Gay Rights as an International Human Rights Norm: The Rise and Fall of the 2009 Ugandan Anti-Homosexuality Bill

By Daniel Hall

Key Terms

Anti-Homosexuality Bill
Baptist-Burqa Network
The Family
Culture of Homophobia
Transnational Gay-Rights Network
David Bahati
Doug Coe
Senator Jim Inhofe
Christian Scott Lively

Case

Early Stages of the Global Culture War

Transnational gay rights networks were small and narrow in their focus during the 1970s and 1980s. While organized international opposition to gay rights had yet to emerge, battles surrounding women’s rights and family planning revealed the domestic contours of a conservative sensibility. For instance, U.S. singer Anita Bryant’s Save Our Children campaign successfully reversed a county anti-discrimination ordinance in the late 1970s. These, in turn, were grafted onto the gay rights issue.

The 1975 UN Conference on Women, in Mexico City, was the first institutionalized discussion of LGBT rights activism, which grew into the founding of the International Lesbian and Gay Association (IGLA). Today ILGA is at the center of a network of more than 670 NGOs in more than 110 countries, providing support to national groups and coordinating transnational advocacy efforts.

The International Gay and Lesbian Human Rights Commission (IGLHRC) was founded in 1990 in a one-room office in San Francisco. Today, IGLHRC is a large network supporting local partners in their fight against gay human rights violations in many countries and has achieved official status with the UN. It manages annual revenues of $1.7 million and eighteen staff members in New York, Buenos Aires, and Cape Town.

In an attempt to respond strategically to the hostilities in the environment, the gay rights network focused on the issues of discrimination and violence at international women’s conferences. The strategic advantage in this, according to activists Marshall Kirk and Hunter Madsen, was that heterosexuals perceived lesbians as less threatening and more vulnerable than gay men. In the 1980’s, gay men became more visible transnational advocates for gay rights at a series of World
Health Organization meetings. They used the “unwelcome opportunity” of the AIDS crisis to frame themselves as a victimized minority deserving of special protection and care. In the late 1990s, successful gains within many nation states catalyzed the scope of transnational gay rights activism to expand from discrimination, violence, and health issues to challenging the UN to recognize sexual orientation and gender identity as human rights norms.

The transnational conservative family values organizations took a decisive stance against gay rights organizations as early as 1985; at the UN Women’s Conference in Nairobi that year, lesbian rights advocates were driven from the forum. The gay rights network was marginalized again at the 1994 Cairo Conference on Population and Development where opposition was rooted in resistance to family planning. American scholar Clifford Bob describes this opposition as the “Baptist-burqa network,” seeing as the Vatican forged an alliance with Islamic delegates to block proposals that would make access to abortions more accessible. The Baptist-burqa network grew to encompass the governments of conservative Islamic, African, and Caribbean nations and of course the Vatican, which possesses special observer status in the United Nations. As it developed, its agenda broadened to protect “traditional” families from “gendered” families and homosexuality.

Though the Baptist-burqa’s agenda in the early 1990s was anti-abortion, the network evolved to encompass broader conservative family values. American Christian right groups such as the the Catholic Human Rights Institute and the Family First foundation enjoy close ties with Muslim faith leaders. The Baptist-Burqa network frequents the Organization of the Islamic Conference for alignment on issues of sexual orientation and gender identity.

Successful gay rights movements on national levels helped mobilize world leaders to advocate for gay rights on an international stage. By 2000, the European Union and the Council of Europe became vocal gay rights supporters at UN conferences, improving remarkably from the ill-fated Nairobi conference of 1985. Alongside states stood many multinational corporations such as the Ford Foundation, which provided support from the early 1990s, and the Arcus Foundation and Soros Foundation, which have provided monetary support in the 2000s. Major human rights NGOs like Amnesty International and Human Rights Watch joined in the mid-1990s, offering resources and contacts and giving authority and credibility to the gay rights network.

In response to the gains made by the gay rights network for influence at the international level, the conservative family values network mobilized in the early 2000s to provide a counter-force. This network began lobbying governments in the Caribbean, Asia, and Africa, which had large populations opposed to gay rights on the basis of religion, with the intent to develop a “pro-family bloc” within the UN. As a result of their lobbying, the conservative family values network succeeded in using fear tactics and post-colonial resentment to stoke the flames of nationalism in some Caribbean, Asian, and African nations. The outcome has been that the gay rights network is now perceived in some nations, such as Uganda, as a neo-colonial force pushing a Western agenda of homosexual indoctrination.
The Ugandan Climate of Homophobia

Uganda, once a British colony, is a nation with a short but strong association with Christianity. Relative to the rest of Africa, Christianity arrived rather late to Uganda. Called Buganda at the time, missionaries did not arrive in the African kingdom until 1877, almost one hundred years after the influx of missionaries from Europe had begun. In just 25 years however, Uganda became one of the most successful mission fields on the continent. Much of this is thanks to Kabaka (King) Muteesa who opened Buganda up to trade with the outside world. The exchange of goods with Swahili and Arab traders from Zanzibar brought many things, including the faith of Islam. The introduction of a monotheistic “book of god” religion helped pave the way for Christianity, which arrived to decades later. In 1877 British explorer Henry Morten Stanley made contact with Muteesa and described him in a letter to the Daily Telegraph as someone eager to hear the Gospel and spread it throughout his kingdom. The Anglican Church Missionary Society (CMS) quickly put together a group of missionaries, the first two arriving in the summer of 1877. Less then two year later a group of French Catholic White Fathers arrived and began to spread their faith as well. In 1894 the British Empire took control of the Buganda kingdom and annexed other surrounding kingdoms to form the Uganda Protectorate (current day Uganda). With Anglicanism being the official religious denomination of the British government, it became the preeminent religious denomination of the Uganda Protectorate. All heads of ethnic kingdoms, the heads of the local Government of the Uganda Protectorate, all heads of sectional governments and all heads of anything that politically mattered in the Protectorate were expected to be Anglicans. Anglican growth thrived by the turn of the 20th century as the Anglican Church heavily provided resources in areas of education and public health. Catholicism also continued to have a presence and began pushing its own development goals under Pope Paul VI. The Christian faith would continue to spread and imbed itself into Uganda’s society throughout the 20th century. Today it is the dominant religion in the country with roughly 85% of the country identifying as Christian, 42% as Roman Catholics and 36% Anglicans.

