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OUT, PROUD, AND AFRICAN: ONE MAN’S JOURNEY AS A GAY UGANDAN ACTIVIST

*John “Longjones” Abdallah Wambere**

It was an afternoon; I stood by the sink at my work place in Nairobi, Kenya, and looked in the mirror. I washed my hands, slowly rubbing in between my fingers, just as Pontius Pilate did before he handed Jesus Christ over to be crucified. With much relief, I whispered slowly to myself, “John, you are gay.” I took a deep breath and wiped my hands over my face. The year was 1998.

I dated a male Lieutenant Doctor in the U.S. Army for over six months; this was my first same-sex relationship. As our relationship grew, I learned from our conversations a couple of things to take away with me, including responsibility and independence. One afternoon, during such a conversation, he asked me how I felt about my sexual orientation and if I was “okay” with it. Knowing that I was still struggling to accept myself, he said to me, “*if what you do makes you happy, then go ahead and do it.*”

I returned to Nairobi from Kisumu where he lived and his words kept echoing in my mind, resounding like a rhythm in my head. I decided to put it in my own words that would bring happiness, “*if being gay makes me happy, then go ahead and do it.*” These were life-changing words that inspired me to accept myself and my sexuality as a gay man; ever since then, I have moved on without fear or shame of who I am.

I was born in Mbale, Uganda, near Kenya’s western border. As a young man, the best thing that ever happened to me was going away to study and live in Nairobi. It was the time of my life. Even though I

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started to recognize my attraction to males at a young age and had already tried to engage in same-sex affairs, I was still questioning my sexual orientation. In my hometown, it was hard to live openly as gay in a community where families knew each other, went to the same church, children went to the same school—it was hard to express oneself or confess a dying love to the boy next door.

Same-sex attraction was not acceptable in Ugandan society, and it was not something many talked about. Though the word “homosexuality” was viewed as an import from the West, there were words in the local dialects that described persons who were attracted to the same sex. Throughout my childhood and young adulthood, I grew up surrounded by the love, support, and warmth of my parents and siblings. Being raised from a Christian background and taught that homosexuality is a sin always became a hindrance for me to accept myself and to overcome my deep desires for men. However, I never heard or saw anyone overtly run away from a person perceived to be gay. Even when word spread around the area that gay men resided within or confessions from a few male residents that they had been hit on by men, homosexuality was not seen much as a threat. Society was not homophobic or aggressive toward gay people; they simply did not talk about them and often times preferred not to have any type of relationship with the perceived gay person. In spite of that, stories of men who had sex with young boys surfaced, and when people spoke about those relationships they often referred to them as mentally sick or bewitched. I also heard stories from business people who traveled abroad of men who had sex with men in Kenya precisely Nairobi and Mombasa.

When I moved to Nairobi to pursue my studies, I was eager to explore more but, between settling in to my new home, making friends, and perhaps looking for other gay men, I knew it would take me time. I heard hints around my workplace of where gay men hung out, so I started spending time around those areas, doing some evening window shopping, and stopping by bars for drinks. With time, I learned that one of my associates from work was also gay. We became good friends. While in Nairobi, I connected with other gays and started attending some of the gay gatherings in the city, where I met people who had traveled or knew some gay people from Kampala, the capital of Uganda. I had little idea of their experiences since I had never lived in Kampala prior to moving to Nairobi. However, it opened my eyes to a new world.

This was a breakthrough for me and a turning point in my life. I finally felt freedom. Nairobi was about acceptance and discovering who I was. I was a stranger in Moscow, as they say, and I was freely exploring my wild side of life. But the adventures were not all a garden

of roses.

