult to talk about. Through the informal setting that was created it was possible to build a natural response-pattern where trust could be built in a way that the distanced question and answer-setting of questionnaires could never achieve. The semi-structured interview allowed an atmosphere where a friendly and natural tone could enter the conversation. The setting was therefore not dominated by the questions that had to be answered but by the dialogue occurring between two people with a shared interest in LGBT-issues and the lived reality of each individual woman.

However, being aware of the pros and cons of a semi-structured interview the researcher must use the tool in a conscious and responsible way. Through careful planning and preparation, not to mention practical training, many problems can be avoided. The strengths and freedom this type of interview provides does, if used correctly, outweigh the downsides. Working in a context with limited knowledge of the subject one is investigating, the semi-structured interview is a crucial and necessary tool in order to provide the researcher with additional information, context and different points of view.

3.1.2 Observation

Seeing is a major part of any given interview, but still deserves to be commented upon as a method capable of standing alone. This method is fluent and less concrete than other tools of research, but still a basic, almost unconscious application in any in-field setting. Observation is explained in Hay (2005:287) as

"Most literally, purposefully watching worldly phenomena. Increasingly broadened beyond seeing to include apprehending the environment through all our senses (for example, sound, smell) for research purposes".

The main purpose of applying observation is to complement the oral data provided by the interview. Activity in the close environment may cause participants to be distracted, feel pressured or somehow respond to their surroundings through the course of the interview. Observation of behaviour paired with the oral responses may add new dimensions to a response and help the researcher interpret the answer into a more complex reality. General observation of daily chores in society will enhance understanding of social settings and ease potential language problems. Observation is thus appropriate in order to achieve a contextual understanding of the research field (ibid), in this case not only to understand the participants but also the cultural context they are operating in by observing and listening to the general population's attitudes towards homosexuality.

Observation can be open or hidden, depending on the setting and the intentions of the researcher. Open observation is a natural component when interacting with a participant whilst hidden observation can be applied if relevant happenings occur in public places. Hidden observation can in many cases be a dishonest way of accumulating information. However, in certain aspects it is also necessary since revealing interest and a position as a researcher would cause those observed to modify their behaviour or stop what they are doing.

3.2 Preparing for the field

A thorough process of preparation is crucial for a field research to be successful. The process thus started ten months prior to the journey to Kampala, Uganda. Preparations included literature reviews, pre-testing interview skills, talking to Ugandans living in Trondheim and writing a thesis proposal. The preparatory process was chaotic with rapid changes of research objectives, site of study and doubts regarding the use of controversial theory. Based on encounters with people who had experience from Uganda and work with sexual minorities,

this country was chosen as the research site. Lack of knowledge regarding sexual minorities in Africa made the decision of where to go fairly random, but knowing there were people at the site willing to talk to a researcher made the choice justified. Initially wanting to go to Kenya, Uganda was a good substitute, since the political turbulence that arouse during the fall of 2007 made Nairobi unsafe.

3.2.1 Understanding the LGBT-context

LGBT-conference in Amsterdam

Having no previous knowledge about sexual minorities it was necessary to do intense research on a general basis before going to Uganda. An acquaintance in Queer Youth (Skeiv Ungdom) used his contacts and sent an invitation to go to Amsterdam and attend an International conference hosted by COC Netherlands (Centre for Culture and Leisure) where LGBT-organisations and those working with LGBT-strategies could meet and exchange practises and experiences. Being able to sit in on discussions and work-shops with lobby- and activist groups from all over the world provided an intense and wide-spanned gaze into the world of sexual minorities and their challenges. Participating in the Amsterdam meeting confirmed the importance of research in this area and that more attention from policy-makers and academia is necessary, not only for the sake of knowledge but also in the name of human rights. However, it also raised some personal doubts of whether it was sustainable or not to conduct this research as an unknown in the LGBT-world, and if it was appropriate for me as a heterosexual person.

The Homodoc

Amsterdam finished the city's new public library in 2007 and it contains one of the biggest IHLIA-archives (International homo/lesbian information centre and archives) in Europe, Homodoc. Visiting the archives, getting help from skilled librarians and selecting material and bibliography lists in relation to this study was extremely valuable to the preparatory process. It provided a starting point and a knowledge foundation that otherwise would have been difficult to achieve through other means in the time before entering the field. The archive contains not only academic text but also newspapers, magazine articles, recordings and letters. In general the collection provided a broad platform to investigate and understand LGBT from an outsider's point of view.

3.2.2 Locating informants

The main problem presenting itself in the preparatory phase was how to locate participants. As previously mentioned, homosexuality is illegal in Uganda, which made finding women who are open about their sexuality difficult to locate through in-country networking. Realising that contact had to be made with an underground movement made it necessary to establish communication and gain acceptance for the project before physically entering the field.

In spring 2008 a well-known human rights activist and a representative of Coalition of African Lesbians (CAL), Fikile Vilakazi, visited Norway to talk about the difficult situation faced by lesbians in Africa. As this study was focusing on women it was natural to contact Vilakazi and ask for help in gaining access to the Ugandan lesbian networks. Through her I was able to connect with activists in Kampala, mainly members of a lesbian organisation called Freedom and Roam Uganda (FARUG) who welcomed the project and offered support and help with the research.

3.2.3 A local organisation as gate-keeper

With the pre-approval of FARUG, a member organisation of the umbrella network Sexual Minorities Uganda (SMUG), the research was possible to conduct. Lesbians who have accepted who they are and are partially out, face many difficulties in their surroundings with family, friends, neighbours and society's expectations of them as women. Many turn to the capital where the sexual minorities networks are strong and offer support and help to their equals. Women who are still living in the outskirts face potential dangers if revealing their identity and identifying these women as well as interviewing them would be nearly impossible. It was therefore necessary to gain access to potential participants of the study through FARUG.

The leadership in FARUG expressed a positive attitude and sincere interest in the planned research and offered to provide a wide range of participants, even some who would allow their names to be published. I was also assured that the research would not pose any danger to the women participating and that they trusted the good intentions of the study.

3.3 Conducting the research

3.3.1 Initial phase

In an informal meeting with the FARUG leadership the research project was presented and I was familiarized with the organisation and the sexual minorities' human rights activism in Uganda. Advice on safe places, possible compensation of travel expenses and other practicalities was discussed during the first meeting.

FARUG presented a list of approximately thirty suitable candidates, picked because of their English skills and difference in age, hometown area and background. The list contained parts of the SMUG leadership, ordinary members of FARUG and other organisations and human rights activists that were supporting the struggle. Sylvia Tamale, Dean at the faculty of Law in Makerere University, and Christopher Ssenyonjo, a previous Bishop of the Anglican Church and now a counsellor, both for LGBT-people and others, were the two key participants chosen from the list provided. They were picked for their long-term involvement with LGBT-issues in Uganda and the nature of their working with these problems.

The leadership of the sexual minorities' network and organisations were the last to participate in the study as they were considered to be knowledgeable, articulate and experienced in communicating the message of their organisations. It was therefore decided to limit their influence on me as a researcher from the beginning in order to keep an open mind in the sessions with the main participants. The main participants would also shape and inform my latter interviews, thus making the conversations with the leadership more in-depth and contextual than if the interviews were conducted in the beginning of the research period. In case of distrust with participants the name of the FARUG leader was mentioned to prove legitimacy and show that the project had the approval of the leadership.

It was necessary to be familiar with the safe places in order to plan the interviews and make a schedule. Several trips were made to the interview spots in advance to plan seating arrangements and get familiarized with their location within the city. In order to conduct more than one interview a day it was necessary to know the approximate distance between the different safe places and the options of transport close by. In terms of planning each interview it was decided that the sitting-group had to be easy to see when entering the place but not in the middle of a table cluster so others could listen in on the conversation. The seating should

be as far away from the speakers as possible but also not too close to the road and the noise from the traffic.

3.3.2 Safe places and security

Due to the hostile environment for sexual minorities in Kampala some basic safety precautions had to be taken in order to protect participants and make them feel comfortable meeting with a foreign researcher. Contact was made with participants over the phone. A time and a place to meet were agreed, often through a follow-up call from the participant with the exact time or place on the same day the interview was to be conducted. Many seemed reluctant to participate at first but once confirmed that their leader, a person they clearly trusted immensely, had approved of the project in advance all who were asked to participate joined in.

The participants seemed to need a certain control over the time and place to meet. Some wanted to meet in a week and would call when they were ready, some suggested meeting immediately. This made it difficult to plan a long-term interview schedule, especially because many changed the time and date at the last minute. This behaviour could be partially due to some kind of scepticism related to the study but also that people found it difficult to plan one week ahead and decided to make exact arrangements when they knew what their own schedule would look like.

In order for the participants to feel at ease during the interview, the safe places well known by the LGBT-community were used as the interview site. Those places were safe because there was proper security present, foreigners around or the owner knew and approved of the activists. Using these sites was often an advantage because the participant was familiar with the location, knew how to get there and the secure environment gave the participants control over the situation. The one major disadvantage was the noise factor. Safe places were mostly public bars or cafeterias with people, traffic and loud music creating a constant factor of disturbance.

Because of the sensitive nature of the research project it was decided not to employ research assistants. Mainly because it would disclose the participants' identity to a local outsider but finding the right research team was also considered to be too time-consuming. It would be

impossible to advertise correctly what the job would entail and it would also include asking someone to associate with in-theory criminals. From the perspective of the participant it could be difficult to trust that a local research assistant would keep the information gained through an interview confidential and such suspicion could prove to be a major handicap. Not only because it would affect the participant's answers but also the degree of openness and will to raise new issues during the interview session. Based on the belief that trust could be easier earned by a sympathetic outsider the data was collected without additional aid from local research assistants.

3.3.3 Conducting the interview

The critical stage of any research is the actual data gathering. In this study, the interview is the main tool and much relies on its success. To conduct a good semi-structured interview there are a number of factors necessary to take into consideration. Preparation is necessary to create a goal and a purpose with the interview. There are many interesting topics to discuss with the participants but not all are relevant. It is therefore necessary to have a contingency plan in case things did not go as expected and have a clear understanding of what the interview is moving towards. Secondly, tools at the researcher's disposal have to be used in a proper way. A semi-structured interview guide should cover the different topics of interest and have some possible questions ready formulated. The interview-guide must also have room for improvisation and new ideas within the framework. A digital recorder can be useful to many researchers; in any case it is necessary to document the interview either through notes or recordings. Last but not least is the human factor. Sometimes there is no textbook way to make a participant like you or feel comfortable enough to share in-depth information. The chemistry between researcher and the person answering the questions is crucial in order to get good and full responses in a qualitative study.

The interview guide

The interview was conducted around an interview-guide created for semi-structured sessions. A number of pre-decided topics with clearly formulated questions were brought in to create a frame and purpose around the conversation. When and if the participants introduced new issues and discussions there was room within the structure to explore further. If however the

change of subject was of no interest to the study the participant was led back to the main structure of the interview.

The interview guide was modified based on who the participant was. Key informants were asked questions related to their fields of expertise whilst the leaders of the sexual minorities networks were asked more structural questions than the members. This distinction between the two groups was made at the time because the leaders were presumed to have insight into the general situation for sexual minorities in Uganda and that they would be able to answer questions regarding general problems on behalf of the members of their organisations. Members were asked to talk mainly about themselves and their personal experiences as lesbian, bisexual or transgender women, and it is these interviews that make up the main body of the data collection.

The structure of the interview guide was made to start the interview with easy and general questions, easing the participant into the interview setting and allowing her to get used to talking to a researcher. That is why general data such as age and place of residence was collected in the beginning, whilst questions regarding personal experiences were reserved for later. The guide was built around main themes and the participants were mostly allowed to interpret the questions and discuss things that mattered to them at length.

The digital recorder as a tool

A digital recorder was used to tape the interview in sixteen out of twenty-three cases. During the remaining seven, notes were taken and the transcriptions completed immediately afterwards in order to remember as much as possible from the conversation, the body language of the participant and the surroundings. Initially being sceptical to the tape-recorder, many changed their minds when the purpose of recording was explained. By promising not to use the recordings for anything besides correct transcription at a later stage, most participants allowed it to be used.

The digital recorder served several purposes. First, by using the recorder it was possible to get a very accurate transcript of what was being orally communicated. In regards to what was said, the recorder is a reliable witness if the quality of the recorded file is good and there are no disturbances. However, body language that communicated a message contradictory to the

oral message could not be captured. This includes ironic remarks, humour accompanied by smiles and so forth. Such statements had to be complemented with precise notes-taking during and directly after the interview.

Recording the interview allowed me as a researcher to be a good listener. When focus is removed from writing down what the participant is saying it is easier to keep eye-contact, pay proper attention and use body language to show interest in what is being said. This change in activity provides a more natural and relaxed setting since the focus is on the participant rather than the notes. Some participants were obviously conscious of the recorder and choose their responses carefully, but during the course of the conversation it was often forgotten and focus returned to the discussion.

The human factor

The chemistry in the interview setting cannot be faked. Neither can it be taught, learned or planned. A good connection with participants can be aided through preparation and cultural sensitivity. Knowing how to dress, how to phrase sentences, how to show respect, being aware of body-language and taking an active interest can minimize misunderstandings and make sure the participant does not get a negative impression from the start. In this case few specific strategies were employed as I aimed to be as natural and personal as possible. The sincere interest in the topic made it easy to ask questions but the welfare of the participants was always put first. Before the most personal questions were asked participants were informed that they did not have to answer anything they felt uncomfortable with, and if sensing something was difficult to talk about follow-up questions would not be asked unless the person indicated she wanted to elaborate. Although in some incidents this may have blocked interesting information it was essential to show respect for participants and their personal boundaries. Not only because it is basic decency to treat people in a respectful manner but also because participants would have discussed it with others if they had a bad experience, causing people to refuse to be interviewed.

Opening up to a stranger is not easy, especially not to a stranger asking invasive questions related to identity, sexuality and the innermost private sphere. In order for people to talk about their private life some kind of trust had to be established between me and the participant. In this case, the first stage was the FARUG leadership's approval of the project. This trust

assisted me in scheduling interviews, but it was not necessarily enough to ensure a secure feeling throughout the interview. In order to open up the participant had to feel comfortable with me as a person and feel that the interest was sincere. She also had to trust that the information would not be used against her and that I would not behave disrespectfully or show disapproval when revealing things that made her feel vulnerable. General information and practicalities were usually discussed in the beginning before starting the interview. Here the purpose of the study would be explained and the frame of interview would be negotiated, such as whether or not the participant would allow the use of a tape-recorder. By also offering the participant to ask questions about me and my life uncertainties could be avoided at an early stage and not affect the actual interview. Most participants were for instance curious to know whether I was gay or not and why this topic was interesting to me.

The interviews varied much in time, ranging from thirty minutes to almost three hours. This difference was partially influenced by the time set aside by the participants themselves or if they were used to talking to researchers, but the main difference was experienced between those who decided to trust and feel at ease and those who did not. Participants unwilling to share much information about themselves also had short answers and offered little extra insight to the situation as an LBT-woman in Uganda. Women who openly talked about their experiences often explained that they felt comfortable and therefore wanted to talk about private problems and incidents. These were also the same women who expressed they were happy to talk to someone and regarded the interview as a positive experience.

"It was so nice for me to talk to someone about this. I feel that you really care".
-Woman 1-

3.3.4 Observation of network members and others

Observation was mostly conducted as a supplement to interviews and conversations but at times open observation took place during social gatherings, mainly to understand the relationship between the different participants and get a feel of the social life within the LGBT-community. Such observation took place only when invited and information given in confidence outside the interview setting is not referred to in this study. However, information gathered in this way has implicitly helped to add a deeper understanding of the LGBT-

situation, the relationship between the different participants and has in this sense been used to complete the picture of analysis that is being presented in the later chapters.

Hidden observation was conducted when situations occurred spontaneously and involved the general Ugandan society, not the LBT-women. For instance, homosexuality was a subject much spoken of and discussed during the time of fieldwork, thus random people often wanted to engage in conversations with a foreigner. In such cases the status as a researcher was seldom revealed, both to avoid questions about participants in the study but also because it would make people express themselves less freely. As information gathered through hidden observation has not been referred to specifically, such situations were not initiated by the researcher and since the information has had no other function than to provide a contextual picture of the society LGBT-people in Uganda live in, it has not been considered unethical to use in this study.

3.3.5 The "Muzungu-Norwegian" influence in the production of knowledge

Interview is, as proposed in Kvale 1996, an "inter-view", a site where knowledge is co-created by the people participating. What is observed is always influenced by the presence of the observer (Kitchin & Tate 2000) and what is observed is exposed to the continuous interpretation of they eyes of the beholder. Therefore, all the data collected in this study have been affected and co-created by me as a researcher.

The data is likely to have been particularly influenced by my age, gender, skin-colour and nationality. This is what is referred to as the Muzungu-Norwegian influence. The methodological debate of the advantages and disadvantages of being an insider or an outsider (Mullings 1999) is interesting in this matter, especially because the clear outsider-position has been advantageous in the research conducted in Uganda. A white Norwegian female of the same age as most of the participants was probably a non-threatening figure, both politically and physically. We share international cultural codes, like music and clothes, because we are the same age-group and being a woman I could understand and relate to general female problems better than a man would be able to, despite having a different sexual orientation.

The most interesting is however the position as a muzungu and a Norwegian. Europeans and white people are known to be generally more accepting of LGBT-people, and we are not a

part of the discriminating Ugandan discourse. Being removed from both the Ugandan political climate and the internal milieu in the LGBT-community participants could explain their situation rather basically and without fear of judgement. Many expressed that they felt more secure with a stranger than they would with a local researcher, as an ulterior motive like collaboration with the government is more likely with a fellow Ugandan. At least a quarter of the main participants would not have agreed to meet had it not been for the "muzungu-Norwegian" status. A phrase often used was "you are not from here so I can tell you…".