Its population in 2010 was 33.5 million, nearly 7 times the population only 50 years previously. In an effort to eliminate violence between the country’s nearly 30 distinct ethnic sects, the government in 1986 began substantially restricting political parties’ actions. In rural parts of the country, traditional indigenous religious, medicinal, and cultural practices still dominate the communities.

For LGBT persons living in Uganda, discrimination and harassment by the media, police, teachers, and other groups were and continue to be part and parcel of daily life. Harassment ranges from blackmail and death threats to “correctional rape” and killings. Many of the estimated half a million LGBT Ugandans feel compelled to keep their sexual identities hidden. The government is often complicit in maintaining this culture of stigmatization, condoning and contributing to an atmosphere of hate in explicit and implicit ways. According to Jessica Stern, researcher in the LGBT rights program of Human Rights Watch, “[Uganda] President Yoweri Museveni's government routinely threatens and vilifies lesbians and gays, and subjects sexual rights activists to harassment.” Stern continues: “At a moment when sensational [media] publicity has spread fear among a whole community, the authorities must exercise their responsibility to protect, not persecute.” Such leadership from government authorities has been virtually nonexistent.
Ugandan legal prohibitions against homosexual acts originated in the laws of 19th century British colonial rulers. After independence, the homosexual prohibitions were retained and enshrined in the Penal Code Act of 1950, criminalizing such behavior as "carnal acts against the order of nature." The current penalty for engaging in homosexual acts is life imprisonment. LGBT persons have virtually no legal protections under Ugandan law.

On September 29, 2005, President Yoweri Museveni further curtailed rights for LGBT persons by signing into law a constitutional amendment banning same-sex marriage. This act made Uganda only the second country in the world to do so and one of three countries to date. According to the amendment, “marriage is lawful only if entered into between a man and a woman,” and “it is unlawful for same-sex couples to marry.”

Any defiance of the status quo is quickly met with moral outrage and punitive legal action. For example, in August of 2004, the Ugandan Broadcasting Council fined Radio Simba over $1,000 and forced the station to issue a public apology after it undermined “public morality” by hosting openly gay guests on a live talk show. The Council cited violations of the Penal Code Act, which defines homosexuality as illegal, and the Electronic Media Act, which prohibits broadcasting contrary to public morality. According to Ugandan Information Minister, Nsaba Buturo, the show had committed a criminal offense by telling listeners that homosexuality was “an acceptable way of life.” Furthermore, Buturo stated that Ugandans wanted to uphold “God’s moral values” and that “we are not going to give them an opportunity to recruit others.”

More often than not, the news media in Uganda exacerbates the homophobic culture and works to maintain the legal status of LGBT persons. The daily Ugandan newspaper The Red Pepper published the first names and corresponding professions of 45 men suspected to be homosexual in August 2006. According to Amnesty International, several of the men named in the article were subsequently subjected to harassment and ostracism. The Red Pepper published a similar list of 13 women suspected of being lesbian the following month. On October 2, 2010, the Ugandan tabloid paper Rolling Stone published the full names, addresses, preferred social hangouts, and photographs of 100 prominent and allegedly gay Ugandans, including gay rights activist David Kato. Its front page carried the headline, “100 Pictures of Uganda’s Top Homos Leak” and included the words “Hang Them!” Two subheads read, “We Shall Recruit 100,000 Innocent Kids by 2012: Homos” and “Parents Now Face Heart-Breaks as Homos Raid Schools.” On October 31, the paper published a further 17 photos of alleged LGBT people along with personal details including where they lived. The Ugandan government did not respond to either publication.

In an interview with CNN, Rolling Stone editor Giles Muhames justified the publication, comparing homosexuals to “terrorists” whose privacy rights ought not be respected and homosexuality as a Western “virus” that is “spreading like wildfire.” Muhames explained that he printed the words “Hang Them,” because “the evils associated with homosexuality are underemphasized” and “we thought, by publishing that story, the police would investigate them, prosecute them, and hang them.” This violent retribution was not solely an act of guerrilla vengeance. The “hang them” rhetoric stemmed from a Ugandan Anti-Homosexuality Bill, which threatened to hang homosexuals. David Bahati, Ugandan politician and close associate of an influential group of socially conservative politicians from the United States called The Family, introduced the bill one year earlier on October 13, 2009. In addition to calling for homosexuals
to be executed in some instances, it stated that Ugandans discovered to be homosexuals while living in foreign countries should be extradited, and that any Ugandan who did not report within 24 hours someone known to have committed a homosexual act would be punished.

A normative culture of homophobia pervading the country nurtured the development of the 2009 Anti-Homosexuality Bill. In Uganda, as in the 30 other African countries where homosexuality is illegal, dominant cultural norms that frame homosexuality as taboo make such discriminatory laws possible. According to a poll conducted by the 2007 Pew Global Attitudes Project, 96 percent of Ugandans believe that homosexuality should be rejected by society.