Being part of the lesbian, gay, bisexual, transgender, intersex, and queer (LGBTIQ) community in Nairobi at that time, I realized something serious was going on. Something was eating up the gay community in Nairobi. There were widespread sexually transmitted infections (STIs) in the LGBTIQ community that were not being discussed. No one wanted to speak out about it, but allegations of one person infecting the other were the order of the day. There were no formal methods or channels to address the issue. Instead, individuals used blackmail and extortion, especially if one was known to have a job or was economically stable. Some members in the gay community conspired with the local police and took large sums of money-blackmail. Most of the targeted persons were foreigners. I remember being a victim a couple of times, extorted \$50–\$100 USD on different occasions, alleging I had sex without consent. No one spoke about the risks of HIV; resources were not even available to combat HIV or to spread information about the disease. This lack of information, discussion, and acknowledgement by society and government officials went on for a long time. After about four years of schooling and working in Nairobi, I moved to Kampala in 2001 to start a completely new life. The Kampala gay scene was vibrant, there was freedom, less blackmail, and less police arrests compared to Nairobi. We moved freely among the streets of Kampala and even spoke openly about our sexuality without fear. Once in a while, my friends and I would come across men in the streets and would tell them we loved them; they smiled and walked away. None of us were ever attacked. Most of the bar scenes were dominated by university students and a few gay cliques; the nights were blissful. While issues such as extortion, blackmail, and dependency on sex were not largely present, over time they surfaced in the Ugandan LGBTIQ community, where they remain today. Today's generation of community members—especially those coming from countries that still persecute same sex relations—are faced with many challenges, such as rejection, denial of education, misinformation, ignorance, and greed.

While in Kenya, I made a couple of trips back and forth to Kampala, and I made a few gay friends. When I finally moved and settled in Kampala, I reconnected with old friends, and my circle of gay and non-gay friends grew even more. I also managed to be among the few gays who had a job and a stable income. I hosted friends and mobilized many for parties either at my place or other friends' places. As our friendships grew stronger, we began to think more about the community and where we were headed. When friends hosted parties, we noticed that the number of gay men in Kampala was growing rapidly over time.

However, there remained a lot of denial among both the general and the gay community itself based on culture, fear, family, class, and religious teaching. These were perhaps the concerns most of them mentioned as to why they wanted to remain discreet; none raised questions about the laws or even about the health risks.

As time passed by, I made more new friends. One of them was a gentleman who was dating my friend and roommate. We spent time together, checked in with each other about the safety of our gay friends, and discussed ways we could help our gay friends seek health care services. He shared stories about his gay friends and the challenges they faced, including poverty, ignorance, and risks about their sexual behavior—especially the spread of STIs that most LGBTIQ people never knew of.

Some reasons that speak to this ignorance of STIs are the lack of access to information, lack of sexual education, and sexual taboos that limit frank and honest discussions. In Uganda, a person getting tested or treated for STI's was often asked for the name of their partner by the primary care providers, and in some cases requested to bring them in before they could get treated. Due to the lack of sensitization and clear information sharing in general, this scared many people off from public clinics. There was increased fear since most were just sexual encounters rather than committed relationships, and it became even more complicated and worse for unfaithful gays—to take a casual same sex partner along to get tested and treated was as good as not going and seeking alternatives. It also inhibited people from accessing treatment because they thought if they did not bring their partner with them, they would not be treated, henceforth increasing the spread of new infections and demands to seek non-professional services or go underground—which could lead to a worse condition. Most of the gay men kept their knowledge of being infected to themselves to protect their confidentiality. Some resorted to self-medication, while others went to pharmacies and got treated without proper tests, and others resorted to traditional medicines. Still, others opened up to my friend and me directly with the hope that they could get help to facilitate their treatment or even a referral to a doctor that would not ask many questions.

Despite the STI problems, living as a gay man did not pose much of a threat from society; individuals worried more about their close ones rejecting them than facing violence from strangers. There was a fear of being outed, or even suspected of being gay, and becoming a laughing stock for having intercourse with a person of the same sex. Sexual acts draw strict lines between masculinity and femininity and among the LGBTIQ, a gay man is likely to suffer more as opposed to a lesbian.

Many did not know the consequences of The Penal Code Act of Uganda¹, a law that criminalized same sex acts. Many members of the LGBTIQ community were ignorant about the law; most of them knew that society and religious institutions were major obstacles for them to live freely, but they did not know of the legal consequences.