The outsider status was problematic in terms of language, and several participants found it difficult to explain culture-specific incidents to a non-Ugandan person. It also made some participants inpatient as basic questions about the Ugandan society were asked that a local researcher easily could have skipped. However, the outsider status in this study proved helpful and has probably affected the type and amount of information given in a positive way.

3.3.6 Ethical considerations

When conducting a study where the participants are considered criminals there are several ethical problems to consider. Going against the legal and political climate in a country you are a visitor in and investigate something that a majority of Ugandans would not want to be mentioned or sympathized with has to be justified. In this regard a choice was made that according to legislation there is no law against speaking to members of the LGBT-society and they as citizens of Uganda would have the right to express their opinions about matters concerning themselves, just like other Ugandans also have the right to have an opinion about LGBT-issues. Initially there were some concerns regarding safety for the participants, whether or not the presence of a researcher would cause any harm. These issues were cleared up before arrival through discussion with the FARUG leadership and it was never a problem during the course of research as far as known.

When doing a study on a vulnerable group, especially with individuals who prefer to be anonymous, measures have to be taken to protect the identity of the participants. In some cases the information gathered is compromised because interesting details cannot be revealed in order to protect the participant from being recognized; not only by other Ugandans but also within the LGBT-community. To some this was never a problem as several participants were open and known activists. For others, jobs, families and friends were at stake if their identity

became known. When gathering information for a study, participants should never have to suffer such consequences and it is the responsibility of the researcher to make sure the information is kept confidentially and treated properly. This is expected practice by any researcher working with vulnerable groups, and a part of that is also to "not render the practices of the oppressed to those who dominate (…)" (Katz 1994:71).

Ethical problems also arose in relation to money and power. Participants were mainly poor and were not given any financial reward to participate in the interviews. Some who had travelled far got compensated for their travel expenses but other then that there was no compensation paid. This could in some cases have stopped people from participating as they may not have had money for transport. Some were open about this problem and proposed having the interview close to their homes instead. Others may not have wanted to disclose their financial problem over the phone and the chance to interview them was lost.

Power relations are central to the co-creation of knowledge in the interview (Kvale 1996) and money is of course one aspect of this. Other aspects are the power to decide which questions should be asked and what topics should be covered during the interview. The use of English language was necessary as interpreters were not used, however this may have affected some participants' ability to express themselves correctly or understand the questions asked. The choice of place to meet and the setting where one person is asked personal questions whilst the other reveals nothing are common imbalances of power in interviews. Such structures were minimised as much as possible through asking participants where they preferred to meet, by compensating their travel expenses, through the use of semi-structured interview and by keeping the atmosphere as relaxed as possible and sharing personal information if the participant asked.

In a few cases it is possible that these structures became too strong for the participant; the person entered a defence-mode and answered each question defensively and short whilst others decided to share their stories only after the interview was over. The first case illustrates the problematic aspect of power and trust as these specific interviews were not considered important in the final analysis; they provided no good quotes, little personal information and had limited corrective or complementary value to the topics discussed.

3.4 Interpretation and analysis

In qualitative studies the process of interpretation and analysis is argued to be especially exposed to the researcher's subjective knowledge and background. This is partially due to a format of semi-structure, making responses and topics more difficult to compare and base conclusions on. Different participants talk about different areas of interest, making the data material less concrete and more fluent than other data types. The number of participants is much lower than in quantitative studies, making the reliance on each individual high and the study vulnerable to the opinions and truths of a few selected people. To prove reliability of the analysis a thorough account of the data-processing and interpretation is included below.

3.4.1 Data description and treatment

The data collected consists of recorded or written interviews and a fieldwork diary where observations and test interpretations were recorded. Interviews were accompanied by notes on situational contexts and contextual information (Kitchin & Tate 2000), recording place, time and conditions for interview as well as suspicions of when participants were influenced by others nearby to respond in specific ways, not being truthful or other general subjective readings. In some cases the subjective and present-made opinions made about the participant's answer has been disproved based on a more contextual understanding of the LGBT-community at the end of the fieldwork. Other times contextual interpretations has been made at a later stage and resulted in exclusion of some statements based on the likelihood it is not sincere or that the participant may have had an agenda not corresponding with the study when responding. In general it is hard to know whether or not a participant is telling the truth, a partial truth or a lie, and the concluding analysis is, therefore, the final output after different interpretations and scenarios have been considered and cast away.

Each interview has been fully transcribed, also the interviews that have been excluded from the final analysis[2]. Transcription is basic with questions and answers recorded chronologically. Each transcribed interview is accompanied with the notes on context and situation as well as thoughts and impressions noted in the fieldwork diary. The latter are subjective premature interpretations made by the researcher in field and have in many cases

[2] . The two interviews that were excluded completely from the analysis did not have unreliable participants; they were excluded because the participants were not biological women, even though they identified as women, and this study could not expand to investigate the issues of male to female transgenders in addition to the situation for LBT-women.

been re-interpreted at a later stage. However, these thoughts are important parts of the data material as this thinking probably influenced the upcoming interviews, both in the way of asking questions and interpreting answers. The transcriptions have been coded, as suggested by ibid, with body-language, irony/humour, tone of voice and other incidents affecting the understanding of the text. The coding is based on the notes taken during interview, the fieldwork diary and the way participants express themselves on the recorded sound-files

The transcribed data has been categorized manually, making the data more accessible, visual and physical to work with. The interviews have been printed along with additional information and a filing-system based on names (pseudonyms for those who want to stay anonymous) and main themes has been employed. Main topics were identified based on the most reoccurring issues of discussion; examples are health, religion and sexual violence. Some topics were initiated by the researcher based on the interview guide; other topics were identified by the participants as important. Classification based on participant background and position in the LGBT-community has also been employed. During transcribing and coding, interviews and information has been modified in case outsiders were to come about the information illegally. All relevant reference points to people who want their names and occupations secret have been deleted in order to protect the privacy and safety of the participants.

3.4.2 Method of analysis

Kitchin and Tate (2000:229) identify several methods of analysing data. These include an interpretive approach where patterns and categories are emphasized, a "grounded theory" approach where strategies of coding data are applied, a quasi-statistical approach where interpretive analysis is minimised and a universal approach where qualitative data is interpreted through the use of categorisation and connection. The latter is used in analysing the data for this study, although the general criticism towards a "step-by-step" approach to qualitative analysis as artificial is supported, especially for experienced researchers. For this study a standardised approach has been applied, with room for adjustments when found necessary.

The analysis is based on the lived experiences of LBT-women in Uganda and common topics of difficulty and problems related to human rights have been identified through categorisation.

These findings are directly related to the research questions and can be placed under an umbrella of discrimination and marginalisation. The analysis is built up by the different components of maltreatment experienced by LBT-women and components identified and confirmed by a majority of women during interview. Opposing views have been included to modify the picture but emphasis is on the main common ground. By linking the categorised material together a deeper understanding of the phenomenon experienced individually is achieved (ibid) and some findings that are presented in the analysis have been supported and contextualised through research conducted by other scholars.

The "Muzungu-Norwegian" effect on interpretation

According to Haraway (1991: as cited in Mullings 1999:337) any analysis we embark on, or any interpretation we make, is based on our personal "map of consciousness", influenced by our history and traits such as gender, race, class and nationality. The analysis presented in this study is influenced by the researcher's traits of character and nationality, skin-colour, language and personal opinions about LGBT-rights and so is the data that is collected. As previously shown, the creation of knowledge has been influenced by the researcher and this influence extends to the final analysis, most especially since the analysis is conducted alone whilst the data was co-created.

There are problems connected to the interpretation of contextual phenomenon by a person outside the context. Though bound to see things from a different perspective, which can be enriching, there is also a potential risk of misinterpretations and errors of judgement. Though some problems can be dealt with in interview, like asking "did you mean that…", or "can you please explain…", an overall interpretation in the end is necessary to connect the interviews in a common analysis and this is where the data can be placed in contexts they are not supposed to be. Such errors can be based on lack of contextual information, thus making the interpretation based on assumptions, or the researcher could read more into the data than what is actually there to "shape" the analysis to fit the theory and research objective (Kvale 1996).

To misinterpret is a particularly large risk considering the cultural difference and language barrier between the participants and myself. By acknowledging this risk the initial analysis can be corrected or confirmed by insiders, thus reducing the level of error. In retrospect, recording interviews was a good way of protecting the data from interpretation at an early

stage. Once the period in the field was over, the messages on the tapes gave a different meaning when back in Norway, compared to hearing them live and in the beginning of the research when the Ugandan context still was unfamiliar. This illustrates how one can change "truths" based on experience and deeper local knowledge where gaps are not filled in by assumptions.

3.4.3 Control of analysis

The analysis has been subjected to different kinds of control and validity-checks in order to minimise the risk of misinterpretation. Another researcher has not been brought in to draw conclusions based on the data material, as would be a good way to liberate the material from "the map of consciousness" (Kitchin & Tate 2000). However, parts of the analysis, quotations and the context of quotations, have been returned to the participants and they have been asked for permission again to use the specific wording and context provided in the analysis.

Though informed consent was given at the time of the interview it is difficult to have personal stories analysed and fragmented in quotations. Therefore, most stories and quotes have been re-approved by each individual participant, as it appears in this paper. This has been a good way of keeping in touch with participants, allowing them to keep the control over their personal stories and a way for them to correct my interpretations and contextual understanding. In one case change was suggested due to a misunderstanding, proving the need to continuously check and re-consider interpretations made.

The validity of the data has been continuously checked, as suggested by Glaser and Strauss (Kvale 1996), both during and after interview. Answers and theories have been tested on different participants, re-interpreted to check reactions and open-ended questions were posed and yet received similar answers. Potential participant agendas have been considered and questioned, and responses have been checked against the few available similar studies of LGBT-people in southern Africa.

Before landing on the final analysis, several possible analytical outcomes have been considered. The alternative analyses have been considered due to weaknesses in the participant selection, making other explanations plausible to some extent. This is linked to the consistency within the sample, which could be explained by the women's membership in

mostly one organisation, and that unified thoughts from this structure influenced the responses more than they should. However, pursuing the alterative interpretations would also entail that the majority of women were bending the truth about their own personal lives to fit the reality painted by one organisation, and that they would belong to an organisation not reflecting the lived realities of their members. Though not impossible, a scenario like this was also not found likely, and the final analysis, as presented in Chapter 5 and 6, is believed to be the best and most balanced interpretation of the lived realities of LBT-women in Uganda based on the data-material available.

Chapter 4

Theorising sexual minorities and marginalisation

Chapter 4 outlines the theoretical framework for this study. The use of theory will be placed in a context of alternative development, under which the rights-based approach will be presented as an entry-point to analyze the situation for sexual minorities in Uganda. The positive and negative aspects of the rights-based approach and its use in dealing with LGBT-problems will be discussed. Secondly, this chapter will introduce Queer Theory to pin point the target group of the study and position sexuality and gender transgressing within the area of human rights and academic discourse. The role of Queer Theory in academia will be presented along with recent criticism and the relevancy to sexual minorities. Finally, a combined analytical framework will be proposed, using Queer Theory and intersectionality to complement the rights-based approach, positioning LGBT-people as undeniable right-holders within an overall framework of human rights.

4.1 Alternative development

During the 1970s the development discourse stopped focusing single-mindedly on economic growth and modernization. Criticism of the economically rooted development traditions led to strategy alterations and a shift of focus to an alternative development. People-centred theories and "soft values" were considered important aspects of sustainable solutions and despite a strong neo-liberal comeback in the 1980s the alternative development is today considered legitimate and mainstream (Pieterse 2006, Friedmann 1992). Because of the absorption of grass root participation and culture in the common development practice one can hardly claim that alternative development is as 'alternative' now as it used to be. It does however focus on the micro-level and lived realities of people in developing countries, providing a necessary counterweight to macro-traditions focusing on economic growth.

Despite a wide general acceptance, the alternative practise of development continues to contain and absorb the critical contributions towards the general practice, including more

recent directions like eco-feminism, anti-capitalism and new social movements (Pieterse 2006). Friedmann (1992:9) refers to alternative development as an ideology that

'argues for the rectification of existing imbalances in social, economic, and political power. Centred on people rather than profits, it faces a profit-driven development as its dialectical other'.

Queer Theory and the rights-based approach belong naturally under the umbrella of alternative development. Alternative development seeks to empower people from within through political struggles and by claiming inherent human and citizen rights (Friedmann 1992). In a context of discrimination and marginalisation for LGBT-people, Queer Theory and the rights-based approach naturally complement each other, adding a new dimension to alternative development and gender discourse.

4.2 The rights-based approach

The rights-based approach (RBA) is based on the international human rights standards and legislations, seeking to promote appropriate standards, acceptance and protection of human rights in the implementation of development strategies. The rights-based approach has since the 1990s been widely adapted in development discourse, by United Nations agencies as well as NGOs and different CBOs. There are different approaches to implement human rights in development work, ranging from incorporation of norms and standards to fighting for a paradigm shift that would replace development efforts altogether (Mikkelsen 2005, United Nations 2003). The RBA 'seeks to identify the key systematic obstacles that keep people from accessing opportunity and improving their own lives. (…) the focus is on structural barriers that impede communities from exercising rights, building capabilities and having the capacity to choose' (Offenheiser & Holcombe 2003:271). I will claim that lack of sexual rights is such an obstacle.

4.2.1 Agents of the rights-based approach

There are three groups of agents recognized in human rights law; the rights-holders, the duty-bearers and the "other actors".

Right-holders are all human beings of all categories and nationalities, inheriting and holding their rights in power of being human. These rights are stated in international laws,

declarations and conventions, most importantly the Universal Declaration of Human Rights. They provide people with standards and guarantees by the member states of the UN, giving right-holders the power to demand their rights from the relevant duty-bearer. It is thus implied that right-holders are not passive recipients of privileges from states or other duty-bearers; they are expected to actively promote and claim the measures necessary to live a full and satisfactory life. The duty-bearers are obligated to uphold, enforce and promote the rights of the right-holders. States who have signed human rights treaties have a legal responsibility to uphold minimum standards to their people and enable other states to meet their obligations. Other actors are individuals, NGOs or agents with the ability and moral obligation to become duty-bearers. Moral duty-bearers exist on all levels of society and can range from a parent taking care of a child to large trans-national institutions like the UN (Mikkelsen 2005).

4.2.2 LGBT-people as rights-holders

Henry Armas (2007:9) have identified the relationship between sexual rights and human rights. He claims that

‘Sexual rights not only empower people regarding their own decisions about their sexual lives, but also generate self-esteem, a new perception of citizenship, control over their own lives in other spaces like, health, education, employment etc’.

Sexual rights increase inclusion, participation and representation in society, and sexual rights will eventually make discriminated and vulnerable groups more visible. Privileges and rights in society affected by the lack of sexual and gender acknowledgments are health, education, work, protection, social networks and general participation (ibid). All the above mentioned consequences are limiting the human rights of those affected and are relevant to advance through the rights-based approach.

The RBA is a strategy closely related to poverty reduction and empowerment of marginalised groups, and if lack of sexual rights can cause lack of freedom and protection we can argue that lack of sexual rights and marginalisation are related. Violations based on sexual and gender orientation are contributing to a disadvantaged life for a number of reasons. LBT-women are not free to seek medical care related to sexual and reproductive health. Discrimination causes unemployment, hunger, lack of legal protection against abuse and has a general number of negative implications beyond what is mentioned above. This in turn affects

families with LGBT-members that might experience discrimination and judgement for fostering a son or a daughter that does not fulfil the traditional criteria of normality, and families lose the ability to use their offspring as sources of income because they feel compelled to exclude them from the family and local community. The lack of participation and representation of LGBT-people weakens society as a whole. It effectively excludes possible candidates for political positions, skilled people for employment and limits the LGBT-people's right, ability and duty to contribute to society in general (ibid, Samelius & Wågberg 2005).

By being aware of one's basic human rights, explanations for violations and discriminatory practice can be demanded, thus forcing the state or the discriminating actor to reveal the structures of power and injustice they operate through. A rights-based approach on the grass root level empowers the marginalised and enables them to fight for their rights rather than be reduced to helpless victims of structural injustice (Mikkelsen 2005).Exercising resistance from the bottom-up as opposed to criticism from international non-state actors may force the state to look within rather than defend itself from external pressure. Human rights therefore give the right-holders on the grass root a legitimate voice and the proper tools to formulate claims based on the responsibility of the duty-bearer, the state.

The International Human Rights

Highlighted by the United Nations (2003:2) are the principles of universality and inalienability; indivisibility; interdependence and inter-relatedness and non-discrimination and equality. This entails that human rights are inherent to all people and can never be given as a privilege or taken away as a punishment. All humans are equal and the rights we inherit as such are universal and cannot be ranked. It also entails that all peoples have the right to participate and contribute to all kinds of development where human rights and fundamental freedoms can be acquired and realized.

Because sexual orientation and gender identity are controversial categories still in international human rights bodies some duty-bearers interpret LGBT-people as legitimate targets for discrimination and abuse. This is illustrated through national legislations where homosexuality is illegal in the same states that have ratified the United Nations declaration for Human Rights. Historically, the international human rights came about as a result of the

crimes against humanity committed during World War II. One of the groups that were targeted by the Nazis were homosexuals and the international bodies inability to recognise this group as victims alongside Jews and disabled people is illustrated through the absence of sexual orientation and gender identity in the declaration of human rights. Despite not being mentioned, LGBT-people are protected through the Universal Declaration of Human Rights, as well as in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, because it is clearly stated that these rights are universal and cannot be taken away. Especially relevant are the articles 1, 2, 3, 5, 6, 7, 12 and 16 that address the rights to equality; freedom from discrimination; life, liberty and personal security; freedom from torture and degrading treatment; recognition as a person before the law; the right to privacy and the rights to marry and have a family (UN 1948).