**Made in America**
The Ugandan Anti-Sexuality Bill was backed by a number of influential Ugandan evangelical pastors, some of whom, like Bahati, received direct support and financing from conservative American churches in the conservative family values network. In fact, the bill was introduced shortly after thousands of Ugandans attended a 2009 conference on the topic of “the gay agenda - the whole hidden and dark agenda” led by American evangelical Christian Scott Lively of Abiding Truth Ministry and Don Schmierer of Exodus Global Alliance.

Conference workshops focused on “how to turn gay people straight, how gay men sodomized teenage boys, and how ‘the gay movement is an evil institution’ intended to ‘defeat the marriage-based society.’” According to a report by the New York Times, some of the Ugandan politicians and preachers who attended the sessions had discussed the Anti-Homosexuality Bill with the American preachers.

Lively is an American Holocaust revisionist who co-founded the international anti-gay extremist group Watchmen on the Walls, which has been designated by the Southern Poverty Law Center as a hate group. Lively also co-authored The Pink Swastika, a book that suggested homosexuals to be as capable of evil as the Nazis in Germany. “From the ashes of Nazi Germany, the homophobic phoenix has risen again – this time in the United States,” he writes. While in Uganda, Lively observed a spectrum of homosexual men ranging from what he called “monster” to the even worse “super-macho” to the “butcher,” whom he distinguished as “the kind of person it takes to run a gas chamber.” To make it directly relevant to his audience, he said, “The Rwandan stuff probably involved these guys.”

While Lively is dismissed by some less extreme American anti-gay Christian fundamentalists, Ugandans didn’t seem to be particularly interested in distinguishing among the range of voices that make up the American Christian Right, all of which call themselves "evangelical." According to Jeff Sharlet, author of C Street: The Fundamentalist Threat to American Democracy, when Ugandans “look at a fanatic such as Lively or a politician such as [conservative Christian] U.S. Senator Jim Inhofe…they see the same thing: a smiling white man come to preach moral purity as the path out of poverty.” The Rev. Kapya Kaoma, an Anglican priest from Zambia, told Sharlet that “most Africans don’t distinguish between the varieties of American fundamentalism, so long as they all come bearing gifts in the form of support for African churches and, sometimes, African politicians. They are only too happy to return the favor, providing for their American allies examples of the policies too extreme to be
implemented in the United States.” According to Sharlet, Ugandan policy reflects back on American policy:

In the past, American politicians used Uganda’s anti-condom campaign as a justification for abstinence-only sex education in the United States. So it is now, with Uganda’s anti-gay campaign an inspiration for American fundamentalists to hold the line here. The first draft of the Anti-Homosexuality Bill, for instance, seems to have been written with the concerns of Bahati’s American friends in mind. It singled out same-sex marriage as a threat to Ugandan heterosexuality, and in an opening clause declared the bill a model for other nations – such as those where same-sex marriage is actually a possibility.

The Family

David Bahati, along with Dr. James Nsaba Buturo, Ugandan minister of ethics and integrity are both prominent leaders of the Uganda branch of the U.S.-based religious and political movement known as the Fellowship or the Family. The Family was founded in 1935 and its stated purpose is to provide a forum for influential decision-makers to engage in Bible studies and prayer meetings.

The Family has been described as one of the most politically well-connected ministries in the United States, whose membership includes U.S. government officials; heads of corporate, religious, and humanitarian aid organizations; ambassadors; and high-ranking officials from around the world. With a high-profile membership, the organization covets secrecy, claiming that publicity could interfere with sensitive diplomatic missions. Members have acknowledged working with the Family in order to influence or pass legislation with direct diplomatic implications.

While its general approach is secrecy, the Family organizes one public event each year: the Congressionally sponsored National Prayer Breakfast. Every sitting U.S. president from Dwight Eisenhower to Barack Obama has attended at least one. Some 3,000 invited dignitaries representing a broad range of nations and business interests attend the event. After breakfast and prayer, the event includes seminars organized around their interpretation of Christ’s message for industries such as oil, defense, insurance, and banking. Evangelical Washington think-tanker Michael Cromartie has criticized the Family and the National Prayer Breakfast for its lack of transparency: “I’m sure a lot of people use the Fellowship [Family] as a way to network, a way to gain entrée to all sorts of people. And entrée they do get.” The Family has the power to promise heads of states face time with the president, legislators, and their staffs, without publicity and without prior vetting by the State Department.

The current head of the Family is Presbyterian minister Doug Coe, a man described by his followers as “closer to Jesus than perhaps any other man alive and therefore privy to information the rest are too spiritually immature to understand” (Sharlet). His person-to-person, religious-based approach to political networking is reflected in his frequent citing of one of his favorite scripture verses, Matthew 18:20: “When two or three are gathered together in my name, there I am in the midst of them.” Coe believed in the “power of friendship; between a man and Christ, between brothers and Christ” for the Family to follow. Coe originally established a connection in Uganda in 1986 when he dispatched a well-connected Ford administration official and Family 
member named Bob Hunter to meet with Ugandan and Kenyan government officials and possibly recruit for the Family. Upon his return to the United States, Hunter helped raise millions of dollars in funds to donate medicine to two Ugandan hospitals. The help with the donation was reciprocated when Hunter received a phone call from the president of Uganda to inform him that he was building a new government and wanted help making decisions. Coe states:

My friend [Hunter] said to the president, “why don’t you come and pray with me in America? I have a good group of friends – senators, congressman – who I like to pray with, and they’d like to pray with you.” And that president came to the Cedars [a Family-owned facility], and he met Jesus. And his name is Yoweri Museveni, and he is now the president of all the presidents in Africa. And he is a good friend of the Family.  