Prompted by the above-mentioned challenges within the LGBTIQ community in Uganda, my friend reached out to me and asked if I wanted to be part of a team that was brainstorming the creation of an organization that would serve the LGBTIQ community—offer support for the problems they faced, including the spread of STIs. My answer was a simple yes—but even then, I had limited knowledge about the special risks of anal sex. One of the co-founders of Spectrum Uganda Initiatives Ltd. had an Australian friend who was a global HIV/AIDS activist. He shared his expertise; enlightened us on the challenges and risks of anal sex; worked with us through the initial stages of setting up the organization's goals, values, and objectives; and helped register Spectrum Uganda as an official organization. This journey led to the birth of Spectrum Uganda Initiatives, the first not-for-profit registered LGBTIQ organization in Uganda.²

With the birth of Spectrum Uganda Initiatives, we started to see more formal organizing among the LGBTIQ community and other organizations springing up. Often, members of an organization had certain privileges as opposed to an individual who was not a member. During our growth period, we realized that there was a need to open the organization up to serve every gay man without restricting them through membership or creating a division within the community. This was to remove what donors saw as unfairness among the gay population. Some of the gay people did not want to be affiliated with organizations but wanted their services. On the other hand, if we were to achieve our goals in the area of health and reducing risks in the gay community, we needed to serve all gay men regardless of affiliation. All gays were a possible target of the anti-gay groups, state security agents, and society. In order to minimize new infections, and contain those that were already infected, and lessen risks among ourselves, there was need to open services to all gays since the sexual activity is considered high among this group sleeping with each other. At the same time, we wanted to

1. Penal Code Act, Cap. 120 Uganda Law, http://www.upf.go.ug/download/resources/Penal_Code_Act_1950.pdf [https://perma.cc/WT5Y-KS33].

2. *Our Story: How Spectrum Uganda Was Created*, SPECTRUM UGANDA INITIATIVES, <http://www.spectrumuganda.net/our-story/> [https://perma.cc/753E-H7V6].

inform, educate, and sensitize the LGBTIQ community about the laws, including the Penal Code Act 145³ that punishes acts of homosexuality, but also to inform the LGBTIQ communities about their rights as enshrined in the Ugandan Constitution—right to freedom of speech and assembly, rights to health care, and right to nondiscrimination based on race, religion, sex, and gender.

When Spectrum Uganda was founded, its main objectives were HIV/AIDS education, alleviating poverty, and offering support services to child soldiers who had been recruited to liberate Uganda in the war that brought Museveni into power in 1986.⁴ Following the organization's founding, Spectrum Uganda specifically targeted the grassroots LGBTIQ community that was in dire need of support and safety. To build capacity, foster sustainability and have a large impact on the LGBTIQ community, we decided to work exclusively with self-identified gay men, and men who have sex with men (but did not identify as gay.)

In Uganda where I grew up, a gay man is not protected by the law and finds himself being denied health care services because of his sexual orientation. A country where healthcare providers put aside their code of ethics and use religious scripts as an excuse to deny one treatment is not only unethical and unfair, but also absurd. Seeking justice or fair hearing in this setting is frustrating most of the time because the prosecutors, judges, and lawyers all have a certain set of beliefs or biases of what is not acceptable from (typically) a religious point of view, or they feel threatened by their community and family. In most cases, gay men are made a mockery of and are a laughing stock each time they go to seek services. All of this is the result of ignorance, putting aside a code of conduct in favor of religious beliefs, misperceptions about sexuality, and considering anything out of the norm to be a crime. To be a gay man in Uganda means facing persecution, rejection, blackmail, or prison sentences.

Over the years, my work with Spectrum Uganda became more

3. Penal Code Act, Cap. 120 Uganda Law, Sec. 145, http://www.upf.go.ug/download/resources/Penal_Code_Act_1950.pdf [<https://perma.cc/WT5Y-KS33>].

4. These child soldiers were not the ones abducted by the Lord's Resistance Army. These were child soldiers that the current Ugandan President Yoweri Museveni used in 1985 to fight and liberate Uganda. After the takeover, they were relieved of their duty by the incumbent regime and were offered packages to return to school and start a fresh, new life. For more information, see Edward A. Gargan, *A Child's Lot in Uganda: At 14, a Combat Veteran*, N.Y. TIMES (Aug. 4, 1986), <https://www.nytimes.com/1986/08/04/world/a-child-s-lot-in-uganda-at-14-a-combat-veteran.html>.

visible and demanding. Drawing from my mother's medical background, I was able to relate and connect with some doctors who were helping to combat the STI crisis. Some used their religious teaching of kindness and empathy to treat LGBTIQ patients, but I always avoided sharing details of the patient's sexuality to protect them.