Together, the combined human rights apparatus commits states and other duty-bearers and signatories to enforce the realization of all human rights and punish those who fail to do so. For LGBT-people few such measures have been taken and most particular are the condemnations of hate-crimes and discrimination based on sexual orientation and gender identity that is missing from the large international duty-bearers.

The Yogyakarta principles

The Yogyakarta principles are principles on the application of international human rights law in relation to sexual orientation and gender identity, developed in 2006 by 29 different human rights experts and activists, representing 25 countries and all continents of the world. The Yogyakarta principles were made as a supplement to the existing human rights tools and address the place, or lack of place, for sexual orientation and gender identity in the international framework for human rights. As written in the introduction to the Yogyakarta principles (2006:6):

> "(…) human rights violations targeted toward persons because of their actual or perceived sexual orientation or gender identity constitutes a global and entrenched pattern of serious concern. They include extra-juridical killings, torture and ill-treatment, sexual assault and rape, invasions of privacy, arbitrary detention, denial of employment and education opportunities, and serious discrimination in relation to the enjoyment of other human rights. (…) Many States and societies impose gender and sexual orientation norms on individuals through custom, law and violence, and seek to control how they experience personal relationships and how they identify themselves. The policing of sexuality remains a major force behind continuing gender-based violence and gender inequality".

The Yogyakarta principles, being a political and not juridical document, have not been adopted in the overarching framework of the international human rights. However, the Yogyakarta principles expand and comment upon the normative principles in the declaration of human rights and how they are often ignored in the case of sexuality and gender identity. Through the LGBT-focus it is offering a deeper understanding and interpretation of how human rights violations are committed all over the world today.

The Yogyakarta principles provide LGBT-people with the acknowledgement that human rights cannot be given to them as an act of kindness or when it is politically advantageous. Sexual orientation and gender identity are at the core of an individuals being, and as human beings sexual minorities have the right to enjoy all the freedoms and rights as others do. The principle of universality cannot be negotiated.

By identifying the gendered human, the Yogyakarta principles make it possible to discuss problems that have not yet been addressed in the proper international organs. As the heterosexual norm is incorporated in the present human rights framework, issues such as family-formation and gender-alteration of babies cannot be addressed. Although a groundbreaking tool, the intention of the Yogyakarta principles cannot be fulfilled if states and international bodies do not adopt the initiative. At the time of writing, 67 countries have signed the UN statement condemning discrimination based on sexual orientation and gender identity (Time 2009), and these states are likely to adopt the Yogyakarta Principles as guidelines for further human rights engagement, nationally and internationally. The principles have been successfully used in human rights advocacy by civil society since they were launched (O'Flaherty & Fisher 2008).

The UN

The United Nations has a history of inconsistency regarding human rights for LGBT-people. This is mainly because of the big internal debate regarding sexuality and gender orientation amongst member states, but some parts of the UN body have also defended the rights of lesbian, gay, bisexual and transgender people for over a decade. In 1994, the UN Human Rights Committee held that human rights law prohibits discrimination based on sexual

orientation, a direct outcome of the trial of Toonen versus Australia[3]. Since the Toonen decision UN human rights' mechanisms have condemned violations and discrimination based on sexual orientation and gender identity, giving LGBT-people all over the world hope that sexual orientation and gender identity can be discussed in international human rights bodies (Amnesty USA 2008, Saiz 2005).

On December 18th 2008 a declaration concerning gay rights was for the first time read out loud in the General Assembly at the UN. The declaration was intended as a resolution but the member states were divided in two where an opposing declaration gained almost equal support. Amongst the strongest voices of protest were the Holy See and Muslim member states. The opposing document read that the statement "delves into matters which fall essentially within the domestic jurisdiction of states" and could lead to "the social normalization, and possibly the legitimization, of many deplorable acts including paedophilia." (Reuters International 2008). In February 2009 the Obama administration changed the US stand taken by George Bush in the UN and condemns all forms of discrimination and all other human rights violations based on sexual orientation and gender identity, proving that a macro-political shift can happen despite opposing legislation within the nation-state.

4.2.3 Challenges and negative aspects of the RBA

Challenges and negative aspects of employing the RBA are of different characters. Some are practical in the sense that states and other duty-bearers lack proper knowledge about human rights, that the state apparatus do not have the resources to enforce them or that citizens are not aware of their rights and in consequence do not claim them (Mikkelsen 2005). Moral barriers are the limitations of the human rights framework as well as the cultural aspects of how they are interpreted and how they came about. Enforcing sexual rights as human rights are for instance claimed by many African leaders as a part of a cultural continuance of colonialism; that the West is forcing its cultural deviance on countries with a different system of morality.

[3] Nicholas Toonen put Australia on trial because the anti-sodomy laws created conditions for discrimination and violence related to his sexual orientation.

In general, a rights-based perspective is often limited within state borders and to a state-centred view on human rights. Few instruments today are available for non-state actors to sanction and punish human rights violations outside national borders, particularly violations with regard to social and cultural rights (Offenheiser & Holcombe 2003).

Employing RBA, particularly with regards to LGBT-rights is not a straight-forward task. With the strong cultural, traditional and religious notions about homosexuality in mind, direct claims of rights can be perceived as confrontational and may result in a polarisation in the matter. Some organisations, like the Liverpool VCT working in Kenya, have found that by pin-pointing the negative consequences for society by not addressing LGBT-needs they have achieved more than if the matter was confronted with a rights-based perspective. In terms of HIV-prevention the government realised they had to address MSM because these men also have sex with women. Without acknowledging the existence of this group the spread of HIV could not have been slowed (Manum, 2007). However, by not applying a rights-based perspective the focus on MSM has been limited to a disease-spreading category, something that may not benefit the fight against prejudice in the short run.

4.2.4 Obstacles for LGBT-rights

The major obstacles for LGBT-rights are the widespread homophobia and scepticism towards people who challenge traditional notions about sexuality and gender. Prejudice seeps through in all aspects of life and is carried out through national legislations and practises as well as in international bodies. Strong influence by national politics and conservative religious views colour the decisions made on the higher levels of the international community. This is illustrated by the strong resistance against acknowledging LGBT-rights in the UN structure where both the Holy See and the Organization of the Islamic Conference are free to protest.

De-humanization has been a strategy employed by national leaders with a strong anti-gay mission. By referring to LGBT-people as perverts, dogs, in-human, or by other demeaning descriptions (Long 2003) they have succeeded in weakening their label as human, making LGBT-people more vulnerable to discrimination and hate-crimes as their status as humans have been questioned by authority. Agencies promoting human rights have also been affected by the anti-gay milieu within different nation states, causing such organisations to abstain from commenting on LGBT-rights violations in fear of loosing their licence to operate in the

area, or having general support and funding retracted. LGBT-organisations are therefore operating on a minor scale representing themselves, but the work is often dangerous.

Challenges faced are serious dangers for the members, including arbitrary arrest, imprisonment or violence; other problems experienced are registration-challenges, freezing of bank-accounts and exclusion from the public debate. By being denied access to the public sphere, the voice of the LGBT-community can not come out to claim their rights or disprove the negative portrayal painted by their oppressors. The lack of sexual rights therefore affects a number of other basic values in society, such as freedom of press and speech, women's rights and equality before the law.

4.3 Queer theory and intersectionality

In geography, sexuality has only recently been used to explore spatiality, identity and power. Geographers have moved from mapping gay areas in cities to further investigate the sexed space of public life, the production of spaces and sexualities as well as challenge the dominance of heterosexual nature. Queer geographers have called for a queer epistemology that would disrupt the distancing strategies of today that calls for the disembodied analysis of all things, an epistemology that could contribute to tolerate the "different" and focus on the experiences that are dislodged in the corners of social and cultural geographies (Blunt & Wills 2000). There is a notion that Queer Theory can only be produced and used by those who identify as queer, and such prejudices may have contributed to keep Queer Theory in the outskirts of numerous academic fields (Pinar 1998).

4.3.1 The nature of Queer Theory

Queer Theory does not specifically belong to geography as its proponents range from medical academics to psychologists, sociologists and queer activists. Surfacing at the academic scene in the early 1990s, queer theory quickly became a critical voice to the perceived normalities of society. Standing on the shoulders of post-structuralism, feminism and ideas based on political liberation activism, Queer Theory made its way into a number of disciplines and practices, including the cultural expressions of film and music (Watson 2005).

Queer Theory is fluctuating and difficult to define as it encompasses nearly everything that is questioning the "standardized" sexuality of space and place. In the words of Morland and Willox (2005:4):

"Whereas Western culture has attempted to ossify these relations in the name of patriarchy, and feminism has tended to want to reconfigure them while preserving their conventional descriptive force, queer theory politicises sex, gender, and sexuality in a way that severs the notion of identity from any stable reference points. In this way, queerness resists the regimes (…) of measuring, categorizing and knowing the truth of sexual orientation."

Queer Theory has, despite its dissident position in development and geographical theory, gained recognition for addressing the issues often left out in the traditional studies of gender. Being an "untraditional" academic path Queer Theory is often viewed with scepticism and is rarely used in mainstream development or geographical work. Sullivan (2003:v) comments on the illusive nature of Queer Theory when stating that

"While Queer Theory may now be recognised by many as an academic discipline, it nevertheless continues to struggle against the straitjacketing effects of institutionalism, to resist closure and remain in the process of ambiguous (un)becoming. Queer Theory does not want to 'straighten up and fly right' to have the kinks ironed out of it: it is a discipline that refuses to be disciplined, a discipline with a difference, with a twist if you like".

Queer Theory argues that notions of sexuality and gender are socially constructed. They are discursively produced by the western societies to fit concepts of culture and religion and are consequently interchanging non-static labels of identity. This constitutes a founding philosophy derived from the later theories by Foucault, crediting him as the pioneer and father of Queer Theory. Foucault lashed out against the construction of sexuality and how individuals had to limit their sex-drives and practices to please the institutionalized thoughts of society. The result of the "discovery of sexuality" led to marginalisation and gave birth to the notion that something was "natural" or "unnatural" (Foucault 1980) and that the latter had to be treated as a sickness. This was in tune with Foucault's previous invention of the term discourse and how the production of knowledge was inevitably connected to structures of power. Despite the general focus on gender and sexuality, Queer Theory "is constructed as a vague and indefinable set of practices and (political) positions that has the potential to challenge normative knowledges and identities" (Sullivan 2003:43-44). Thus, queer theorists do not label or define Queer Theory in absolute terms as that would be in violation of its in academia.

Queer Theory is often mistaken as a theory only applicable on non-heterosexuals. This is a grave misconception as queer in this sense does not only refer to sexual minorities, it extends to "anyone who feels their position (sexual, intellectual, or cultural) to be marginalised" (Thomas Dowson 2000:163,165 as quoted in Giffney 2004:73). As put by Giffney (2004:74): the task of Queer Theory is to "separate the normal from the normative". Despite the strong influence of gay and lesbian studies, that separation entails a range of elements pointing at the outsiders of our societies and systems of thinking. Queer Theory should not be reduced to an alternative discipline of sexuality when it is rather a critical approach to societal norms, in all aspects of this term.

4.3.2 A critical look at Queer Theory

Challenges of Queer Theory, as in feminist theory or any identity-based policy, are if being queer is a strong enough trade of identity to unite and label a specific category of people. As in feminism, black women might have had more in common with their male companions fighting for civil rights in America than white females on top of the societal ladder (Sullivan 2003). Similarly queer people may belong to other categories of identity that are experienced as stronger and more relevant to their lives. However, as the data in this study will show, the queer identity label is experienced strongly when living in extremely hostile environments, causing participants to identify themselves through their sexuality when describing their place in society, no matter how much they resent that it is so.

It somehow becomes a paradox that Queer Theory opts to destroy traditional notions of gender and sexuality by claiming such boundaries are fictional when at the same time the followers of Queer Theory confirms the borders of gender and sex by distancing themselves under umbrellas like LGBT or non-heterosexuals. Different lesbian feminists prefer the queer studies to belong to the sexual minorities in fear that the further extension of queer will dilute the strong opposition to hetero-normality (Watson 2005). Critics of Queer Theory claim that it represents a problematic anti-empirical position and that its focus is on deconstruction of the known only on a personal and theoretical level. Others point to the way Queer Theory seems to cancel itself out by trying to normalise what is queer while it simultaneously criticises normality. Other critics express a concern that condemned practices of society, such as intergenerational sex, could be defended through Queer Theory (ibid: 76-77).

Queer Theory has often been used to question normality and cry out for the need to mainstream what is considered different and strange. It has rarely been used to challenge the limited scope of human rights and the hetero-normality that is taken for granted in the international bodies of decision-making; this is because the queer academic battle has been fought mainly in the West and within the borders of sovereign states. Queer Theory is derived from the theoretical ideas of gender, sexuality and the individual, not how gender and sexuality is linked to macro-structures of power. Incorporating Queer Theory into macro-theories such as the rights-based approach would be a natural continuation without compromising the values or norms of either original theory.

This merging of theories would keep within the spirit of resistance that has always been the backbone of Queer Theory; a critique of the categorisations in human rights. Simultaneously it would point to a group that should be included in the rights-based approach, in tune with the intention of universal human rights. Arguing from a queer perspective LGBT-persons should be acknowledged and as much part of a normal sexed and gendered reality as heterosexuals. Their sexual orientations and gender expressions go beyond their sex at birth, and are integrated parts of their identities that cannot be reduced to lifestyle choices or "unnatural" lusts. Non-heterosexuality should therefore not be judged and punished but rather accepted and treated as a part of a person's freedom of expression and right to privacy. This is in coherence with the human rights that include the right to be free from violence, discrimination and persecution as well as the right to privacy (UN 1948).

4.3.3 Intersectionality in the research of sexuality

As Queer Theory along with research on sexualities has evolved, the theory of intersectionality is gaining grounds in the field of sexual marginalisation. Theories of intersectionality are applied in studies of sexuality to show how sex and gender are but one factor of discrimination amongst many, and that such factors, like ethnicity and economic background, are linked and often reinforce each other in the structures of power. Intersectional approaches illustrate how issues of sexuality and gender do not stand alone but are rather components of social injustice and inequality that is connected to a general system of oppression (Fish 2008).

Gamson and Moon (2004: no page) asks if

> "perhaps it is the gradual absorption of black feminist theories of intersectionality and queer theory that has encouraged sociologist of sexualities to go beyond the acknowledgement that gender, sexuality, race, and class are linked systems to the more difficult task of specifying how sexuality intersects and interacts with other systems of oppression".

Sexuality, as in the case of Uganda, is thus linked to the political climate, ethnic background, birth sex and social status of the LBT-women. It is easier to oppress females in a patriarchal society, and it is easier to maintain structures of marginalisation within a supportive political framework. This study identifies the status as an LBT-woman as the underlying cause of discrimination; however, the intolerance and hostility directed towards these women is supported through additional mechanisms of oppression, such as limited financial and political opportunities as well as the traditional depended role of their sex. This is also illustrated through the rights-based approach. The lack of sexual rights does not automatically entail violent oppression, but the international human rights framework does not protect the LGBT-group sufficiently and with this becomes a supportive mechanism for those who wish to discriminate. Intersectionality as an aspect of the analytical approach will enable the identification of a wider practice of marginalisation, and keep the complex structures of oppression from being reduced simply to homophobia.

4.4 Incorporating Queer Theory and intersectionality in the Rights-based Approach

The lack of recognition for sexual rights within the international human rights framework directly affects and weakens human rights as a whole. With loopholes where people belonging to certain groups can be disregarded, their status as human is weakened. Once a group of people are stripped of rights, violations can occur without fear of sanctions. This is happening where homosexuality is forbidden and discrimination is encouraged within the sovereign borders of the nation-state.

The deconstructive nature of Queer Theory aims to erase labels and categories distinguishing people from one another. Although an outlook challenged in many cases it is most fitting in a context of human rights. The overall intention of the Declaration of Human Rights, despite certain ambiguities in the formulation, is to provide anyone born a human being with values

and protection that are internationally recognised and cannot be taken away. The dangers of leaving certain groups out are proven through the hardship experienced by sexual minorities all over the world.

The theoretical framework used in this study is a combination of the rights-based approach and Queer Theory. Due to present limitations in the human-rights framework, LGBT-people can not be properly protected or approached unless they are officially recognized as right-holders. Though inconsistently mentioned, human rights agencies today are not properly equipped to defend the basic rights of LGBT-people and they themselves lack the proper framework to claim them. Only through official recognition can the human rights violations committed against this group be exposed and punished, and only through a full incorporation of human rights can the LGBT-people be acknowledged by the international society and nation states. The tiresome task of fighting for acceptance should not be placed on the LGBT-communities – rather it is the international society as duty-bearers which should fight against discriminative practices within their sovereign territories. This challenge also extends to the practitioners of development, most specifically those working with gender equality, human rights and poverty-reduction.

4.5 The analytical approach to sexual minorities in Uganda

As earlier established, lack of sexual rights is closely linked to human rights violations and a normative societal ranking order. The lesbian, bisexual and transgender women were approached from a perspective of rights and practices of discrimination, most especially their personal experience of not having sexual rights in Uganda. Their situation was investigated from a sexuality and gender identity point of view, using their LBT-status to interpret and understand their position in society and diverse life-experiences.