A review of Hunter’s 1986 memo to Coe titled, “A Trip to East Africa,” seems to suggest that bringing Museveni into a religious relationship with American politicians was part of his original mission while dispatched to Uganda. Hunter expressed his concern that “the most Christian country in Africa not take the wrong ideological direction,” his plans for developing a “prayer cell” in Uganda, and his efforts to directly investigate Museveni’s personal faith. He found that Uganda was in need of the Family’s unique brand of spiritual “discipling.” Especially at that “time of crossroads in the life of the country – with Kaddafi and Korea beckoning,” Hunter believed that “Jesus Christ was the key man in Uganda’s immediate future.” It was after this trip to the United States that Museveni became America’s proxy in the region and began to make Christianity a regular part of his speeches, thereby sparking the flame of evangelical revival in Uganda.

In another 1986 memo to Coe titled “Organizing the Invisible,” Hunter detailed the formation of an expanded “core group” including Republican senator Chuck Grassley (Iowa) and Reagan’s assistant secretary of state for Africa, Chester A. Crocker, to bring Christ to Africa and steer the newly independent nation away from Africa’s Left. Coe had assigned Hunter the task of studying Exodus 18:17-21 which describes the delegation of authority at all levels. Hunter interpreted this assignment as Coe’s call to action to establish “key men” to represent Coe in positions of influence around the world whether in “Khartoum or Bombay or on the Hill.” Citing media theorist Marshall McLuhan, Hunter envisioned digitizing a database of embassy contacts loyal to the Family in every country throughout Africa. According to Sharlet, Hunter “wanted limbs, organs, blood, the Body of Christ as an international network of influential people, all ‘led by the head, which gives it its purpose and direction.’” Hunter believed that if the Family was to be understood as the Body of Christ, then it was suffering from a learning disability because it was as of yet unable to fully exploit “opportunity nations” such as Uganda. Hunter argued that what was needed was greater organization. “I know that this family is at work on this question already, but are we succeeding? I am convinced that the Lord’s headship must be linked to the body Himself by an invisible central nervous system and that it is a servant’s role, behind the scenes, supporting the visible in quiet efficiency.”

**American Fundamentalism in Uganda**

Over the past ten years and after pouring millions of dollars into “leadership development” in Uganda, the Family had expanded its ranks of influential Ugandan politicians beyond Museveni
to include Minister of Parliament David Bahati, who ultimately introduced the Anti-Homosexuality Bill, and Dr. James Nsaba Buturo, Uganda’s minister of ethics and integrity.

Bahati serves as the secretary of the Family’s Ugandan branch and Buturo serves as the chair of the Family’s weekly meeting in the Ugandan Parliament, which is modeled on the group in Washington, D.C. Every year before Ugandan Independence Day, the Ugandan government holds a National Prayer Breakfast, also modeled on the Family’s event. Bahati’s Family Parliament prayer group, chaired by Buturo and called the Fellowship, organizes the Ugandan event with support from Washington. Americans are regularly present at both the annual Ugandan National Prayer Breakfast and weekly prayer group meetings. Attendees have included Senator Jim Inhofe (Oklahoma) and former U.S. Attorney General John Ashcroft, both longtime Family members, as well as Pastor Rick Warren. While Inhofe and Ashcroft are unabashed in their anti-gay beliefs, Warren presents himself to the U.S. public as a moderate, saying, “I’m no homophobic guy,” even though he equates homosexuality to incest. However, his tone seems to change when in Uganda. According to Bahati, “[Warren] stated that homosexuality is a sin and that we should fight it.” Bahati interpreted this as Warren “making a strong point that we should not accept it.”

Most American fundamentalists do not support the death penalty for homosexuals. The real issue, according to Sharlet, is one of “ideological transmission” and the consequences of haphazardly transferring homophobic ideas into the Ugandan public space. While both Inhofe and Warren would eventually cave to public pressure and condemn the Ugandan Anti-Homosexuality Bill and the death penalty for gays, it was not because they disagreed with the motive behind the legislation. Both still supported the elimination of gay people as the desired ends. They simply disagreed on the means, preferring “curing” over killing.

The unique way in which Uganda consumes American fundamentalist ideas is a consequence of it being exploited as policy laboratory by the American Christian Right. American fundamentalists regularly send both money and ideas to support their agenda in Uganda. Even in the absence of funding, American culture permeates Ugandan social, cultural, political, and religious spheres. Ugandan evangelicals sing American songs and listen to American sermons about American problems and Ugandan politicians attend prayer breakfasts in America. In exchange, American evangelicals often cite Ugandan churches as models for their own. U.S. politicians point to Ugandan AIDS policy – from which American politicians nearly stripped condoms – as proof that public health is a matter of morality. It’s a classic fundamentalist maneuver: move a fight you can’t win in the center to the margins, and then broadcast the results back home.

While Bahati denies that Americans had any direct influence on the Anti-Homosexuality Bill, he does concede a clear underlying connection – the Family. “It’s about a shared passion, not orders; a common desire for a government by God. That desire might be centered in Washington, but it had grown just as strong, maybe even stronger, in Kampala,” Bahati told Sharlet. When Sharlet asked if there was any connection between the Family in Uganda and the Anti-Homosexuality Bill, Bahati seemed puzzled by the question. Bahati responded by saying: “I do not know what you mean, ‘connection.’ There is no ‘connection.’ They are the same thing. The bill is the Fellowship [Family]. It was our idea.”
The activities of the Family in the conservative family values network coincided with a growing level of official, government-sponsored explicitly anti-gay hate speech. In an interview with the *New York Times*, Ugandan parliamentarian and chief whip of the opposition party Kassiano E. Wadri stated: “I detest gays in my heart. When I see a gay, I think that person needs psychotherapy. You need to break him.”