With no statistics to determine the numbers or percentage of the gay population in Uganda, it was, and is, still hard to establish a clear budget to support the population and decide how to best serve them. Despite the harsh laws, we still had to ensure that we worked to serve the grass root LGBTIQ community because healthcare is a universal right. Unfortunately, for a long time, services focused only on the urban areas and did not focus on the rural population. This, in part, was because in urban settings it was easier to establish contacts with different allies and partners in health sectors, judicial and security institutions, and to coordinate and act to ensure one is bailed out or protected from mob justice and media exposure.

The first research on behavioral health among men who have sex with men in Kampala was partnered through Spectrum Uganda.⁵ This research had been cleared and deemed required by the state through the President's office, and our target was 450 gay men and men who had sex with men.⁶ Three weeks into the project we woke up to a headline in one of the weekly newspapers stating that homosexuals were carrying out a census. The research was immediately called off. Before the research was terminated, we had interviewed about 350 people. Two years later, the report was disseminated and the findings showed that gay men and men who had sex with men were twice as likely to acquire the HIV virus.⁷ Months later, the U.S. Centers for Disease Control and Prevention consulted with Spectrum Uganda and came up with new research that was more detailed and sophisticated. However, it was not long before the research offices in Uganda were raided and not even police could give a report about it until today.

Instead of addressing the health concerns of Ugandan LGBTIQ people, or work to find means to address the issue of HIV/AIDS, the State instead persecuted this small group. In Uganda and other parts of Africa, HIV/AIDS is perceived solely as a heterosexual disease simply

5. See generally Wolfgang Hladik et al., *HIV Infection Among Men Who Have Sex with Men in Kampala, Uganda—A Respondent Driven Sampling Survey*, 7 PLOS ONE 1 (2012).

6. See generally Phoebe Kajubi et al., *Gay and Bisexual Men in Kampala, Uganda*, 12 AIDS & BEHAV. 492 (2008).

7. *Id.*

because they deny gays any visibility, rights, or inclusion.

The media did not stop at such irresponsible publications; it went on a witch-hunt against individuals and persons perceived to be gay, exposing their names, places of work, and home addresses. Due to the high risks associated with having people's names in databases, keeping track of our clients and research subjects was discouraged as it was potentially exposing them to even more danger. Working in an environment where you are actively being persecuted is very challenging. Unfortunately, the media played a huge role in outing people without their consent, including myself, when they could have assisted our cause.

At Spectrum Uganda, we continued to work for the sake of our community. It was hard to maintain a location where people could access information or an open space where the gay community could meet to share their challenges. Birthdays, parties, and weekend gatherings became occasions to network and raise concerns about the state of the gay community. From these gatherings, we noticed that many individuals were in dire need of health services, and that they supported the idea behind Spectrum Uganda, but again many opted to remain anonymous or hidden to avoid being rejected or to become victims of the law.

Over time, the African gay movement started getting more organized, not only in Uganda, but also within the East Africa region. Through the support of international donors, various trainings in capacity building and empowerment started to take place, including workshops in media and communications, safety and security, health, finance, and knowledge of the laws.

I used any opportunity to ensure the issues of LGBTIQ people were heard and known. I became the face of Spectrum Uganda and a role model to many healthcare providers. By 2006, we had become more visible and spoke publicly about the health concerns of sexual minorities, which paved the way for partners, allies, and eventually the Ministry of Health to begin to look at LGBTIQ health issues differently. I started to have health experts reaching out to me, asking to work with Spectrum Uganda and the gay community at large, especially within Kampala and the neighboring districts we served. This was a new window of opportunity after many years of the Uganda AIDS Commission and healthcare providers closing their doors to issues regarding the gay community—closing their doors despite it going against their own code of conduct, international agreements, and the Uganda Constitution itself, which guarantees its citizens the right to

health.

I have been persecuted, arrested, jailed, extorted, and blackmailed, but nothing has stopped me from speaking out—for myself and for others. Over time, I have realized the power of speech and speaking truth to power. Two of the rights I know that are enshrined in Uganda’s Constitution are the right to freedom of speech and the right to due process.⁸ Nothing should stop anyone from going to a court of law to testify for someone else as long as they are of age and have the ability to produce the required documents before the prosecutor and judge. I have stood in testimony for both local and foreign LGBTIQ persons who found themselves victims of homosexuality allegations or accused of breaking the law, while also being blackmailed and extorted by the accusers and the state security agencies.