By investigating the lived realities of the LBT-women through a traditional rights-based approach, their experiences of discrimination and violence would not be easily referred to as human rights violations or structural injustice. They would be considered random incidents of violence against women or moral conflicts between individuals. By including Queer Theory and intersectionality, the rights-based approach can be expanded to comment upon the pattern of abuse and discrimination through a single common label: LGBT. Without this label, the rights-based approach would not be able to identify the common trades and practices of

discrimination committed against this group. Abusive and exclusionary practices could not have been addressed as a structural problem since their sexual or gendered identity is the one common reason for being treated differently.

Through approaching the problems and experiences of LBT-women as a problem of sexual rights, legal and social patterns of inequality were identified and analysed. This would be impossible to do without the queer label as the women otherwise have little in common, belonging to different tribes, cultures, social backgrounds, religions and geographic areas. In order to claim that this group is marginalised because they have no sexual rights, they have to be identified through a human rights framework, as is not the case today, and practices specifically regarding LGBT have to be examined as a whole, not individually and severed from the underlying causes of homophobia and narrow outlooks on gender. This is illustrated in Fig.1 where the connection between lack of sexual rights, discrimination, human rights violations and marginalisation is shown.

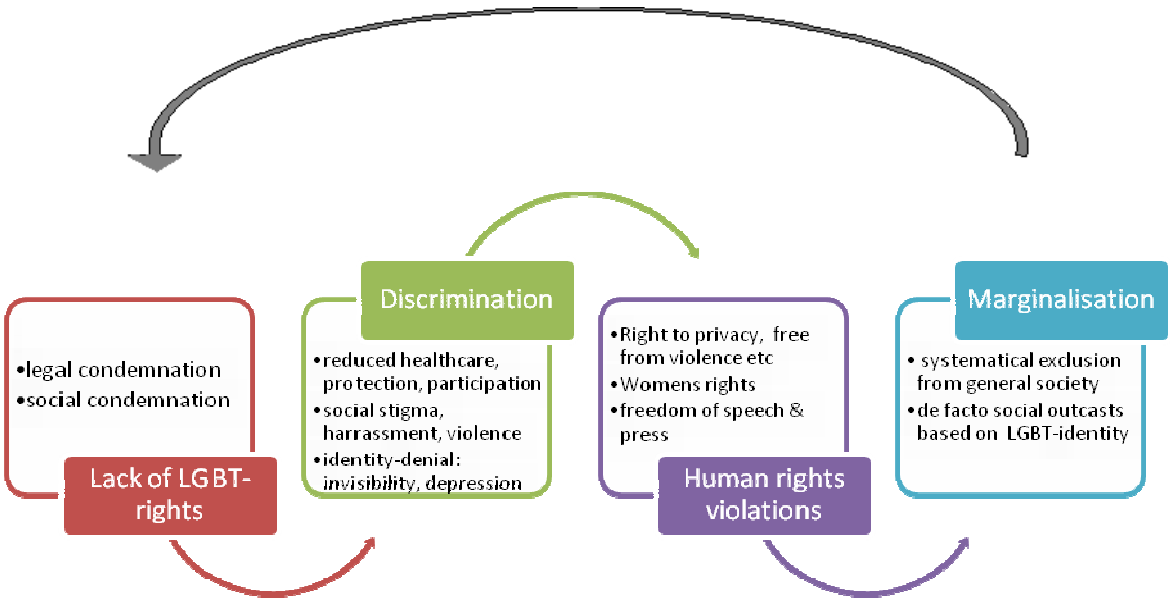

Fig. 1: The connection between lack of sexual rights and marginalisation (by author)

Chapter 5

Narrative perspectives:
Living as an LGBT-woman in Uganda

This chapter will outline major research findings and explore the situation for LBT-women in Uganda through the eyes of the participants. In order to contextualise how the following discussion is connected to the circle of marginalisation the conclusion and findings will be analysed and placed in the theoretical framework in Chapter 6. As previously defined, being marginalised and/or vulnerable is more than lack of material resources. It entails a social and physical exclusion from society in terms of power, participation and basic rights. In this chapter detailed aspects of social and material exclusion experienced by LBT-women in Uganda will be highlighted. All topics were raised by the participants and include issues of health, safety, education, work, family, power and practices of exclusion.

5.1 The practices and consequences of social exclusion

Being a sexual minority is in most cases coupled with extensive practices of social exclusion, exercised on all levels from family-relations and religious doctrine to government policy. This has a range of negative effects, most severely the general condemnation of identity, the moral anchor point in which hate is created and the loss of network and help through informal connections most individuals rely on in their daily life. Practices of social exclusion are exercised in a number of ways, ranging from open human rights violations to personal disagreements between individuals. Depending on the case this treatment could affect material necessities such as income or access to transportation; on a more personal level the alienation from friends and family could affect feelings of happiness, self-esteem and general mental well-being.

5.1.1 Networks and connections

Social capital is important in any society, even more so in a country where opportunities and structures of society often rely on informal channels. Loosing family and childhood friends

because of their sexual identity is an often painful consequence of coming out of the closet. Many are not willing to give up their old life and prefer to deny their sexual orientation for as long as possible. Several participants talked about the feeling of living in the closet. For some it was safer than being open, some described it as the loneliest place on earth and for others the closet was no longer a choice as it would make them depressed enough to commit suicide. The women who were self-proclaimed "completely out" were ready to take the consequences of their choice. Some had lost their families in the process, a few had reconciled with the parents after a few years. The likely trauma of being judged by family and friends made most women scared to be open and honest about whom they were. Those who were out and public had chosen to take a stand for themselves and others, but also suffered public harassment and unsafe living-conditions in the process. Lack of network equals lack of friends, support and opportunities. Most participants referred to the gay community as their new family but many also expressed sorrow that they were now somehow excluded from full participation and access to the general society. One participant said that "I don't have any social network. It just fell apart when my family got to know. They gay community is my family now. But people outside – no".

5.1.2 The public sphere

Majority of participants, including non-gay human rights activists, agreed that most prejudice and hatred against homosexuals hinge on the population's strong and personal relationship with religion, most especially the Anglican Church. Contrary to public opinion, participants claimed that it was homophobia that had been imported from the West, not homosexual practices. Common used propaganda against homosexuality, that it is a European vice and culturally alien to Africa, is most strongly voiced out by the Church; an institution foreign to Ugandans before the colonial period. Despite this contradiction, the church remains a powerful influence on the Ugandan public. Religious institutions are in many aspects able to reach deeper into the mentality of the grassroots than politicians as religion controls the moral standards of the masses and their faith leaves little room for personal interpretation. Homophobia is considered a God-given instruction and can not easily be criticised by believers without being accused of venturing into a territory of blasphemy.

Political leaders, represented by the President and numerous ministers, are attacking homosexuality from a cultural and legal point of view, mainly by pointing to the perceived

European influence and the contemporary sodomy-legislation. Human rights defender and Dean of the Faculty of Law at Makerere University, Sylvia Tamale, believes that the strong rejection of homosexuality is not so much connected to sincere moral beliefs as it is about diversion and political tactics:

"For politicians, I think homosexuality consists of a very soft target to attack (...). And when you already have institutionalized homophobia, and you have a Minister of Ethics and Integrity who keep bashing homosexuals, it's a very good way of diverting attention from the real issues. And it works! Let's say, the minister of ethics and integrity will not condemn ministers, or MPs when they receive 5 million each. Bribes. (…) But when it comes to homosexuals, when it comes to women talking about their vaginas, he will be on the platform shouting! We are a soft target. Women… marginalised groups".

This conclusion is in line with theories of homophobia or harassment of marginalised groups in other parts of the world. By taking a strong stand against an easy target, leaders will create an aura of determination and ability to act, thus focus will be drawn from more pressing issues where they fail to implement proper action (Hoad 2007). In the case of homophobia in Africa, the urge to create an uncontaminated African identity and oppose the western morality in the name of history is a plausible motivation. In any case, the result is a disadvantaged minority taking the political and religious hit not based on what they do but who they are.

Religion and homosexuality on a personal level

When participants were asked about religion most agreed that the church was responsible for the widespread homophobia. They did however identify as religious on a personal level and attended church from time to time. Many found comfort in reading the Bible or the Koran but most drew a clear line between their love of God and the church. Most participants felt they had made their peace with God, but found their sexuality to be in serious conflict with their belief. In order to accept their own identity a big component of religious rhetoric in Uganda had to be rejected, thus forcing the realisation that religious institutions may be speaking on behalf of man and his agenda, not God. When battling with social stigma and lacking access to information about LGBT-issues, making the decision to accept one's sexual orientation or gender identity regardless of belief is difficult and biased one to make. Some were still not comfortable with the way their religious views and sexual orientation had to coexist.

"It is still haunting me actually. Is God happy with me? I still haven't reconciled who I am with my faith. But I don't regret who I am. I love it. It is who I am. But it is hard with God".

-Val-

The religious exclusion experienced by sexual minorities is problematic in many ways. On a psychological level it is painful to question a belief that belongs to the core of one's existence, and this is connected to strong feelings of guilt, confusion and self-revulsion. Low self-esteem affects motivation and initiative to perform in different aspects of live, and the church is a powerful institution which is difficult to question. Many claimed that even though they managed to coexist with God they still did not feel welcome or comfortable in church. Several participants used to work as church servants or as youth counsellors but eventually had to quit, some because they felt uncomfortable living a lie, others because they were exposed and were forced to stop performing their duties.

The church is more than a moral guideline and a Sunday morning activity. Network building, social activities and political participation are also natural components in the Ugandan religious organisations. Being excluded and unwanted in this milieu is disadvantageous since many find jobs or receives support through the informal networks they manage to build.

In Uganda, heterosexual religious leaders speaking of acceptance and love for homosexuals has faced rejection and even persecution within the church and the nation state. Liberal interpretations of the Bible are in conflict with leading political and religious jargon, causing those who accept homosexuals to be publicly harassed through media and religious organised life.

"It has not been easy. It has not been easy (…). Since I made my point clear the church has really tried to persecute me. But of course I knew what I was doing, I was mature, I was educated enough in this area, I knew the truth… I said I know the truth and the truth have set me free. If I have done something wrong I say they should accuse me, in fact for 6 months I stayed in the States because the situation around here was that I could be arrested, anything could be done".

-Rt. Rev. Dr. Christopher Ssenyonjo, a retired Bishop of West Buganda Diocese-

Mr. Ssenyonjo expressed a strong belief that 'God is love' and could therefore not in any way comply with the church's demands to stop treating homosexuals with respect. He claims that religion is above culture, but sometimes people interpret scripture from their own cultural point of view. He believes that homosexuals are the children of God, and he has been excluded from the Anglican Church because of his principal stand. With regards to the debate over homosexuality in Uganda, Mr. Ssenyonjo received an e-mail from Archbishop and Nobel peace price winner Desmund Tutu saying 'I write to assure you of my support for your

position and to assure you of my prayers in the very difficult situation you find yourself in as a result of your principled stand'. Opposing views of homosexuality contributes to the deep tear within the Anglican Church world wide and Mr. Ssenyonjo is still considered a religious outcast by the Anglican Church and the anti-gay groups in Uganda.

5.1.3 Family relations

Coming out to the nuclear and extended family is coupled with big risks. The family may choose to disown their child, try to cure her through rape or intensive counselling with religious leaders or deny the information and act like it is just a phase or a rebellious act. However, on rare occasions and after some time as passed, the family will accept their child and show support.

Participants had different stories of coming out to their families. Some experienced the abovementioned, others never said it directly but also never denied being gay if there were rumours about it. Some told their parents they never wanted to marry a man, others decided to show their faces in a media-campaign and in the process exposing their identity to family and friends. Most agreed that even though they never told their families directly they were relatively sure the family suspected it or already knew. Most of the participants were semi-open. They revealed their identity to close friends and stayed close to the LGBT-community whilst distancing themselves more and more from their families and old friends. Most of the girls had decided not to explain their identity directly to their parents as they suspected the parents and family preferred to live in denial. One girl said that she could not tell her mum as it would surely break her heart.

The decision to not tell is partially practical, as the family often supports their children with money and resources, but participants also talked about safety. Homophobic elements may decide to attack the family and friends of homosexuals. In order to spare the people close to them many decided not to confirm their identity to outsiders. One girl chose to avoid the question of marriage by telling her mother she only wanted to marry a muzungu-man. By doing so the family had to accept that it would take a long time for her to find someone to marry and the pressure was off. In cases where the family confronts the girl openly, when they suspect or know for sure she is gay, consequences can be severe.

"My step-mum was not happy, she wanted to spread the news about me being a bad person… a lesbian, a curse… so she had to call my landlord and tell him 'please send that curse from your property'. They even brought religious leaders home to pray for me… but I wasn't interested".

-Sandra-

The family can in some cases sabotage their offspring beyond refusing to have contact with them. To some extent such vengeful behaviour is connected to cultural belief that parents are responsible for how their children behave, and children's behaviour is a direct reflection on the parents. Being the mother or father of a homosexual person entails shame and disgrace in many communities and honour can only be regained by disowning the child. Some participants had been chased with sticks and machetes by their family and neighbours; others were met with denial, disappointment or alienation.

Losing the support and love of nuclear and extended family is extremely difficult, especially in a country where society and norms are constructed to make women dependent. If women do not have a man to provide they need their family to do it instead. This is not an arrangement based purely on finances; it is also related to protection and status in society. For instance, women who have not given birth at a certain age are considered to be bad, infertile or having some kind of malfunction physically or psychologically. Although women's roles are advancing this is the general belief and women are still judged and treated by the community according to traditional values and norms. Breaking such norms are however easier in Kampala as the big city is somehow removed both geographically and culturally from the rural areas where, according to the participants, tradition is strictly exercised.

5.2 Security and dangers

Safety for sexual minorities is a question of being open, known or in the closet. The women who claimed to not experience problems with safety were the ones with problem-free relations to society in general. These were mainly the feminine lesbians, the closeted ones or the girls that could hide their identity behind being a sportsperson. The latter are allowed to wear caps and more masculine clothes than usually accepted for girls, people tolerate it because their talents as sportspeople are appreciated by society at large. Most participants claimed that being gay in Uganda was not too problematic as long as precautions were taken. Such general precautions could include adopting a humble behaviour and not get into confrontations, keep identity hidden unless you trust someone, dress down ordinary style of

clothes, if possible wear skirts in public, call and check on each other regularly and for some it could involve moving around at night when they could not be easily observed.

5.2.1 Daily chores

Moving around freely, shop for food and interact with people are tasks that require more from sexual minorities than the rest of the population. By moving outside they are at risk of being recognised, suspected, harassed and exposed to violence. For the feminine lesbians this is not a big problem, they are not visibly different from other girls, but for the tom-boys and the transgenders it entails a certain amount of risk. Because of the potential danger it is even stressful to go outside when nothing happens, just for the fear that it might.

"When you go out because you want to buy something (…), every time I pass someone it's like verbal this verbal that. (…) I'm scared that anything can happen. I would have gone out to buy breakfast but I have to see this lady in the shop… (…) So I drink a lot of water. The same places you pass and you get shit. It basically just kills your self-esteem. So I guess in daily life you don't move freely."

-Diane-

Because precautions have to be made, options are more limited for these women than the rest of the population. The safety situation is made worse by poverty as the cheapest way of buying food and transportation is also the most dangerous. Places with crowds, idlers, *boda-boda* drivers and vendors are identified as unsafe by the participants, especially the areas around lower Kampala and the taxi parks and big markets. Every day these places gather huge crowds of people, most of whom are from the rural areas with a different mindset than long term Kampala residents. These places are also where the cheapest food and transportation can be acquired.

"I don't cross this street, I don't go to that side of town. 'Cause outside there are very many people, idlers who have nothing to do. They just sit outside the veranda and they can easily get something to do when they see you, you understand? Beating you up, pulling you, pushing you, all that stuff".

-Kasha Jaqueline-

5.2.2 Protection and legal rights

"Police officers are trespassing people's houses, landlords are evicting people, people being sacked from their jobs because the press has outed them…"

-Val-

Around 2003 the sexual minorities of Uganda started a struggle to gain their political, legal, social and basic human rights. They are organised in different interest groups but most remain united under the umbrella organisation Sexual Minorities Uganda (SMUG). Before these organisations came about the issue of homosexuality was not on the agenda and rarely spoken of. When the fieldwork was conducted in 2008 homosexuality was mentioned in newspapers and on the radio nearly every single day making it increasingly difficult to claim that there are no homosexuals in Africa or Uganda. This has led to higher visibility and acknowledgement of their existence but also increased danger and vulnerability. Several cases including homosexuals have been through the justice system, during the data collection three SMUG members were on trial for trespassing in a conference they were invited to. Their lawyer argued they had been arrested because the officer on duty was homophobic and the trial was eventually dismissed.

Participants with higher positions in the organisational structures and the gay movement commented on the increased dangerous situation. When taking on the justice system and speaking out for their rights they had provoked the government and could feel how homophobia was on the rise. At the same time they had gained publicity and international support for their struggle, forcing authorities to lay relatively low to avoid losing external funding and attracting attention from human rights organisations. Now their security is threatened not so much by government officials as by the grass root in Ugandan society where mob justice is regularly exercised.

The new visibility and increased attention on gay issues is received with mixed feelings by the members of the gay community. Some want to organise just in order to have fun and support each other, others want a full scale political battle. After the public court case on trespassing, one of the accused activists, Pepe Julian, explained that

> "Even people in the community have blamed us for exposing the rest of them. They're like 'we were safe earlier on, now you guys have messed up everything… messing up with the government, the government can get us one by one and kill us'… things like that. (…) But we don't go out without consulting the community. We put our lives on line for the community. So maybe if some of us… if it's my day and I die for the struggle then it might make life better for the people who are in the process or who are growing up. I'm not saying I want to die but I'm saying because of the insecurity around anything can happen".