**Activating the Transnational Gay Rights Network**

The Ugandan Parliament was expected to debate the Anti-Homosexuality Bill in February 2010. In response to the proposed bill, local gay rights activists activated the transnational gay rights network in response to the decision of parliament to debate the Anti-Homosexuality Bill in February 2010. For example, local Anglican priest Canon Gideon Byamugisha, together with HIV/AIDS activists and civic organizations launched a petition campaign to oppose the bill. Human Rights Watch, Amnesty International, and the UN High Commissioner for Human Rights Navi Pillay all quickly responded by condemning the proposed bill.

The gay rights network also took the petition online and attracted international support through social media. Avaaz, which means “voice” in many languages, was the global public campaign network that sponsored the online petition. The organization was co-founded in 2007 by civic advocacy group Res Publica and U.S. Internet advocacy pioneer Moveon.org. Its mission is to “close the gap between the world we have and the world most people want.” With more than 10 million members in all 193 UN member countries, the Avaaz network has been able to raise over $15 million through online donations averaging $35. To show its independence, it doesn't accept aid from governments, corporations, or tax-exempt status. Ten thousand members annually respond to polls to determine which issues Moveon.org should promote. Once decided, the network takes action; first mobilizing its vast network to collect massive numbers of signed petitions and then dropping them into their targets’ inboxes. Later, the group organizes grassroots sit-ins, rallies, phone banking, and media stunts to further pressure the target. If these relatively gentle nudges prove inadequate, Avaaz threatens shame its target with advertisements on billboards, television, and in the media In four days, the Avaaz online petition to stop the “kill the gays bill” was signed by nearly 500,000 concerned citizens from 192 countries.

According to Avaaz campaign director, Alice Jay, part of their transnational media advocacy strategy to stop the Anti-Homosexuality Bill was to send copies of the petition to Uganda’s Western allies in the hope that it would result in bringing international diplomatic pressure to bear. With the support of tech-savvy global civil society organizations, local Ugandan gay rights activists, such as David Kato of Sexual Minorities Uganda, were able to connect to the transnational gay rights network, thereby magnifying their outreach to news networks such as CNN, the BBC, and MSNBC, and to world leaders such as U.S. Secretary of State Hillary Clinton and UK Prime Minister Gordon Brown.

While the exact degree to which Avaaz directly influenced the decision by Western allies to apply diplomatic pressure on the Ugandan government is uncertain, the premise was theoretically sound and the desired effect realized. Several Western allies—including the European Union, Sweden, and the United Kingdom—swiftly condemned the bill and threatened to withhold foreign aid.
On October 30, 2009, seventeen days after the Anti-Homosexuality Bill was introduced by Bahati, U.S. Representatives Ileana Ros-Lehtinen (R-Florida), Tammy Baldwin (D-Wisconsin), Gary Ackerman (D-New York), and Howard Berman (D-California) submitted a letter to Secretary of State Hillary Clinton citing the significant aid to Uganda provided in the President’s Emergency Plan for AIDS Relief (PEPFAR) and requesting that she “use every means possible to convey to Ugandan leaders that this bill is appalling, reckless, and should be withdrawn immediately.” This letter followed a statement made to the AFP news agency by Joan Lockard, public affairs officer for the U.S. Embassy in Kampala declaring the bill “a significant step backwards for the protection of human rights in Uganda.” In response to such statements, Ugandan Ethics Minister Buturo declared that Uganda would not bow to international pressure.

In a November 27, 2009 Newsweek interview, Eric Goosby, chief coordinator for the President’s Emergency Plan for AIDS Relief (PEPFAR) clarified that the $250 million in development assistance slated to promote health, agriculture, and business investments in Uganda would not be linked to actions on the proposed Anti-Homosexuality Act. The statement came to be criticized by some LGBT advocates who were hoping that such foreign aid would be used conditionally as a hammer to force Uganda to drop the Anti-Homosexuality Bill. Goosby was concerned that by pushing homosexuality underground, the legislation would amplify the spread of HIV-AIDS, but, he added, "My role is to be supportive and helpful to the patients who need these services. It is not to tell a country how to put forward their legislation. But I will engage them in conversation around my concern and knowledge of what this is going to do to that population, and our ability to stop the movement of the virus into the general population.”

During a November 30, 2009 press conference on the eve of World AIDS Day, Secretary of State Clinton applied stronger but indirect pressure about the issue without directly naming Uganda or contradicting Goosby:

Obviously, our efforts are hampered whenever discrimination or marginalization of certain positions results in less effective outreach and treatment. So we will work not only to ensure access for all who need it, but also to combat discrimination more broadly. We have to stand against any efforts to marginalize and criminalize and penalize members of the LGBT community worldwide. It is an unacceptable step backwards on behalf of human rights. But it is also a step that undermines the effectiveness of efforts to fight the disease worldwide.

While Clinton’s remarks represented the strongest statement yet by an administration official that the United States would not tolerate the criminalization of homosexuality by countries that receive funding to combat HIV/AIDS, they did not directly challenge Goosby’s earlier statement. Journalist Kerry Eleveld reported that the statements were strategic:

The source said the diplomatic goal was to strike a forceful tone that stopped short of shaming President Museveni, who has yet to take an official stand on the legislation, which was introduced by a lawmaker in his own party, member of parliament David Bahati. “They are trying to proceed in a way that gives them some private leverage but also acknowledges that Secretary Clinton has an obligation to speak out on human rights issues in her capacity.
as our top international diplomat,” said the source. “It’s been a delicate effort with inconclusive results.”