Uganda still has several anti-LGBTIQ laws, drafted by its colonial masters in the 1950s, that criminalize same sex acts. Under Section 145 of the Penal Code Act of Uganda,

[a]ny person who (a) has carnal knowledge of any person against the order of nature; (b) has carnal knowledge of an animal; or (c) permits a male person to have carnal knowledge of him or her against the order of nature, commits an offence and is liable to imprisonment for life.⁹

Despite this, with support and consultation from some American religious fundamentalists,¹⁰ a new anti-gay bill was introduced in the Ugandan parliament in 2009.¹¹ It was highly criticized around the world—especially in the West—and it was even described as an “odious law” by then United States President Barack Obama.¹² The bill raised multiple concerns, including a call for the death penalty for being homosexual.¹³

Our freedoms were under attack by the Uganda anti-gay religious

8. See CONST. OF THE REPUBLIC OF UGANDA, ch. 4.

9. Penal Code Act, Cap. 120 Uganda Law, Sec. 145, http://www.upf.go.ug/download/resources/Penal_Code_Act_1950.pdf [<https://perma.cc/WT5Y-KS33>].

10. One such fundamentalist, Scott Lively, was recently sued for his actions against Ugandan LGBTIQ citizens in United States District Court under the Alien Torts Act. See generally *Sexual Minorities Uganda v. Lively*, 254 F. Supp. 3d 262 (D. Mass. 2017).

11. See generally The Anti-Homosexuality Act, 2014, Uganda Law, <http://www.refworld.org/pd/530c4bc64.pdf>.

12. See Mark Memmott, *Obama Calls Anti-Gay Effort in Uganda ‘Odious,’* NPR (Feb. 4, 2010), https://www.npr.org/sections/thetwo-way/2010/02/uganda_gays_obama_clinton_pray.html.

13. See generally Anti-Homosexuality Act, *supra* note 9.

leaders supported by American religious right-wing fundamentalists, using Uganda as a ground to sow hate and homophobia. The potential consequence of this bill was to destroy families and kill a small percentage of Ugandan citizens who were demanding for protection, respect, and recognition of who they are and for their rights as mandated by the constitution. It called for a death sentence to wipe away a minority group of its citizens.¹⁴ Diverting attention from criticisms of the government, proponents of the bill used gay people as scapegoats for the real issues facing Ugandans, like poor health service delivery, rampant corruption, poor education systems, and poverty.

There was increased homophobia—targeting people perceived to be or who were gay. The Ugandan gay community had more work to do to ensure that this anti-gay bill did not pass while simultaneously continuing to advocate and work with the parties in the health sectors to ensure the LGBTIQ community continued to get the services they needed, especially those that were health related. We continued our work with the gay community from underground. Tensions rose—we noticed an increased number of arrests, of people losing their jobs, education, housing, and being rejected from their families. It also led to continuous incitement of violence through the media exposing gay individuals and churches calling for the death of gay people.

The anti-gay bill took about five years to get through the Ugandan Parliament and become law. This was later challenged in the Ugandan Constitutional Court and nullified on technical grounds due to lack of quorum during the passage in Parliament.¹⁵ However, despite this victory, Uganda still considers Penal Code Act 145 a justified law. Sexual minorities are still targeted, with transgender people at a higher risk than gays and men who have sex with men due to their visibility. This discrimination continues despite protections that have been signed into Ugandan law.

Under some of the international covenants and treaties Uganda has signed, the continued discrimination against LGBTIQ people is illegal since the covenants and international agreements Uganda signed clearly state the government's behavior and laws are in violation of these agreements. Some of the international covenants Uganda has entered into are the International Covenant on Civil and Political Rights

14. *Id.*

15. *Ugandan Court Declares Anti-Gay Law Null and Void*, NEWSER, (Aug. 1, 2014, 9:08AM), <http://www.newser.com/story/191855/ugandan-court-declares-anti-gay-law-null-and-void.html>.