In regards to protection from violence and abuse participants had different experiences. Some explained that it was only possible to report to the police as long as nothing regarding sexual

identity was revealed. Some said the police would laugh or abuse the person coming for help, others again claimed it would depend on the person on duty.

"There is no reaction from the police. It will even turn against you if you try to report. They will do the same thing to you again. (…) Heterosexual women have protection. Even disabled people will be listened to, but they will not listen to us.

- Woman 2 -

"Some boys were dancing, dressed like women and they were beat up. Badly. They reported it. Things are changing. The police who brought 'Mr. X' last night, the one we had to take to hospital, those guys were helpful. They told us how to file the case. If you really really mean it they can help you".

-"Sarah"-

All participants agreed that in general the issue of protection was more pressing for transgenders and gay men than for the lesbians. Still, women had been arrested, violated and abused in custody and not taken seriously by the police. One of the well-known activists, Victor Juliet Mukasa, filed a case against the state of Uganda for trespassing in her house and arresting and exposing her friend to sexually degrading treatment while in custody. Nothing had happened since the last hearing in September 2007 leading several participants to believe that the case would never be resolved due to the difficult position the judges were in, between the illegal house search and the state strategy of persecuting homosexuals[4].

Despite sporadic positive experiences with the police and justice system, the fact remains that most participants claimed they would not go to the police to report anything alone. Some would not report at all, others wanted to consult the community first and go with friends. Most expressed fear that they would be rejected and exposed to violence. As long as that situation does not change the sexual minorities will have de facto reduced protection than that of other Ugandan citizens. They are not free to seek the help they need from official sources and run additional risks by doing so. This is also known by aggressive homophobic elements, making it easier to commit hate crimes when they are in line with government policy.

[4] On December 22. 2008 the High Court of Uganda ruled that the Ugandan government had violated the rights of Victor J. Mukasa and Yvonne Oyoo and were required to pay damages. The court also gave a historic declaration by ruling that Ugandan constitutional rights apply to lesbian, gay, bisexual and transgender people (UNHCR 2008).

5.2.3 Sexual violence

The family or other members of society may choose to take drastic measures to save their child or friend from something they believe is a sickness, misconception and/or corrupted morals. In rare cases the family arrange for girls to be raped in order to correct what they believe is misunderstood sexual desire. Rape motivated by curative or corrective intentions does happen in Uganda, as confirmed by the participants in this study, but there are no statistics that can show to what extent.

Coercive sex as in rape, marital rape and child defilement is not uncommon in Uganda. Wife-battering, rape or violence against women can not be properly reported, although there is an existing law concerning general assault. Beating the wife is still considered a husband's privilege and domestic issues are in most cases handled privately. Rape of children, locally known as defilement, remains a serious problem and it is generally hard to get perpetrators convicted. The maximum sentence is death penalty but no one has ever been hanged since the law came about (AFROL 2009). Few cases of rape, defilement and violence against women are reported and investigated, mainly because of a corrupt and inefficient legal system. Matters are often settled internally where the parents of the woman or child raped is offered compensation by the rapist. Although a number of strong women's' rights organisations are active in Uganda, women are still regarded as subordinate to men and in many cases as their property. These cultural and traditional notions are protected by the legal system as there are few resources to follow up complaints through the official legislative route (ibid).

Women who report rape or assault will have to face potential harassment and ridicule from police officers at the station where the report is to be written. Many women have experienced police-officers telling them they 'deserved' what happened to them, especially if the victim was intoxicated or wearing small outfits. Additionally, if rape is to be proved the woman has to go for examination, preferably to the police physician. Many women, especially in rural areas, have to travel far to reach a police station and to do the examination right it might require that the victim can not clean or wash herself for days. The costs of examinations and investigations, sometimes even feeding the perpetrator in prison while the investigation is ongoing, is a burden that is placed on the victim, causing many women to not file complaints based on their inability to pay the bill (Amnesty International 2007). Some women choose to not report rape because of the shame it might bring to her name and family. The community start asking questions about the girl's moral standards and the gossip machine does in many

cases add a stress to the victim that is more unbearable than to do nothing at all. Some participants claimed that raped women in general prefer to deal with the episode alone without involving the police or the community.

"Sexuality, bodily integrity, is very central to many of the other rights that human beings enjoy. And if marginalised groups, women, were able to emancipate themselves in this area of bodily integrity many of the other oppressions we face would just… the pieces would fall into place".

-Sylvia Tamale-

Curative rape

Based on the general women's situation in Uganda, one can conclude that LBT-women are as exposed to the traditional gender-based violence as other women are. Rape can be motivated by a number of reasons, such as a husband's conceived right to have sex with his wife or exercising control and power over a woman. This is illustrated by the story of a raped lesbian woman. She believes that the reason she was raped was because of her lesbian identity, even though the rapist did not know she was gay.

"I said I did not want but he forced me (…). He took me to this dark place and he forced me to have sex with him. He raped me actually. (…) If I had not rejected him like that he would have left me alone, knowing that he could have me some other time. But because I'm a lesbian I did not want him to touch me and that is why he did that!"

-Woman 1-

Several participants had experienced rape, some because they were lesbians, others just because they were women. The tom-boys expressed fear that they might get raped if someone found out they were not men, they experienced that people who knew about them often were curious about their bodies and what was between their legs. Lesbian, bisexual and transgender women are in many countries exposed to the relatively unknown type of sexual assault known as curative or corrective rape. This is rape motivated by the belief that intercourse has to be heterosexual and that the woman needs to be taught how to do it the proper way. LBT-women, or women suspected of engaging in homosexual activities, can therefore be subjected to planned and forceful rape by one or several family-members, friends and/or neighbours to "help them" learn heterosexual intercourse (ILGA 2006). This is a well-known phenomenon in South Africa but it also occurs in Uganda, most likely on a minor scale, as in several other countries. Curative rape was mentioned by several participants and one had personally

experienced it. The Institute for Democracy in South Africa has according to O'Flaherty & Fisher (2008:210) reported that

'lesbians face violence twice as frequently as heterosexual women, and are at increased risk of being raped precisely because of their sexual orientation, often by someone they know. (…) The reason most frequently cited for rape of lesbians was that the man needed to show her she was a woman'.

The taboo of talking about sex and rape is as strong for homosexual women as it is for heterosexuals, and the reason behind the rape can often not be disclosed to the police. There is reason to believe there are many cases of curative rape in Uganda that has never been reported. This can relate to the fact that women often don't realise the corrective intention of the rape before long time has passed, but also because they as biological women would be facing the same obstacles of reporting sexual assaults to the authorities as heterosexual women would.

"It was a planned thing for a long time! And I learned that he [my brother] was really depressed about my sexual orientation. (…) For most people who do curative rape they do it out of ignorance. Even though ignorance does not give you the right to violate other people's rights he thought that he was saving me from a grave thing… and that if his friend begins fucking me I'm going to see something different and I would stop being the lesbian that he knew! And for me then, I didn't see it as curative or corrective rape because I don't remember fighting… you know? Because I was out. Completely out. I just woke up when this thing was happening. (…) I screamed, I hit the walls… but it happened anyway".

-Victor Juliet Mukasa-

Being a woman and a victim of curative rape is a powerless and vulnerable position to be in. The people you are supposed to trust and rely on are the ones who have attacked you and reporting it is often an extremely difficult process. Thus curative rape becomes a powerful weapon to silence and suppress women who don't fit into the traditional role of how a female should look and behave, especially since the attack has a domestic origin. The physical and mental problems caused in the aftermath are reinforcing existing disadvantages of being a gay woman, and even if curative rape is not exercised on most women the threat that it might is effectively scaring girls from being honest about whom they are.

5.2.2 Access to public services and facilities

For sexual minorities to avoid hostile places and dangerous surroundings in practice means limitation of low-cost options. When money is scarce the security situation adds a stress to the sexual minorities that other parts of the population do not have to bear. Choosing security

over cheap options is not always sustainable causing the LGBT-community to risk physical and verbal abuse in order to have a functioning routine. The network does support and help each other out, for instance will the women who do not mind wearing skirts go to the market or run errands on behalf of others who would be recognised. Some women can not ride the public taxis as they have been thrown out and beaten on occasions. Some people refuse to sit next to homosexuals; others use their body language to express disgust when they realise that what appears to be a boy is actually a biological girl.

The *matatus* usually end up or start from the taxi parks and through the route they pick up and drop off a good number of passengers, making it dangerous in general to use this type of transportation. Although expensive to use on a daily basis, most participants preferred the *boda-bodas.* They are fast, manoeuvrable and there are no other passengers that can cause problems. The drivers are busy handling the bike and the passenger will not be caught in a traffic jam where people will have time to notice someone different.

Finding a safe place to stay in Kampala is a challenge in general. Girls in the Ugandan culture are supposed to be dependent, but most participants have been disowned or disconnected from their families and do not want to marry a man. Because of this their financial situation is weaker than that of other women, especially since employment is another area of discrimination. Renting apartments and rooms are difficult, if the landlord finds out they are gay or suspect it they will in most cases be thrown out or refused to rent. Many participants mentioned this uncertainty; several had been forced to move on more than one occasion because the landlord had been informed that they were lesbians. Some also claimed they do not feel safe where they live. Neighbours are always watching and some had experienced angry neighbourhood mobs attacking their house. On the positive side, participants also often mentioned good hearted neighbours, people who had gotten to know them as individuals and realising they were good and respectful people even though they were gay. They had been accepted as members of the neighbourhood and in some cases protected if outsiders came to attack them.

Foreign institutions are not exempted from the prejudice of the local context and four participants mentioned how large international banks had refused them to open accounts because they were gay. In one case the account was opened but closed after three days, and others knew members in the LGBT-community that had had their bank-accounts suddenly

closed and all the money in it confiscated and never returned. When directly confronting the banks the response from the clerks was “we don’t accept people like you here” and “you know why…”. Participants described how they were made to wait in the bank, one girl said she had been there early in the morning and still was the last person to leave the bank when it closed.

5.3 Health and love

The World Health Organisation defines health as “a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity” (WHO 1948). Health geographer Anthony Gatrell (2002:4-5) discusses whether or not health could mean “the availability of resources, both personal or societal that help us achieve our personal potential” or “being physically and mentally ‘fit’ and capable of functioning effectively for the good of the wider society”. Based on the above-mentioned three definitions, sexual minorities open about their identities in Uganda can not be presently defined as in good health. The simple absence of disease does not necessarily entail good health; it is also about feeling good, mentally and physically.

As stated by Marks (2006:33): “Denial of the recognition of human rights for any group of individuals is a denial of their humanity, which has a profound impact on health”.
Being exposed to an increasingly hostile environment, sexual minorities would find it difficult to feel comfortable and at ease. Even if they have managed to accept themselves and who they are, they will have to live with the fact that the majority of Ugandans feel they are abnormal and treat them as such. Living in a hostile environment makes it difficult to obtain a state of mental and social well-being, not to mention achieve personal potential. Thus health is no longer a term connected to the individual alone, it becomes a reaction to and product of the general society that individuals live in.

LBT-women get sick like other women, but there are some problems that are identity-specific. This may not always mean identity-specific diseases but relates to lifestyle, societal issues or the healthcare system. For instance, HIV is not specific for sexual minorities but the way they have to relate to the disease, get tested and receive treatment and counselling is related to their identity and differs from the heterosexual majority. These differences apply to women’s

physical and mental health, making the lack of health-personnel free from prejudice and judgement a serious disadvantage for LBT-women.

5.3.1. Mental and physical health

"You have to learn how to love yourself when others hate you. You have to learn how to survive when you don't have hope".

-"Uncle Mc"-

Research conducted in western countries shows that sexual minorities in general tend to have high prevalence of depression, stress, anxiety and other mental problems (LGBT Issues Committee 2009, McAndrew & Warne 2004). This is likely related to the experience of a strong social exclusion from society and in some cases the threat of verbal and physical violence. Mental health issues can also relate to genetics or traumas experienced in different stages of life. When LGBT-people in the West are more prone to mental health problems than the heterosexual majority it is likely that the same phenomenon is present in Uganda where sexual minorities are openly harassed and where the discrimination is spearheaded by government, media and church leaders. As sexuality is not openly discussed many sexual minorities do not know that they are normal when they grow up. They experience a wide range of emotions, including shame, confusion and fear that they might be sick and abnormal.

To some extent sexual minorities exercise self-censorship by pretending to be heterosexual because they are aware from an early stage that society will not accept them. McAndrew & Warne (2004:430) comments on the internal dilemma of accepting the self and fitting into to society when saying that

"in addition to concepts of self, there is the desire to experience a social comfortableness, the interface between being (…) and existing (…). To confront possible personal deviations from the dominant social norms (in this case a society, which conveys heterosexist attitudes) can give rise to untenable psychological and emotional tensions"

Participants who talked about their childhood revealed strong feelings of sadness and loneliness, not from absence of company but because they believed they were the only ones feeling attracted to other women. They could not share their thoughts and confusion with friends or family and had to learn to accept themselves without knowing for sure whether they were mentally disturbed, confused or actually normal. Reaching the final stage of self-

acceptance took many years; some believed they were the only person in the world harbouring feelings for other women, even in their late twenties. Simultaneously the realisation of self-acceptance was paired with sorrow, described as the final confirmation that they could not change or ever be "normal" in the way society expected them to be.

The women who were open or semi-open about their sexuality and/or gender identity expressed strong feelings of fear, stress and paranoia. One participant explained how she believed that despite how nothing had happened lately she kept thinking that people were just trying to trick her to think they had forgotten, and then when she was feeling safe they would come for her. One diagnosed herself as paranoid, always believing something would happen, even though she had only been attacked once. Others expressed fear and exercised caution based on previous experiences and physical threats. Several participants had received threatening phone-calls at one point or another, usually with a message of "die homo die" or "one day we will come for you", causing these women to continuously be cautious of invisible enemies. For the participants lying low, other issues were discussed; mainly the feeling of worthlessness and the status as a social outcast. These women explained that they knew their worth was equal to other human beings, only they couldn't escape the feeling that society constantly put them down. One girl said she eventually gave up achieving anything in her life; she could not perform because she was stressed and anxious and thus society managed to create a self-fulfilling prophecy.

Despite the problems discussed above, many participants managed to function well and keep their heads high. For some these problems were tests of strength and faith, causing them to come out stronger in the end. Others learned from their past, making them cautious but not completely paranoid. Some girls reached a point where they became tired of being scared all the time and now went wherever they wanted to go, no matter what. They felt better about themselves if they did not give in to the fear and instead kept ready to deal with what would happen in the moment. Unfortunately, everyone can not be equally strong. Some participants expressed sadness and resignation, knowing they would never be able to live openly and honestly unless they could be absolutely sure they would not be harmed.

Physical and mental health is connected in many ways, and a state of mind can easily manifest itself in the physical body. LBT-women experience the same health problems as heterosexual women do, and sexual orientation or gender expression is only relevant on rare occasions. To

specify the differences, the general health picture of LBT-women is often complicated by a more problematic relationship with the healthcare system than heterosexual women have; they lack proper sexual health education and have a higher prevalence rate for excessive drinking or smoking, the latter often connected to the feeling of alienation from society. Many participants admitted to having or have had problems with alcohol. Many smoked but also expressed a desire to quit. The drinking was described as an easy way to relax but also a way to ease up on self-inflicted limits, such as kissing their girlfriend in public or forget all worries and just have fun. Some described years of their life being addicted to drinking; others still had continuous substance abuse problems.

Having counselled LGBT-people for many years, Former Bishop Christopher Ssenyonjo confirms that being a social outcast affects people's health severely:

"Many of them are alcoholics, they drink a lot. Some of them even resort to drugs… because of the way they are misunderstood. Some don't have employment when they should have, so they become so dependent on others. (…) That's why we need to help them because these are strong people, talented people, and they loose and spoil their talents by being distressed. (…) People are really mentally disturbed, some of them, unless they are helped".

Several participants had tried to commit suicide; some attempted it several times. Many spoke of self-destructive behaviour where in an effort to erase their lesbian identity they slept with men even though they did not want to, did excessive drinking and partying and developed partial aggressive behaviour towards others. This stage was described as a particularly low period in life, and most of these women had managed to quit all or most stimulants, apply for jobs and be at peace in their own bodies.

STDs and HIV are not particular to the LGBT-community, but the information and healthcare received differs dramatically from that of the rest of society. Contagious diseases may be spread around due to dangerous sexual practises without anyone knowing and treatment and counselling given to sick LBT-women is severely limited. One participant who was HIV-positive explained how she could not be open about her identity when she went to her clinic to get ARVs. She was scared they'd stop her treatment.

"If I say it they might stop me from taking drugs. You never know, they might cut you off. Without you knowing. (…) Anytime you come there they'll find a reason. They'll make you waaaaaaaait – and then they'll tell you the drugs are finished".

-"Stosh"-

Additionally there are some health-problems that only affect LBT-women. These are directly linked to their sexual- and gendered identities and include breast binding, urge to have specific surgical interventions and how to conduct safe sex when condoms are the only available option for protection. These issues can not be openly discussed with medical practitioners and forces LBT-women to handle their problems alone through the learning-by – doing method.

5.3.2 Facing medical practitioners

Sexual minorities are subjected to discrimination and homophobia in all aspects of life and health workers are not exempt from the general prejudices of society. Meeting the public healthcare system is often a humiliating and uncomfortable experience for queer women. They run the risk of being exposed and ridiculed, subjected to degrading or harmful treatment, refused because of their identity or receive counselling and treatment meant for heterosexual women. These difficulties cause a well-grounded fear of going to the hospital with the result that women often don't go for necessary tests or seek medical help before it is long overdue. The reduced ability to access medical care manifests itself in the LGBT-community and society at large as diseases may be passed around due to lack of treatment or proper sexual education.