On November 26, 2009, Canadian Transport Minister John Baird announced in Parliament that Canadian Prime Minister Stephen Harper planned on raising the issue of Uganda’s proposed Anti-Homosexuality Bill at the bi-annual Commonwealth Heads of Government Meeting in Trinidad. “The current legislation before Parliament in Uganda is vile, it’s abhorrent. It’s offensive. It offends Canadian values. It offends decency. We strongly condemn that and the Prime Minister will make that strong condemnation as well,” said Baird.

In early December 2009, Swedish Development Minister Gunilla Carlsson spoke to Radio Sweden, calling the Anti-Homosexuality Bill “appalling” and suggesting that the $50 million in aid that Sweden gives to Uganda annually could be jeopardized. “I’m doubly disappointed,” Carlsson said, “partly because Uganda is a country with which we have had long-term relations and where I thought and hoped we had started to share common values and understanding. The law itself is wretched, but it’s also offensive to see how the Ugandans choose to look at how we see things, and the kind of reception we get when we bring up these issues.” The “reception” may refer to comments Ethics Minister Buturo made to the Ugandan Media Centre in response to Sweden’s threat to cut aid. Buturo stated: “Homosexuality will not be promoted, encouraged, or supported in Uganda. … We should remind [the donors] that there is integrity to be defended and threats are not the way to go. If one chooses to withdraw their aid, they are free because Ugandans do not want to engage in anal sex. We do not care.”

On December 11, 2009, U.S. Senator Russ Feingold (D-Wisconsin) issued a statement directly condemning the Ugandan Anti-Homosexuality Bill:

I share the outrage of many political, religious, and civic leaders in Uganda and around the world about the “anti-homosexuality bill” before the Ugandan Parliament. If enacted, this inhumane bill would sanction new levels of violence against people in Uganda based solely on their gender or sexual orientation. Its passage would hurt the close working relationship between two countries, especially in the fight against HIV/AIDS. Over the last month, I have conveyed these concerns to the State Department and directly to President Museveni, and I urge Uganda’s leaders to reject this bill.

The day before, Senator Tom Coburn (R-Oklahoma), who has been identified as a Family member, issued a statement calling for the withdrawal of the Ugandan bill, but through less formal channels. Unlike Feingold, Coburn’s statement was not posted on his Senate webpage and he did not contact the State Department or Ugandan officials. Instead of issuing the statement to the press, Coburn released it as part of an email issued by GOProud, an LGBT Republican group.

Fellow Family member Senator Chuck Grassley (R-Iowa), who originally refused to comment on the Ugandan bill citing unfamiliarity with the issue and the fact that he was not a member of the Ugandan Parliament, eventually issued a statement against the bill on December 11, 2009 through the Iowa Independent. Grassley stated: “Based on what I’ve been able to learn about the
legislation and from the standpoint that I’m a born-again Christian, I can tell you that I don’t agree with this un-Christian and unjust proposal, and I hope the Ugandan officials dismiss it.”

With a growing chorus of support in Congress, Secretary Clinton once again delivered a statement on the criminalization of homosexuality, this time singling out Uganda. In the December 14, 2009 speech at Georgetown University, Clinton said:

Calling for accountability doesn’t start or stop at naming offenders. Our goal is to encourage – even demand – that governments must also take responsibility by putting human rights into law and embedding them in government institutions; by building strong, independent courts and competent and disciplined police and law enforcement. And once rights are established, governments should be expected to resist the temptation to restrict freedom of expression when criticism arises, and be vigilant in preventing law from becoming an instrument of oppression, as bills like the one under consideration in Uganda to criminalize homosexuality would do.

On December 18, 2009, one day after the European Parliament passed a resolution warning that the Ugandan bill would put at least part of the EU’s $250 million development aid to Uganda in jeopardy, Johnnie Carson, the U.S. Assistant Secretary of State for African Affairs, told the media that he had met with President Museveni twice since October to urge him “to do everything he can to stop this particular legislation.” He went on to state:

It is premature for the U.S. government to consider withdrawing aid from Uganda because Museveni himself said he does not support the legislation and the battle is not yet lost. We won’t make any threats (about withdrawing aid) but we strongly opposed this legislation. And we’re looking to President Museveni to show the same kind of leadership that he’s shown in the fight against AIDS, in the fight to protect the rights of all adults, whatever their sexuality.”

U.S. State Department spokesman Jon Tollefson said that Carson received Museveni’s personal commitment to veto the legislation if it came to his desk during both an in-person meeting on October 24 and a phone conversation with Museveni on December 4. The State Department urged Museveni to issue a public statement condemning the Anti-Homosexuality Bill, Tollefson added. He had yet to do so, but he allowed two op-ed pieces calling for the Parliament to drop the bill to be published through the government-owned media. The second op-ed was written by John Nagende, senior advisor to President Museveni, and published in the government-owned New Vision, the largest newspaper in Uganda.

On December 22, 2009, author Jeff Sharlet wrote a guest post on another scholar’s website stating that the Family opposed the bill and that key members were working behind the scenes to stop it from becoming law. Bob Hunter of the Family told Sharlet:

“I know of no one involved in Uganda with the Fellowship (Family) here in America, including the most conservative among them, that supports such things as killing homosexuals or draconian reporting requirements, much less has gone over to Uganda to push such positions.”
While Sharlet later exonerates Hunter’s role in the development of the Anti-Homosexuality Bill and states that he doesn’t believe any American Family members played a direct role in promoting it, he notes that Americans have played a prominent role in instigating the religious revival that has taken place in Uganda since the 1980’s. The Family members among them largely shaped the rhetorical nature of the revival and inserted the anti-gay elements, he writes. He believes that those Family members have a special responsibility in the matter and that they are not living up to that responsibility. Sharlet writes:

I don’t believe [Senator] James Inhofe told David Bahati to push this legislation. I believe Inhofe when he says – under pressure – that he’s opposed to it. But the fact is, these powerful politicians, representatives of the most powerful nation on the world and in foreign aid generosity, are clear and candid in their opposition to homosexuality. That’s their right, but I believe they should therefore be even more clear and candid in their opposition to criminalization. Theirs is a personal, religious position. They should take extra precautions to make clear that these positions are in absolutely no way linked to the relationships between the United States and foreign aid recipients. Not only have they not done that, they resisted even condemning the bill.\(^\text{64}\)

On February 3, 2010, House Foreign Affairs Committee Chairman Howard Berman (CA-28) was joined by more than three dozen members of the U.S. Congress to introduce a bipartisan congressional resolution (H. RES. 1064) condemning the Anti-Homosexuality Bill.\(^\text{65}\) On April 14, 2010, the U.S. Senate followed suit. Senators Russ Feingold (D-Wisconsin), Tom Coburn (R-Oklahoma), Ben Cardin (D-Maryland), and Susan Collins (R-Maine) introduced a bipartisan resolution that was unanimously passed by the Senate stating the United States government’s opposition to the Ugandan bill, stressing the universality of human rights, the potential for the Ugandan bill to undermine U.S. efforts to combat the spread of HIV/AIDS globally, and calling on the Secretary of State to closely monitor international instances of human rights abuses motivated by sexual orientation and to support the repeal of similar laws worldwide.\(^\text{66}\)

On February 4, 2010, President Barack Obama and Secretary Clinton addressed the matter during the annual National Prayer Breakfast. Speaking first, Clinton explained that she had called Ugandan President Museveni on December 20, 2009 to express the “strongest concerns” about the proposed legislation. President Obama continued: “We may disagree about gay marriage, but surely we can agree that it is unconscionable to target gays and lesbians for who they are – whether it’s here in the United States or as Hillary mentioned more extremely in odious laws that are being proposed most recently in Uganda.”\(^\text{67}\)

Some Ugandan officials described the international pressure as evidence of the Western neocolonial homosexual agenda and a violation of Ugandan sovereignty. Nonetheless, the impact of the pressure from the international members of the gay rights network ultimately led to an address by President Museveni to his ruling NRM party members in January 2010. He advised advocates of the bill to slow down, stating that the matter had become a sensitive foreign policy issue and that handling of the bill must take into account foreign policy interests. He stated that Sweden had threatened to cut aid, several foreign leaders had called him to discuss the bill and that he had spoken to U.S. Secretary of State Hillary Clinton about the matter for 45 minutes.\(^\text{68}\)
Museveni stated: “The prime minister of Canada came to see me and what was he talking about? Gays. UK Prime Minister Gordon Brown came to see me and what was he talking about? Gays. Mrs. Clinton rang me. What was she talking about? Gays.”

In the face of overwhelming global pressure, formal discussion of the Anti-Homosexuality Bill was put on hold, prompting some observers to speculate that it might die in committee. The hold represented a new high water mark for the power of transnational gay rights network to affect domestic policy making in Uganda.

It was in the aftermath of this victory that the tabloid daily *Rolling Stone* published the “Hang Them” issue on October 2, 2010. Ugandan parliamentarians, the Information Minister and the Broadcasting Council were silent. In response, local gay rights activist David Kato and other members of the organization Sexual Minorities Uganda filed a lawsuit with the Ugandan High Court. The Court responded by issuing an interim order prohibiting *Rolling Stone* editors from publishing any further information about alleged LGBT people until ruling on January 3, 2011 that *Rolling Stone*’s publication of alleged homosexuals’ names, addresses, and preferred social hangouts constituted a violation of their constitutional rights. High Court Justice V.F. Kibuuka Musoke’s ruling said the motion was "about fundamental rights and freedoms," not homosexuality, and that those rights and freedoms only had to be threatened, not actually infringed. "The call to hang gays in dozens tends to tremendously threaten their right to human dignity," it read, adding that like all citizens, homosexuals are entitled to the right to privacy. Only those found guilty of committing a homosexual act could be regarded as a criminal under Ugandan law, not those who call themselves or are perceived to be homosexual. In addition, the court issued a permanent injunction preventing *Rolling Stone* and managing editor Giles Muhame, from any further publications of the identities of the persons and homes of alleged homosexuals, providing important precedent should any other media outlets attempt to publish similar information.

Still, David Kato was beaten to death with a hammer 23 days later on Wednesday January 26, 2011. While police officials labeled the motivation behind the murder as robbery, the Ugandan gay community remained unconvinced. Ugandan gay rights activist Val Kalende said that Kato’s death was “the result of the hatred planted in Uganda by U.S. evangelicals in 2009” and that “the Ugandan government and the so-called U.S. evangelicals must take responsibility for David’s blood.”

In April 2011, the Ugandan parliament sought to bring the Anti-Homosexuality Bill to the floor once again. Rev. Martin Ssempa, a leading Ugandan religious figure representing an independent Christian sect led a coalition of religious leaders, civil society organizers, and two self-described "former homosexuals" to meet directly with the Speaker of Parliament, Edward Kiwanuka Ssekandi. During the meeting, they presented a petition containing what they said were more than 2 million signatures in support of the Anti-Homosexuality Bill. In response, the Avaaz online petition campaign mobilized once again, delivering 1.6 million signatures in a matter of days.

Ultimately, the pressure from the international community appeared to win out when, in May 2011, the Speaker blocked the bill from coming to a vote in an emergency session. Avaaz
campaign director Alice Jay welcomed the decision: "The news that the brutal anti-gay law won't be discussed in parliament today is a victory for all Ugandans and people across the world who value human rights. This vile bill is a matter of life and death for gay Ugandans, and would have seen the execution, imprisonment and persecution of friends of Avaaz, and thousands of others who have committed no crime at all. We must now ensure this heinous bill can never return to parliament again.”