(ICCPR)¹⁶ and the African Charter on Human and Peoples' Rights (ACHPR).¹⁷ These covenants clearly point out the rights to peaceful assembly and the right to assemble freely, which are also rights that are explicitly stated in the Uganda Constitution.¹⁸ Even though these aforementioned laws and treaties give citizens these rights, there are other laws put in place to punish those who choose to exercise these rights, particularly LGBTIQ people. For example, Ugandans are proverbially gagged by the Public Order Management Act of 2005,¹⁹ the Computer Misuse Act,²⁰ and the Anti-Pornography Act.²¹ These laws target activists who criticize the government and cause them to be charged with harassment or cyber-bullying, or the possession of illicit materials that target LGBTIQ communities.²² Additionally, the proposed Marriage and Divorce Act of 2017 was reformed to explicitly state that a marriage was to be between a man and a woman.²³

All of the abovementioned laws limit the freedoms to enjoy and express oneself as granted by the Ugandan Constitution through civil or criminal law. These laws, even if they are struck down, disrupt lives and cause chaos. The passing of the anti-gay bill into law in 2014 led many Ugandan LGBTIQ persons to flee the country. I had just arrived and spent about three days in the United States when the anti-gay act was signed into law. After I learned of the passing of the law, I determined it was safer for me to stay in the United States alive than go back to

16. *See generally* International Covenant on Civil and Political Rights, *opened for signature* Dec. 16, 1966, 999 U.N.T.S. 171.

17. *See generally* African Charter on Human and Peoples' Rights, June 27, 1981, 1520 U.N.T.S. 217.

18. *See* UGANDA CONST., ch. 4, § 29(1).

19. Public Order Management Act, 2013, Uganda Law, <http://ulaug.org/files/downloads/Public%20Order%20Management%20Act%202013.pdf> [<https://perma.cc/ZYP9-MDCD>].

20. Computer Misuse Act, 2011, Uganda Law, <http://www.ict.go.ug/sites/default/files/Resource/Computer%20Misuse%20Act%20No.%202%20of%202011.pdf> [<https://perma.cc/XXX4-W73H>].

21. The Anti-Pornography Act, 2014, Uganda Law, <https://ulii.org/ug/legislation/act/2014/1/Anti%20Pornography%20Act%20of%202014.pdf> [<https://perma.cc/RK9B-ADJY>].

22. Much like the United States' COINTELPRO program combating the Black Panther Party in the 1960s, the Ugandan government uses surveillance in order to criminalize dissent and combat the organization of activists. In the case of Dr. Nyanzi, a few Facebook posts resulted in her arrest. *See Uganda: Prominent Scholar and LGBT Activist Arrested, Barred From Travel*, SCHOLARS AT RISK (Apr. 19, 2017), <https://www.scholarsatrisk.org/2017/04/uganda-prominent-scholar-lgbt-activist-arrested-barred-travel/> [<https://perma.cc/D65H-VJQP>].

23. Marriage Bill, 2017, Uganda Law Reform Comm'n (2017), <http://www.ulrc.go.ug/content/marriage-bill-2017> [<https://perma.cc/9PQ8-J3RX>].

Uganda and risk being killed. I had to make the tough decision to remain and seek asylum rather than return back home.

Today, Spectrum Uganda continues to advocate for the full inclusion of sexual minorities into Uganda's health policies and programs. They have continued to orient health care providers in Kampala and its neighboring districts and have expanded activities to upcountry districts. While in the United States, I am still able to work with my colleagues at Spectrum Uganda and other LGBTIQ organizations to promote their work and programs here in this country. I have been involved in public speaking events to speak about the Ugandan LGBTIQ effort and identifying allies and partners to work with me. Part of this effort to energize support around the Ugandan LGBTIQ cause involves speaking to Americans about what is going on in Uganda. While #BlackLivesMatter is a movement unto itself in the United States, many Americans (in my experience) do not know or understand what non-American Black people experience, especially if they are LGBTIQ. The Black Lives Matter movement is an international one, demanding agency and respect for all people, no matter what their sexual orientation or gender identity is. It is my hope that LGBTIQ people can achieve the respect that is written into the laws of Uganda and that we can one day achieve the peace and happiness I experienced in Kampala in my youth.