The problems related to healthcare were mostly experienced by women open about their sexual identity, the ones who identify as transgender or those seeking medical care for conditions directly related to their sexuality. Others forfeited that visiting the hospital was easy because "nobody knows about me", meaning that as long as they were conceived as heterosexuals they did not feel uncomfortable seeking treatment. The main problem outlined by transgender women was the way they were treated by nurses and doctors. Many experienced that health-workers mocked them, asked whether they were women or men and subsequently required them to dress naked to properly identify biological sex before treatment was allowed.

"I failed to get treatment. 'Cause they wanted to undress me and I didn't want that. Because I'm a transgender so I really don't like people seeing me when I'm naked. They wanted to identify me 'cause when they saw me I look like a man, yes, but when I talked they were like "oooh, a gent or a lady?" and I told them that I am what I am. So they wanted to see really what I was and… I felt actually that I wanted to be somewhere else…"

-"Uncle Mc"-

Harassment by doctors and nurses has a number of unfortunate effects. First it is likely that the patient will leave before receiving help in order to avoid further humiliation. This means the condition or sickness will not be cured and the experience might discourage the patient from trying to seek help elsewhere. As a consequence the disease might be passed on to a third party, like in the case of STDs, or the woman's medical condition will worsen beyond effective treatment. This is not only dangerous for the person in question but also her partner and the people surrounding her.

Many participants expressed fear that if their identity as lesbians or transgender became known to the health personnel they would be refused or given the wrong treatment on purpose. Some experienced being totally ignored when signing in, and therefore never receiving an appointment with the doctor; others had had to change hospital several times in a row before they found someone willing to treat them.

The fear of being subjected to harmful treatment by prejudice doctors may not be a mere paranoid idea, as this quote from one of the participants illustrates. She explains what happened when the LGBT-network got an invitation from the medical students at Makerere University to attend a debate on homosexuality.

"We thought it was really going to be a debate and these medical students would be medical and all this. Instead it turned out to be a one-sided talk, it wasn't a dialogue. They shut our group down… they began quoting with the Bible (…) and they begun saying we must die. Can you imagine? (…) These are the future doctors of this country. And when you go and tell your doctor that you are a homosexual what do you expect? (…) No treatment, or death! Because they have the chance to get rid of you. (..) So you can imagine you even must be careful with the person you are telling.

-Kasha Jaqueline-

When seeking medical care, some are recognised as lesbians because of their lack of feminine clothing and experience difficulties, others pose as heterosexuals to avoid problems. Whatever strategy used it is an unpleasant fact that keeping a nurse or physician in the dark about sexual orientation causes ineffective counselling and treatment. Participants described returning from their appointment with a bunch of condoms, others had endured long lectures on safe heterosexual sex. Many were asked to bring their boyfriend if they wanted to get tested for HIV or STDs in order for them to be counselled together on the test-results and how to conduct safe sex as a couple. Bringing a lesbian partner would in most cases not be accepted and as a consequence most queer women find it difficult to go for routine tests or learn about their HIV-status. In general there is lack of knowledge on safe homosexual sex among health

workers as this is not taught in medical school. As a result the sexual minorities receive very limited information on safe and unsafe practices and at the same time run the risk of exposure and harassment if they reveal their identity and ask to be counselled with a same sex partner. Myths and beliefs about same sex relations, for instance that lesbian sex can not transmit HIV, are then allowed to persevere and women continue to be infected.

The lack of knowledge on the particular situation of lesbians and transgender women makes it difficult and traumatic to seek medical help. Transgender women, or trans-men, who need a gynaecological check-up are exposed to the confusion of the medical staff when someone who looks like a man shows up, and the transgender circumstances related to image, self-consciousness and body-alienation can not be properly discussed with physicians. Many transgender women feel uncomfortable with their breasts and consequently practice breast-binding. This can be a very dangerous practice, cutting off the blood flow and causing serious damage to a big part of the upper body. Such conditions can not be discussed openly and as a result these women continue with dangerous practices without proper knowledge or medical advice.

"We don't know what we are developing when we bind our breasts. Being from the third-world we bind our breasts with belts, with ropes, with cloths… cloth that at the end of the day becomes like a string… and continuing with this over time you'll get wounds, sometimes deep. Like for me I've been to hospital for binding these breasts, I was binding and the thing started biting deep into my flesh… and yet I could not stop because I had to go to class and I could not go to class with my breasts hanging everywhere! So by the time the school nurse actually found out I was rotting (…). I still have very huge scars on my body".

-Victor Juliet Mukasa-

The shame of asking for help, explaining why it feels necessary to bind the breasts and other psychological and physical problems connected to transgenderism is not easily understood by the common health-worker in Uganda. Since sexual minorities are treated as criminals they are not comfortable discussing issues related to sex and gender with people who are likely to judge and ridicule them. It also entail elements of risk since the doctor could decide to harm or expose them.

The issues of poverty and discrimination are well illustrated through the accessibility of healthcare. Safe clinics and hospitals where sexual minorities are treated properly and without judgement does exist in Kampala, however, these are expensive private clinics, operating with charges few Ugandans can afford. Poverty is not particular to the sexual minorities but being

different in this way does cause additional disadvantages, making it difficult to get a job and income if you are a suspected lesbian. Lack of healthcare therefore completes the circle as it is difficult to keep and perform a job if you are not healthy. Lack of income leaves the health care options limited as public affordable hospitals may not always be a safe choice. LBT-women are severely disadvantaged in terms of access as their choice of clinic or hospital has to meet high standards of safety and understanding that the public services can not provide. If women do fall sick they either have to risk the affordable choice, try to get money for the private clinics or conduct self-medication.

5.3.3 Love versus sex

A shared frustration between participants was how they feel the majority of the population misunderstand their relationships. “All they think about is sex”. “All they think about is anal intercourse”. “Why can’t they understand that this is about love”. All participants who had discussed their identity with others had been met with questions of “how do you do it”? The girls were hurt and annoyed that their partners and their love were reduced to conceived abnormal sexual acts when their relationships were about so much more than that. The single-sided focus on sexuality is what keeps homosexuality easy to target and smear.

Most participants had met people who did not know there were feelings involved as the anti-gay propaganda makes it seem as homosexuals are sexual predators who are only looking to rape innocent heterosexuals. Some participants believed this notion is related to the not so romantic relationships of many heterosexuals as well, who marry to please parents, follow tradition and gain security and stability in life. Thus homosexuality, which has no advantages in that sense at the moment, is reasoned to be purely about sexual desire. This impression is hard to fight, most especially because the LGBT-community is often prevented from expressing their opinions, participating on equal terms in public debates or arguing against prominent figures claiming that same-sex desire is dangerous. Such claims are often backed with examples of young boys who have been raped, often with explicit details, and this is presented as the nature of homosexuality. One participant commented specifically on this, feeling very sad about the way the partnerships of homosexual people were looked at with disgust:

"Have you seen 'Mr 1' and 'Mr 2' together? They are so lovely… you can see that they really care about each other. When you look at them I don't know how people can think these filthy things. If you see them you can tell that they care so deeply about each other".

- "Stosh"-

In the New Vision, September 2007, the well-known anti-gay activist and Pastor, Martin Ssempa, used the example of a young boy 'who was sodomized and bled to death (…) and died while trying to put toilet paper in his rectum' (Ssempa 2007). In relation to this example he also states that 'these laws [anti-sodomy laws] are also necessary to protect innocent people (…) who may be tempted to engage in risky sexual behaviour and who are sometimes the victims of these acts'. By not differentiating between homosexuality and brutal rape, sexual minorities have to fight a brutal and stigmatized label as sexual predators in addition to their general status as "abnormal". By removing love, companionship, faithfulness and positive intimate feeling from the equation sexual minorities are portrayed as cold-hearted sexual perverts, making it easier for the majority of society to condemn their identities.

5.4 Education and employment

"It's obvious when you're being pointed fingers at and you're not comfortable for a minute… it's very hard for you to achieve anything. It's very hard for you to finish your education, and if you finish it's very hard for you to keep a job. At some point you won't be able to take it anymore and… you know, you just let it be. And yet, you have no where to get food from".

-Pepe Julian-

Education and work is the key to a financial sustainable situation. Money does to some extent shift the focus from surviving through meeting basal needs, allowing those with money to spend their energy on a different and more participatory level of society. Education above primary level is expensive in Uganda, causing students to depend on their families or a steady income to pay their school-fees. In order to complete their education, most participants remained in the closet in order not to loose goodwill and support from the family.

The sexual minorities are severely disadvantaged in the job market. Loss of network, limited education, prejudice by employers and dress-codes during work hours all contribute to the difficulties of finding and keeping a job. These challenges come in addition to an already limited job market where jobs are scarce and competition is tough. Planning ahead is difficult as the risk of being exposed and promptly fired is constant.

5.4.1 Education

"I started losing confidence. Parents thought I was spoiling their kids. The teachers were counselling me. The headmaster called me and asked me but I denied everything, I said I don't do that. I'm not like that [a lesbian]. They are lying. I was sent home for two weeks, like a punishment"

-Woman 3-

Many participants experienced that it was during high school their identity became known to others, mainly through experimenting with girls, writing love letters or refusing to abide by uniform rules. Ugandan schools are divided into mixed schools, where both boys and girls attend, or single schools which are strictly boys or girls only. In general, people tend to believe that homosexual behaviour is something their children pick up in single schools, caused by the single sex environment and lack of other options. However, people still send their children to single schools, mainly because the schools are reputed to hold a high academic standard and in the belief that it is easier to learn in an environment devoid of romantic distractions from the opposite sex.

Parents are routinely notified when their children misbehave or break the rules of conduct in school, causing the principal or teachers to inform relatives when a situation occurs. Participants mentioned different scenarios in school, such as having written love-letters to other girls, having intimate relations or in different ways refuse to behave "like a girl". This behaviour could cause anything from corporal or humiliating punishment in school assembly to expulsion. Lesbians have experienced being kicked out of school, humiliated to the extent that they could not go to class or simply have to drop out because no one wants to support them with school-fees. There are also a few known cases where lesbian girls have been terrorised to the extent that they have committed suicide. These stories of the selected participants may or may not be symptomatic of a general situation for gay women in Uganda, but the interviews revealed a big difference between those who were more or less open and those who had stayed in the closet during senior secondary school. Those who had not been openly gay managed relatively well, saying it was difficult for the schools to be sure and expel them for homosexual behaviour. They described teasing, sometimes harassment and suspension, but few had faced the consequences full on. Because most girls were closeted at that age they managed to complete or partially complete their education. Those who were open experienced more difficulties, but also got some level of respect. One participant explained how she believed that being open was better than denying it. She had been open and

even though she was not really liked in school she was respected. A schoolmate of hers was suspected of being gay but she kept denying it. For some reason she was teased and harassed more than the girl who was open.

A number of participants had finished high school, taken courses at University, and many had good grades. Still, a couple of women claimed that in University their sexual orientation became a bigger problem than it was in high school. One participant explained how she felt shy to go to class because everyone was talking about her, how that in turn made her drink more than usual and made it even worse to attend class. Another told the story of how she was harassed by the administration of the University, how they refused her to sleep in the girls' areas, how she had to sign agreements not to go any closer than hundred meters from the girls' quarters and representatives from the school administration would keep showing up in her room to try and catch her doing something with another woman.

"They got a picture of mine and put it on big posters EVERYWHERE. Campus, on trees, latrines, everywhere… and the word read 'wanted'. As if I had stolen something. The administration did that. (…) instead of giving me just one phone call they just wasted resources, paper and... pinning me everywhere, the whole campus. You can imagine passing somewhere and oh oh oh… it's horrible. (…) I was so mad, I stayed I think about two weeks not attending lectures, I was so mad. (…) They even put me on the agenda during the dissertation week for the new students to tell them to be aware of me. They told people if they were found with me they would be expelled".

-Kasha Jaqueline-

Such continuous harassment does necessarily affect academic performance and the ability to relax and feel at ease. Although such treatment is extreme and most likely reserved for people who are clearly open about their sexuality the fact remains that most sexual minorities in Uganda are closeted. While in the closet they will be free from harassment unless someone should suspect or find out. That is probably the reason why so many of the women participating in this study had managed to complete or partially complete an education. It does however not prove that most sexual minorities go through school without problems; only that it is necessary to hide an LGBT-identity to avoid certain types of abuse.

5.4.2 Employment

Whether experienced personally or not, all participants expressed frustration that regardless of good testimonies, no one would hire them if they were suspected of being gay. In case they found employment and performed well at work they could still be fired or forced to quit if

someone found out they were not interested in men. The constant stress of hiding, the constant fear that someone might find out and make life difficult gave many the feeling that it was useless to even try.

Most girls had one or several job experiences behind them. Many explained how they had been forced to quit because there were rumours about them at the workplace, how co-workers made it uncomfortable for them to be there or how they were fired because of reasons that were made up. A re-occurring problem was dress-code. As biological women they were expected to dress feminine and sexy, and wearing trousers was not acceptable. Several participants described this as very unpleasant and the dress-code at work made them so stressed it was impossible to perform properly. The skirt-problem also made it clear in the workplace that these girls felt uncomfortable dressing feminine and the rumours started to spread.

"I was working in an office and they wanted me to dress like them, you know short skirts, high heeled shoes…(…) office wear. So after something like just 6 months I was just pretending. You know here in Uganda, the more you put on skirts, short things, the more you attract men. They would keep on disturbing me and I wasn't interested in men, and there was no way out you could stand there and tell them 'I don't do men!'. (…) So I just resigned and told them I'm sorry, I can't".

-Sandra-

"I'm not working. All the jobs here they want me to put on skirts to identify myself, to be locked up in a booth that I'm a girl. Yes I know I'm a girl but I shouldn't be locked up in a box"!

-"Stosh"-

Depending on the job, participants also had stories of how they had been squeezed by their superiors, either by threats or unfair treatment. One girl used to work for a Government minister but had to quit because her mother was threatened once the boss suspected she was a lesbian. Another resigned from her agency in fashion when she came out as a lesbian, the agency stopped giving her jobs even though she had been popular in the past.

"I lost the respect of my friends, my family. Even my boss didn't like it (…) so they stopped giving me jobs. I was there but I was always last in the agency to get jobs. They never said it to my face but there were rumours. So I left".

-Woman 4-

Stories about employment and work were relatively consistent, but one girl described the situation differently. According to her, some LBT-women have drinking problems and a few had been fired because they showed up late for work, were hungover or did not do their jobs well enough. After being fired they would say they were discriminated instead of taking responsibility for their lack of effort. She claimed it was not common but worth mentioning in order to make the picture more nuanced than pure victimization. LBT-women are as different in personality as heterosexual women, thus there are lazy and bad elements in both camps. However, many participants who had been fired from their jobs now had new ones that they managed to keep, proving that they really want to work and contribute to society. These were also the same people who could not allow their real names to be used in this study in case they would be identified. Many expressed fear that they might wake up one morning and find themselves without a job and with a revealed identity.

This happened to one girl who had been working in the same place for 4 years. When her boss asked if she was gay and she confirmed it, and her name appeared in the newspaper later on, she found herself photocopied on the wall of the office and fired after two months because of "company restructuring". The fear of being treated this way makes many lose their hopes.

"I'm scared. If I get a job and they find out maybe I'll be sacked. Sometimes I get physically threatened. Sometimes I wonder why I bothered to be educated. For what"?

- Woman 2 -

Again the issue of networks and social capital becomes relevant. Participants explained how they had not been hired because someone knew them and warned the employer they were gay, thus making old networks disadvantageous. Many had no one to help them find work. One participant had been promised she would be hired for a job in an international institution based on her good education and were told the interview was only a formality. However, once the employers found out she was gay during the interview she was informed she did not qualify after all. Others who had been asking around for jobs realised they needed to know someone in order to get employment without having to give too many favours. As one participant put it "it's technical know-who, not know-how".

5.5 Power and participation

"Women who are straight have so many opportunities. We are limited to most things. It is as if we are sacrificing ourselves for something".

-Woman 1-

The social exclusion staged by the media, government and religious institutions chokes the voices of the sexual minorities. Their ability to participate and achieve proper representation in society is severely limited by the hostile environment they are living in. Most media stories covering homosexuality have not invited the sexual minorities to be a part of the debate. They are talked about and not with. They are not consulted or treated as equals. This causes a two-way negative result where society in return may not benefit from the capabilities and knowledge of the group they are actively discriminating against.

5.5.1 Power

Despite the hardship and severe injustice faced on the basis of prejudice, LBT-women as victimised and helpless people are by no means an unbiased description. A strong political movement has been built on ambition and passion for human rights and is a direct result of the injustice and hatred experienced by a few core individuals. From a severe powerless position in conventional terms a grass root movement was built that forced attention from the government and the media when it would not be given voluntarily. Through organising the gay women in closed networks it became easier to give and gain mutual support and companionship, have a safe lesbian, bisexual and transgender space and join efforts to reach out to others who still are alone.

LBT-women keep and gain power generally through two main strategies; they stay in the closet to enjoy the same rights and privileges as heterosexuals do or take a political stand through their organisations. By choosing to be open and political they accept that their lives will be increasingly difficult but at the same time there is empowerment to be found in being open and decide not to hide. One participant explained how they would sometimes provoke people on purpose by mimicking the Stonewall-struggle[5] and tell waiters that "this lesbian wants a beer" or "this lesbian wants a coke" instead of just ordering in a normal manner. "We

[5] The start of the gay and lesbian struggle in America. Began as spontaneous demonstrations against a police-raid in the Stonewall Inn in 1969 and later became the historic foundation and model for LGBT-resistance all over the world.

don't want to leave a place without them knowing that lesbians were here" she said. This is connected to the wish most gay women have to be recognised. People deny their existence, or they try to scare and shame them into hiding. It is difficult to challenge society and not all queer women can be asked to perform such a sacrifice, but a few strong individuals are willing. They encourage the rest of their community and make sure that the gay issue is not forgotten.

Apart from the direct political struggle women looked for ways to empower themselves in different ways. There are many local words for lesbians or homosexuals, and they all entail negative associations. Participants distanced themselves from these words and instead referred to themselves as *kuchus,* a positive self-identification label that mainstream society is not generally aware of. Some even had it tattooed on their bodies. These women take pride in being "straight kuchu", or "very very lesbian" and act according to their label of identification. This also revealed a hierarchy-structure within the gay movement as several participants took care to mention they were not bisexuals. Bisexuals were conceived by some to be undecided, frightened or women who would not let go of the advantages of belonging to the heterosexual camp.

5.5.2 Participation in society

"I feel I can't participate in society the way I want to. Because of that inferiority. You feel maybe people look at you… like you're a nobody. They think you're crazy. (…) I really don't want to participate only in the gay society. I want to participate in the rest of society, so people know you are this and I can do that"

-"Stosh"-

Participants spoke of their ability to participate in society with sadness and anger. Most expressed a strong feeling of love for Uganda and would not want to go to some other country where their sexuality would be acknowledged if they had the chance. They wanted to use their abilities for the good of the Ugandan nation but felt sad that they would not be allowed just because they preferred women to men. One participant explained it like "it still comes down to getting your bed-sheets and suffocating you with them from the bedroom". Many of the women participating in this study had a good education and were willing to work. However, society decided they did not want their skills as long as they did not conform to their notions of normality. One participant told the story of a gay man she knew that had been fired from

his job in a bank because they found out about his identity. Because the work this man did it was difficult to find someone to replace him and another person was not hired before four months had passed. Even when the contribution of a gay person is important society will abandon all reason in order to remove that person from his position. Some participants spoke of starting businesses using micro-loans or other financial sources, and then employing homosexuals in their business. Others rejected such an idea because they would not encourage the segregation of homosexuals and heterosexuals.

"If we don't have rights people don't learn to live with us. Now we have to hide. It would make life easy. Remove the threat. You could go to the police and make complaints. If we had our rights we could contribute to society and in decision-making. Now we can't in case they say you are gay. You could contribute to society and development of this country. They lose lots of people who have knowledge now".

- Woman 2 -

Participants felt that society made them useless on purpose and they laughed at the authorities who did not know about the closeted gay people coveting powerful positions in society. Unfortunately such people were of no use to the gay struggle as they would not openly give their support. The problem of representation is serious, causing most information about homosexuality to come from those who advocate against it. The lack of representation and participation allows outspoken prejudice to stand unchallenged and the gay community has to rely on heterosexual supporters to voice out against injustice. This is particularly a problem in relation to western agencies, which only strengthens the notion that homosexuality is a recruiting-campaign administered by the developed countries.

The lack of visibility, participation and representation severely affects the conditions in which rural lesbian, bisexual and transgender women live under. Without role-models or knowledge that there are others like them they will continue to live in denial and hiding, not knowing what is happening to them. This problem is alongside the political struggle the one of most concern to the leaders of the homosexual networks.

"I can only imagine what they go through. It's a tough life there, a very lonely life. The further you move away from the city (…) the more un-accepting they are, the more un-tolerant they are.(…) So as much as people in the urban areas will use religion and clan as an excuse to kill their own people, in the villages they will do it even more. (…) We can not say that homosexuals have moved this level because homosexuals in urban areas are living better lives… when our sisters and brothers and others are still living somewhere in the darkness and are mislead about their lives. (…) It's even embarrassing and makes you feel like you've done nothing when you think of the vast numbers of homosexuals in rural areas that have not been dealt with".

-Victor J. Mukasa-

Chapter 6

Marginalisation and deprivation of rights

This chapter will briefly indicate loopholes of current human rights legislation and the rights based approach, tying the data from Chapter 4 and 5 together to prove a link between lack of sexual rights and marginalisation of queer women in Uganda. The first part of the chapter will discuss the nature of marginalisation connected to the lived experiences of the participants, illustrated by a personal story, and the last part will describe the intended way forward for the local activism in Kampala and the fight for LGBT-rights in the country.

6.1 The story of Alexis

"Alexis" is a twenty seven years old female transgender who has started the process of gender-corrective surgery. It is not visible in her yet but she would one day like to become a complete man. She works in the health-sector and because she wants to keep her job she can not be open about her identity. Her life story illustrates the many common problems for LBT-women in Uganda, the difficult process of accepting one self and why it is important to achieve sexual rights:

"People look at us as if we are social outcasts. Like we are possessed with demons. I grew up from a very remote area, in a village, where there's no exposure to anything like media. I used to walk 2 km to go to school. But – I was me! From my childhood I was me. I used not to like doing girls' stuff, I used to like taking the cows to the field to graze, maybe collecting firewood, that hard hard stuff. I used not to behave like a girl, from my childhood! And I was never exposed to the western world, the media… anything. I didn't know! I was confused, I was really confused.

I didn't know what was happening to me. I was there a while – asking what's wrong with me, I used to sit and cry and ask why, why do I have to feel this way? Especially when I tried to approach this girl and she told me "you, you're not normal" and I used to have these feeling and these thoughts and I just… why aren't I normal, why can't I just be normal? At first I

thought it was something wrong with me, I started hating myself, I really tried my best… to be… normal, as they say. I came to realise I was not the only one just a few years ago! That was in 2003. That's when I came to realise that ok, there are other people out there who are just like me…

I'm a transgender. But the pressure, the homophobia… it just makes me feel like maybe I should just change. One day maybe marry, maybe live like normal people, have a normal relationship. Because at the moment you can not really express your feelings here. You can express your feelings only in hidden areas, you can not walk with your girlfriend on the street, maybe hand in hand or kiss whenever you feel like. So it's really a difficult situation. It's like you're always there, always scared of what is coming next.

There was a time when I was in my home district, and this guy one time attacked me and he was like "you moron, you stupid…" I think he even said alien… "if I get you I'll rape you and take away that demon in you", something like that. So I was really scared. Even my mum, when I told her about me she said I was sick and needed help. That I was lost, lost from her forever.

We, the lesbians and transgenders, have very limited choices. Very limited choices. Because at the moment, you can have your girlfriend, you can stay together but you have to be discrete and not come out… Maybe if you came out, there are some places where they lynch you, they can beat you to death! These days people are being arrested, just a few weeks ago some of our members were arrested, so it's like we're having all forces coming from all sides. From the family, from the social moralists, from our friends… trying to push us into a corner.

It's mostly the government and the police - they are really against us, but you know how the people follow what their government say? If my government is saying that gay people are bad and so religious leaders also come in and say that according to the Bible it is a sin… That's how people also come to have that thought implanted in them, that it is wrong, without even thinking about it, without analysing it. The problem here is that these people just talk, they've had no dialogue with us. Or they haven't really talked, like we are seated now one and one, and asked "what is going on". Then maybe some of them think that maybe because we were raped when we were still young so we hate men, something like that. They have their own

theories, they have NOT heard from us! They are just on speculation and so they say this and this is wrong, and that is final.

We are really discriminated here… in the sense of identity, access to health, security… and… you just feel like you don't belong. Sometimes I feel like I don't belong to this country! Sometimes I think I should just go far away, far away to somewhere that I'd be accepted for who I am. So it is like you are living in your own country… you're a foreigner in your own country. Where you have no security, you have no love, we don't have belonging… it is very annoying. It affects my life in the way that sometimes I feel like less of a human being than I should be. I feel maybe… at one point I feel maybe I'm not human! Maybe… I'm a no body, it makes you feel like a nobody. Yet, we are important people here. Lawyers, doctors, nurses, whatever, teachers… and we are contributing positively towards this country, this government… And they make you feel you are not worth anything. Now, this is always a question I ask myself: what if I am somewhere with my friends or with my girlfriend and someone sees me – out! Then I'm not sure what would happen to me. Because the first one, sure deal, I'd lose my job. No person, no straight person would allow me to touch her to treat her because I'm gay.

Sexual rights are so important because … then you'd have nothing to fear! I know homophobia will never end but at least we'd have a sense of belonging, belonging to my country, you'd have a sense of security. If anything happens to you you have some kind of protection. There's a law protecting you. It would be nice. . I think that if there was a law people would start changing, slowly by slowly. There will be those who are still so embedded into their past … but there will be the ones, the new generations, who will understand. Because, for instance there are many people out in the villages, they are not educated, have no skills, they can not work. But for us, many of us are educated but still don't get jobs. This makes it quite different from someone who is not skilled and poor and a person who is skilled and poor. We are poor because people hate us".

6.2 LGBT and the current human rights

LGBT-rights are not specifically mentioned in the Declaration of Human Rights but when discrimination and breach of fundamental rights occur, a set of articles can still be invoked to prove the action illegitimate. These rights have with varying success been argued when

LGBT-people have been subjected to discriminatory practices. The failure to make duty-bearers commit to LGBT-groups is rooted in how sexuality and gender identity is viewed as a choice when it diverges from what is common. Retraction of rights have been used as a means to force people to "make the right choice" concerning sex and gender and many have mistakenly argued that giving rights to the LGBT-group would also include the acceptance of harmful sexual practices such as paedophilia. However, in individual cases complaints on the grounds of human rights have proved effective as it is not perceived to be an LGBT-fight, and these cases can later be used as precedence when similar situations occur.

Countries like Uganda, which are nurturing a severely hostile environment for sexual minorities, often have a limited and non-concrete legislation regarding homosexuality, making the laws open for interpretation. As in Uganda, a couple engaging in same-sex activities have to be caught in the act for the state to be able to prosecute. This is not likely to happen and thus people who have been arrested or mistreated due to homophobia or transphobia can argue the case as a human rights violation.

6.3 The human rights framework today

It is clear that even though LGBT-people are right-holders the duty-bearers do not necessarily act in accordance with the intentions of the Declaration of Human Rights. As the debate over sexual orientation and gender identity rages on in the UN, this ambivalence in itself opens up for the interpretation that LGBT-rights are not human rights. This notion is supported by Marks (2006:34) who says that 'for LGBT people in most countries, abuses perpetrated against them are not viewed as human rights violations'. As is the case of Uganda, official statements have been issued claiming that Ugandan authorities will not be pressured into accepting "a western vice". Ugandan Ethics minister spoke to Uganda's UN ambassador in April 2009, reminding him that Uganda's position in the matter of homosexuality is that it is "unnatural, abnormal, illegal, dangerous, and dirty" (as cited in AWID 2009).

It thus seems clear that the present framework for human rights used in applying a rights-based approach to development is not sufficient to protect the rights of sexual minorities. And as stated in Global Rights (2008:3-4): "To ignore one set of human rights or one group who is targeted for abuse risks the human rights for all. Either human rights are for all of us, or they protect none of us". Though recognized rights are regularly violated by states that have

ratified them, right-holders have more power to claim rights that are internationally accepted and can not be debated by large international human rights bodies. Leading members of the UN system has supported the attempt to directly include sexual orientation and gender identity within the UN and the human rights framework but it is not yet accepted by all member states. At the launch of the Yogyakarta Principles in New York, November 2007, the UN High Commissioner for Human Rights, Louise Arbour, provided a written statement where she said that:

"Excluding lesbian, gay, bisexual, transgender and intersex persons from equal protection violate international human rights law, as well as the common standards of humanity that define us all. Importantly, States have a legal obligation to investigate and prosecute all instances of violence and abuse with respect to every person under their jurisdiction. And, in my view, respect for cultural diversity is insufficient to justify the existence of laws that violate the fundamental right to life, security and privacy by criminalizing harmless private relations between consenting adults" (as cited in Arc International 2009) .

Despite strong voices of support and an increased number of states joining in the official condemnation of discrimination based on sexual orientation and gender identity, no major action has been put in motion to make states like Uganda fulfil its human rights duties beyond its own cultural and traditional norms. This affects the UN-agencies, NGOs and members of civil society applying the rights-based approach in their development work. As the issue of sexual orientation and gender identity generates much resistance it is increasingly important to make a strong and clear statement where LGBT-rights equals human rights to back up development projects based on the rights-based approach. Simultaneously, the responsibility to fight injustice lies not only with the Western countries. The majority of Africans have to engage in the fight for human rights in their own communities, without being pushed and forced by the Western nations.

"We need our African brothers and sisters who are not gay to stand up and say "it is not ok to treat these people this way". (…) The government listens a lot when donors speak out – but they will only listen as long as that donor is giving money. When the money is not there anymore we'll go back to zero. 'Cause it was never solved from the root of the problem".

- Victor Juliet Mukasa –

6.4 Marginalisation as a result

Marginalisation is a process or a state in which groups or individuals are pushed to the margins of their communities and societies. According to the Merriam-Webster dictionary, marginalization means "to relegate to an unimportant or powerless position within a society or

a group". The LGBT-community is a group continuously attacked as a symbol of the new colonialism and the diminishing morals connected to the western culture. By actively opposing homosexuality people are made to feel they have taken a stand against immorality and for the Ugandan culture and tradition.

The discrimination of sexual minorities is in many ways unique as this is a group not lacking capacities or skills any more than other members of society. These women are born in all layers of society, from the lowest part to the highest part of the societal ladder. This is also pointed out by the participants as there are some who are born in rich families and went to the best schools whilst others were born poor. Now they are nearly on the same level, financially and socially, simply because they are lesbians or transgenders. Once their identity becomes known they are uprooted as individuals and labelled abnormal, equally exposed to the social exclusion this label entails.

The marginalisation of sexual minorities is twofold, and these are related to whether a person is closeted or not. The marginalisation experienced when living in the closet is on a personal level. People do not know who you are and treat you like anyone else; but the fear of being discovered, the confusion of what is happening, is severely affecting the individuals having to carry this insecurity around without anyone to talk to. The fear of being discovered leads to a type of self-censorship in order to keep the secret, and the person ends up emotionally marginalised, always modifying behaviour and feelings in order to blend in.

For a person who is out the marginalisation is obvious and direct. There are numerous ways for society to punish those who are different, and for an openly lesbian woman these include insecure terms of employment, being exposed to violence and hate-crimes, loss of family and friends and other practices of discrimination. Marginalisation is therefore directly linked to these women's status as lesbian, bisexual or transgender and it can therefore be argued that marginalisation and discrimination are linked to the lack of sexual rights.

6.5 Sexual rights

The law is a model for how citizens are expected to separate right from wrong and it is supposed to provide a minimum of security for its population. When a law criminalises acts that are at the core of someone's' intimate life, the person itself is also criminalised. Through

this system a message is sent that sexual minorities are not accepted members of society, as shown in the story of "Alexis", and this makes them vulnerable for discrimination and harassment, especially when perpetrators are likely to not be punished for their actions.

Like the story of "Alexis" clearly illustrates, the lack of sexual rights, the status as a sexual minority, in Uganda leads directly to poverty and marginalisation. The lack of sexual rights is the basis of the discrimination faced by the women in the LGBT-community. Sexual rights are necessary to shape the moral fundamentals of a nation, to give individuals the freedom they are entitled to in order to control their own bodies and nurture feeling of love and desire for who ever they choose. As article 5(a) in the convention on the elimination of all forms of discrimination against women (UN 1979) explicitly states:

"State parties shall take all appropriate measures: to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practises which are based on the idea of the inferiority or the superiority of either of the sexes or stereotyped roles for men and women".

A society like Uganda, without sexual rights, is a society where the state aims to regulate the most intimate sphere of a person's being. This is not extended to the sexual practises of the majority and therefore the impact is heavy on those who differ from the norm.

This type of state intervention is in direct opposition to the Declaration of Human Rights which explicitly claims that all human beings have the right to privacy. Punishing private adult consenting relations and even personal feelings of identity or a person's mannerism is in direct violation of this right and the right-holders subjected to this intolerance needs to be backed with a consistent and unison human rights framework when they are exposed to such illegal practices. Without sexual rights, LBT-women have no protection if they are exposed to hate-crimes. As being who they are is criminalised they are not able to report abuse and violence motivated by homophobia or transphobia. They will not be able to complain about being fired from their jobs, thrown out of their houses, refused to use public toilets and health services, thrown out of taxis or beaten on the street unless their very existence is acknowledged by state and legislation. When there are no sanctions against those who abuse and discriminate such practices are difficult to stop.

6.6 Marginalised – not necessarily victimised

Because of the disadvantageous situation for LBT-women in Uganda, people have employed a number of coping-mechanisms to be able to survive. These mechanisms enable queer women to keep their dignity and show that they are capable of resisting and enduring the injustice dished out by society. Despite the efforts of the state and civil society to silence their voices and make them go into hiding, these women have managed to organise under an activist leadership and fight in the public sphere for their basic rights. Some refuse to remain invisible and prefer to take the hit rather than being forced to live in hiding. Others gain strength and resources from the networks, finding new friends who understand and can help in times of need.

People do not know much about LBT-women living in the rural areas, separated from the companionship and support from the network. Participants believe they are coping through denial or conformity, either by refusing themselves to be who they are or to obey the wishes of the family to get married and have children like they believe a woman is supposed to do. A few commit suicide; others live in love-less marriages or keep a secret lover. All participants agreed that it is not possible to be out in the rural areas. If you do come out you will have to relocate to the urban areas, otherwise your life will be in danger.

Because of the severe discrimination faced by those who were open and semi-open, the interviewed women have had to become creative in order to earn a living. Some would find work based on their experience with activism and organisational tasks but most relied on hand-outs from their friends or family, short-time jobs or other inventive ways of survival. One person said she had to sell sex to men in order to support herself. Though things are difficult and in most cases unfair, these women should not automatically be labelled as powerless victims. The participants were often proud, independent and innovative, managing to survive despite their disadvantaged position in society. They were not waiting around for someone to save them, they were, together with their leadership, prepared to force structural changes and find their own means to gain acceptance and survive. The front-line activists were prepared to fight the rest of their lives in order to obtain acceptance and justice for the LGBT-community.

6.7 The local fight for acceptance and justice

Most participants were organised through FARUG or other organisations in the SMUG-network, and activism and the local fight for equality was a big part of their lives. The fight for visibility and being able to speak for themselves in matters of homosexuality has been an important part of the struggle for the last couple of years. The network has launched a media-campaign called "let us live in peace" where members of the LGBT-community actively engage the press in discussing their situation, and SMUG also give press-releases to answer to public accusations and threats made against the network and its members. This strategy has helped combating invisibility and shown that accusations against the LGBT-community can be challenged in a public sphere.

Problems identified by the participants and leaders of the network were funding and foreign interference. Many felt that white people should not get involved because that would only fuel the myth that homosexuality was imported and supported from the West, but others claimed that white people should get involved, give support and not let the misconceptions of people stop them from showing their support. All participants made sure to underline that this struggle was a Ugandan struggle and an African struggle. Only they could fight the battle in their own cultural context to prove that this is an African identity and that it is not alien to the continent. If the West wanted to help they should not interfere directly but only support where the local activists themselves defined a need for assistance. The main problem, according to the network leaders, was money offered on the conditions of the donors and not based on the needs of those who receive the funds.

"The funders say that today it is HIV. Tomorrow they say "we give more priority to organisations that have lesbians and gay people and transgenders living with disabilities"… and people will start reorganising their organisations to find disabled people. Because of the money. Instead, as the funding criteria changes, the objective change of the organisations, and the fundraising topic also changes. The funders have to change. They can not be the boss; we are the bosses because we are the ones who fight these battles. And we know what the needs are. But a funder can come from New York and say I want to help. With a church! I have not asked for a church but because I'm African and I'm poor I'm likely to say "yes yes yes yes" and then we'll plant a church there, when people are dying of hunger this side, they are sleeping on the streets, they are being raped on the streets every day, people are sick… People can't go to school… people can't even meet in a safe space to just BE without having to pray… you know? Without a workshop, just being every day in a safe space to watch a movie! You can't even have that because the funder is saying 'a church'".

- Victor Juliet Mukasa -

The earmarking of funds are radically changing the objectives of the organisations and attract people who are more interested in money than making things better for the LGBT-community. Leaders expressed that if the funding could not be on their terms there should be no funding at all as it diverted peoples attention from the important issues. Their message to funders and donors who want to support their struggle is to make sure the needs are identified by the local community, make sure that the network-leaders consult closely with the community before making decisions and understand that local LGBT-groups have to fight their own fights for their own rights. Capacity-building was identified as an area in need of funding. This would empower the local activists to fight discriminating practises, do lobbying and keep their organisations operational in terms of economy and leadership.

Chapter 7

The link between lack of sexual rights and marginalisation

This final chapter provides a summary of findings and the chain of reasoning presented in this study. The theoretical framework and the analytical approach will be revisited and combined with the main conclusions drawn from experiences of the participants. A final conclusion will be presented at the end, arguing that there is a strong connection between the lack of sexual rights and the marginalisation of LBT-women in Uganda.

7.1 Theory and findings revisited

The theoretical approach illustrates how the combination of Queer Theory and the rights-based approach can expand and improve the framework used in development efforts based on human rights today. The Queer Theory introduces sexuality as a category used to discriminate, and argue that structures and hierarchical systems of sexuality are artificial. By acknowledging that the present human rights framework is not clear on the issues of non-heterosexuality we can use Queer Theory to claim that these barriers are unnecessary as all human beings are entitled to equal rights and opportunities as stated in the international Declaration of Human Rights.

The findings from Kampala indicate that the LGBT right-holders are fighting strong structural barriers, they lack the legal opportunity to make claims and complaints and their lack of sexual rights have a direct and negative impact on their personal lives. The duty-bearers in Uganda show a complete disregard for the human rights violations that are encouraged and committed against this group and international bodies, such as the UN, have been unable to sanction and fight these practices.

The lesbian, bisexual and transgender women in Uganda are living under severely hostile conditions. They are exposed to practices of exclusion and punishment from both government

and civil society, making them a marginalised group on the basis of their sexuality and gender identity. Problems faced by the LBT-women include discriminatory practices in schools, hospitals, institutions of employment and with the police. They lack proper protection against hate-crimes and are efficiently blocked from participating in the public debate. They are also exposed to arbitrary arrests, public discrediting, random acts of hostility, and the constant insecurity of what will happen if someone were to find out about their identity.

Though the women in the LGBT-community belong to a severely marginalised group they should not be labelled powerless. The agency of their selected leaders has proved it useful to fight and enter the public domain, despite the dangers and attention this has led to. From being an invisible and hidden minority, most citizens now know that lesbian and transgender women exist and are living in Uganda. Because of the increased visibility, most women have adopted coping-mechanisms in order to live as normally as possible. Unfortunately, for many this involves staying in the closet for as long as possible and keeping a general low profile.

7.2 The lack of sexual rights and its connection to marginalisation

The lack of sexual rights is the underlying cause of discrimination and marginalisation for LBT-women in Uganda. Because they are not explicitly protected in any legal documents, duty-bearers may refuse to define mistreatment of sexual minorities as human rights violations. For the right-holders it is difficult to make claims based on a framework open for interpretation. Though lack of sexual rights does not automatically entail discrimination, it does leave the door open for discriminative practices that are difficult to sanction. It is within this vacuum of rights that marginalisation of sexual minorities occur.

The LBT-women are marginalised because they belong to a sexual minority that is not tolerated in the Ugandan society. As theories of intersectionality suggest, their marginalisation is also connected to that of their birth-sex, as women in Uganda are supposed to be dependent on a man or their family. As these women do not want to marry a man and are often excluded from they families they are extremely vulnerable. Most of them are poor and, except from the LGBT-network, live without the social safety-net of family and friends.

These women come from different parts of the country. They have different social backgrounds and belong to different tribes. Some are educated, some are not. They are very

different in all aspects but one. The LBT-label makes women who are different to be treated by society as if they were the same. It is on the basis of this one can draw the conclusion that sexual rights are strongly linked to marginalisation as their status as a sexual minority is the only thing these women have in common.

7.3 Pushing for sexual rights

To combat marginalisation LBT-women need legal protection and sexual rights to be acknowledged within both national and international juridical frameworks. Though human rights are violated on a daily basis, there is a strong international stigma connected with these actions, and states are likely to deny or under-communicate the extent of their actions rather than protesting on the legitimacy of the rights themselves. With LGBT-rights and sexual rights there are no such stigmas, and states can openly argue that discrimination of sexual minorities is justified. It is thus clear that the rights supposed to protect all human beings are flawed when certain groups can be defined to not inhabit the same rights as others.

Fighting this battle should not be left with the sexual minorities alone. Practitioners of gender- and human rights based development, and donors and states providing aid, have a particular responsibility to not support the mechanisms of the oppressor. To truly achieve gender equality, to truly protect the rights of all human beings, LGBT-rights can not be ignored by the major actors in this field. Marginalisation can not be fought and proper development can not be achieved where human rights are not respected; but human rights can not protect all human beings as long as the sexual minorities are excluded.

When agents of development deal with gender or the rights-based approach it is necessary to embrace the full range of these terms. In working with gender, and most especially with women, those who do not live in conventional families or follow the traditional female patterns must also be considered. By ignoring the sexual minorities such development efforts can maintain and support the traditional notions of sexuality and gender roles. It is necessary for development organisations to work within the local context, but this can only be pushed so far. In some cases precedence is needed, such as in the case with women and equality, respect for human rights, and now the acknowledgement of LGBT-rights. When implementing projects based on the rights-based approach, a signal is sent if LGBT-rights are simultaneously ignored.

Practitioners of development have a responsibility to help contribute to positive change. If only some groups are aided and lifted whilst others are forgotten or perceived to be too difficult to work with, development efforts can in the most extreme cases make things worse for those who are marginalised by creating an even bigger gap between those who receive support and those who do not. Keeping the rights and needs of LGBT-people in mind does not necessarily entail huge restructuring in programs and projects. By keeping in mind that not all people feel comfortable in their traditional sex and gender roles, misunderstandings can be avoided and at least there will be “no harm done”.

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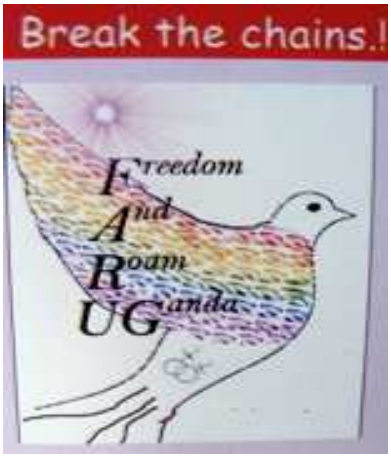
Attachment 1



Freedom and Roam Uganda

"The vision of FAR-UG is to build an organization, which will strive for the attainment of full equal rights of lesbians, bisexuals, transgender and intersexual (LBTI) women as well as the removal of all forms of discrimination based on sexual orientation and empower LBTI women. Our mission statement is to empower, lobby and press for the recognition of same sex relationships, especially lesbians in Uganda and thereby attain full equal rights and freedom in all aspects of life".

The aims and objectives of FARUG are, amongst others

- To integrate a legal, ethical and human rights dimension into the response to discrimination based on sexual orientation and also to equip for full participation in the political, social, economical and health set up of Uganda

- To create, raise and promote awareness of discriminatory causes and effects in regards to LGBTI persons especially LBTI (lesbian bisexual, transgender and intersexual) women in Uganda

- To raise self-esteem among LBTI women in the Ugandan society

- To advocate for the establishment of a legal framework to reach those in society that are legally and socially marginalized.

- To educate the general public on issues of human rights within the context of sexual orientation and to create stakeholders nationally to assist in the dissemination of information.

- To research the human rights situation of people discriminated against based on sexual orientation in Uganda and to network with stakeholders in the region in order to establish and maintain a response to ethical and legal challenges

- Lobbying for the review of discriminatory legislation that relates to sexual orientation

Some of FARUG's current activities include

- Running awareness programs through publications and minor radio talk shows about the existence of LGBTI people in Uganda and informing and educating as well as calling lesbians together to join and support the struggle

- Offering counselling services to lesbian, bisexual, transgender and intersexual women on a one-to-one basis.

- Networking with international, regional and local LGBTI people and groups to get moral support and encouragement

- Pushing for the inclusion of sexual minorities in the Uganda HIV/AIDS policy

- Introducing the organisation and making the activities known to the government, human rights organizations (locally, regionally and internationally) and women's organizations

- Lobbying for funds

- Continuously working towards identifying lesbians and registering them in the organization.

This information is publicly available and can be found at www.faruganda.org

Attachment 2

Question-guide – primary target selection

Personal data

- (name, nick-name)
- age
- sex
- gender
- sexual orientation/ gender expression? How would you characterize yourself?
- marital status
- level of education
- occupation
- place of origin
- place of residence
- religious beliefs

General questions about non-heterosexuality and society

- In your opinion, how does society view people who are not heterosexuals?
- Why do you think they have this attitude?
- How are their views expressed? (Are they silently condemning, physically showing it…?)
- In you opinion, what is the major reason for this?
- How are women who are not heterosexuals usually handling their situation? What are your options? (stay in the closet, marry a man, run away, be open…?)
- In what sense is the situation different for gay women and gay men? Is it better or worse to be a woman in this situation?
- Since it is illegal in Uganda, do gay women have any legal protection if someone were to hurt you because of your sexual orientation?

General questions about you and your life situation
(some questions are very private and you don't have to answer them if you feel uncomfortable doing so)

- Can you remember when you first realised that you were sexually different from other girls? Describe the situation. What happened?

- Did you have any knowledge about different sexualities before you realised you were "different"?
- What's it like to live in Uganda with a sexuality that is not accepted by the larger public?
- Has there ever been a time when someone discriminated you based on our sexuality? What happened…?
- Are you closeted or out in the open?
- Do you have a girlfriend/husband/children?
- Do you live in the house of your parents or somewhere else?
- Does your family know about your sexual orientation? Why not?/how did they react?
- As a woman, did your parents have any specific expectations from you?
- Some people think that gay people have adopted bad behaviour; others say they are brought up that way whilst others again believe one is born with a sexual orientation. What do you think?

- Did your sexual orientation influence your schooling in any way? (In boarding school, with the way the teachers treated you, your concentration..)
- How is your financial situation today? (not necessarily figures, just good, average, poor? Better/worse than the general majority?)
- Has your financial situation been affected by your sexual orientation in any way? (access to work, education, contacts)
- Do you have a big social network? What kind of people belongs to your social network? (Resourceful people, heterosexuals, gays, your family..?)
- Has your social network been affected by your sexual orientation? If yes, in what way?
- Have you ever had or needed medical treatment that required knowledge about your sexual orientation?
- (for transgenders: if you had the chance, would you want to have gender-corrective surgery?)
- Have you ever had any conflicts related to your sexual orientation? With family, friends, police, law? What happened?
- Do you want to form a family of your own? What kind of family would you like? Is that possible for you to do in Uganda?
- Do you feel discriminated against in Uganda? Please explain.

- If yes, what does this discrimination lead to? Does it directly affect your life?
- What are the positive sides of being gay in Uganda?
- In your opinion, is it important to achieve sexual rights in Uganda? Why?
- Do you feel free to participate in society in an equal way with everyone else? (Speak your opinion in public, run for positions, be entrusted with responsibilities...? Explain.
- Has your sexual orientation or people who had an opinion about your sexual orientation, ever influenced something you wanted to achieve?
- In general, how do you feel about your life? Are you happy/unhappy? Are there things you would want to change/not change? Do you feel like you get to live out your potentials and possibilities?
- Do you think there is a connection between poverty/discrimination/marginalisation and lack of sexual rights? Please elaborate.

- **Is there anything you would like to tell me, something I did not ask that you find important?**

- **Is there anything you would like to ask me?**

- **Was this interview ok? Were my questions too personal?**

Attachment 3

List of participants

Participant names without air quotes are real names, published with informed consent. Names in air quotes are nicknames selected by the participants. The women who prefer complete anonymity have not been named at all and appear as "Woman 1,2,3". This list only contains descriptions of the participants directly quoted in this thesis, though others are mentioned implicitly, and the personal information about each woman has been limited in order to minimise the risk of recognition. Participants are listed as they appear in the thesis with the page numbers of where their quotes can be found in brackets.

Woman 1 (29, 63, 79):	26 years old, a Christian, works as an athlete, from Kampala. Characterises herself as a lesbian. Member of FARUG. She is not open as her family and daughter does not know.
Sylvia Tamale (55, 63):	Dean at the faculty of law and human rights defender. Heterosexual.
Val (55, 59):	26 years old, a Christian, works in journalism, from the Central Region. Characterises herself as a feminine lesbian. Activist in FARUG. She is open about her identity.
Christopher Ssenyonjo (56, 69):	A counsellor at the Integrity organisation in Kampala. Retired Bishop in the Ugandan Anglican church. Heterosexual.
Sandra (58, 77):	24 years old, religious, from Kampala. Characterises herself as a lesbian. Community representative in FARUG. Open about her identity.
Diane (59):	28 years old, Christian, from Kampala. Characterises herself as "a butch lesbian". Works in FARUG. Not completely open about her identity to her family.

Kasha Jaqueline (59, 71, 76):	28 years old, Christian, from Kampala. Characterises herself as a lesbian. Present leader and co-founder of FARUG Currently doing volunteer work for the organisation. Kasha has never been in the closet.
Pepe Julian (60, 74):	28 years, a Christian, born in Kenya but grew up in the north of Uganda. Co-chair in SMUG. Prefer not to have sexual orientation or gender identity labelled but is open about her identity.
Woman 2 (61, 78, 81):	26 years old, a Christian, from Kampala. An athlete and a FARUG member. Characterises herself as a lesbian. Not open about her identity.
"Sarah" (61):	25 years old, a Muslim, born in a village outside Kampala. Board member of SMUG. Characterises herself as a lesbian. Not open about her identity as she has a child who doesn't know.
Victor J. Mukasa (64, 72, 81, 86, 90):	33 years old, a Christian, from Mpigi. Characterises as a transgender / trans-lesbian. Victor is a educated as a banker, co-founder of SMUG and FARUG, and works with the International Gay and Lesbian Human Rights Commission (IGLHRC). Well known Ugandan activist.
"Uncle Mc" (67, 70):	20 years old, a Christian, from Kumi. Member of FARUG. Characterizes as transgender. Not out in public but family and friends know.
"Stosh" (69, 74, 77, 80):	29 years old, a Christian, from Mbarara, educated in marketing but currently unemployed. Member of FARUG. Characterises herself as a lesbian. More or less open about her identity.
Woman 3 (75):	19 years old, Muslim, comes from Kampala. Works as an athlete. Member of FARUG. Characterises herself as lesbian. Not open about her identity.
Woman 4 (77):	27 years old, Catholic Christian, from Mbale. Characterises herself as bisexual. Member of Queer Youth. Not open about her identity.
"Alexis" (82):	27 years old, a Christian, from Mbale. Works in the health-sector. Member of FARUG. Characterises herself as a "straight lesbian" and a transgender. Not out of the closet officially but some friends and family members know.