**Lasting Legacies**

In 2014, a watered-down version of the “Kill the Gays” Bill was passed, allowing homosexuals to be imprisoned for life. In that same year, however, international pressure influenced the Ugandan Constitutional Court to rule the act invalid. But Bahati, now the State Minister of Finance for Planning, has stated that he plans on bringing the bill back. And while the Family has distanced itself from Bahati and the legislation, its influence is still clearly evident. In an interview with Vice on HBO, Bahati stated that “Homosexuality is evil,” and Pastor George Oduch, who has been connected to Bahati in the past, went even further to say, “...[T]here’s no difference between a terrorist and a homosexual who comes here and lures our children and recruits them and sodomizes them and messes them up.”

The environment in Uganda, then, is still very hostile for the LGBTQ community. Recent stories include the arrest of an eight-year-old girl for “lesbianism” as well as a personal narrative by a young, Ugandan man who identifies as gay and feels he has no choice but to leave the country. He writes, “I wonder if my family that fled to Uganda from Rwanda during the 1994 genocide knew that when they exiled me from home at 16 years old for being gay, I would become a statistic, too?” America’s influence in creating this anti-gay environment has been acknowledged by the Prime Minister of Uganda, Ruhakana Rugunda, and at least partially attributed to figures like Scott Lively.

Even more, the American influence has spread throughout Africa to thirty-six other countries including Somalia, Sudan, northern Nigeria, and Egypt. All of these countries criminalize homosexuality, and some prescribe the death sentence as punishment. And because of Article 27 (2) of the African Charter on Human and Peoples' Rights, which designates issues of sexuality as ethical rather than legal, the African Court on Human and Peoples’ Rights has very limited power to respond. The African Union does not usually intervene in the domestic human rights policies of its members, nor does the Pan-African parliament as they do not have a guaranteed ability to intervene.

So while “white people” in America helped create the hostile environment towards homosexuals in Africa, Gambia’s President Yahya Jammeh sentiments from a 2015 rally sum up the current situation: “If [homosexuals] do it [in Gambia] I will slit [their] throat. If you are a man and want to marry another man in this country and we catch you, no one will ever set eyes on you again, and no white person can do anything about it.”

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# Annotated Bibliography

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<td>All Africa, “Uganda: 450,000 Sign to Kill anti-Gay Bill,” Mar. 2, 2010, <a href="http://allafrica.com/stories/201003011775.html">http://allafrica.com/stories/201003011775.html</a></td>
<td>This article report how Ugandan President Museveni’s cautioned his own NRM party to slow down discussion on the Anti-Homosexuality Bill since the issue had developed into a contentious matter of foreign policy.</td>
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<td>BBC News, “Fine for Ugandan radio gay show,” Oct. 3 2004 <a href="http://news.bbc.co.uk/2/hi/africa/3712266.stm">http://news.bbc.co.uk/2/hi/africa/3712266.stm</a></td>
<td>This article reports that Radio Simba was fined $1,000 and forced to issue an apology by the Ugandan Broadcasting Council for hosting a homosexual on a live radio show.</td>
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This article describes public statements made by Ugandan President Museveni in response to the pressure placed on him by several foreign heads of state and top diplomats to drop the Anti-Homosexuality Bill.

Language of a bipartisan congressional resolution introduced by Rep. Howard Berman condemining the Ugandan Anti-Homosexuality Bill.

This book chapter provides an historical perspective on the development of the competing transnational gay rights network and conservative family values network.

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Blog reporting that the U.S. Department of State is strongly urging Ugandan President Museveni to drop the Anti-Homosexuality Bill but is not threatening to withhold foreign aid.

Blog report on action by U.S. legislators to condemn the proposed Ugandan Anti-Homosexuality Bill.

Blog reporting that the U.S. Department of State received a confirmation from Ugandan President Museveni that he would prevent the Anti-Homosexuality Bill from becoming law.

This lecture describes the growing deficit of legitimacy faced by nation-states in the globalization era and the possibility of fostering transnational linkages with global civil society, effectively transforming into what Castells has coined as “network states” as a strategy to restore it.


Speech by U.S. Secretary of State Hillary Clinton publicly condemning the Ugandan Anti-Homosexuality Bill.


Speech by U.S. Secretary of State Hillary Clinton defining gay rights as human rights.


CNN interview with Giles Muhames, editor of the Ugandan tabloid, Rolling Stone.


This article describes the relationship between conservative U.S. evangelical preachers, Ugandan parliamentarian David Bahati, the development of the Ugandan Anti-Homosexuality Bill and the “hang them” language used in the *Rolling Stone* tabloid newspaper.


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This article details anti-gay rhetoric and personal information printed in the October 2 and October 31 issues of "Rolling Stone."


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This 2009 report by the Pew Forum on Religion and Public Life describes a global range of views on gay marriage, civil unions, and domestic partnerships by country.


This 47-nation public opinion survey by the Pew Research Center measures attitudes on variety of subject including homosexuality.


Report that Swedish Aid Minister stated that the Ugandan Anti-Homosexuality Bill would put $50 million in development assistance to Uganda in jeopardy.


This book chapter provides a detailed explanation of Thomas Risse’s spiral model of human rights change.

Sharlet, Jeff, C Street The Fundamentalist Threat to American Democracy, (New York: Hatchette Book Group, 2010)
This book details the relationship between conservative U.S. politicians, business and religious leaders affiliated with *The Family* and the development of an anti-gay political agenda in Uganda.


This book details the relationship between conservative U.S. politicians, business and religious leaders affiliated with *The Family* and the development of an anti-gay political agenda in Uganda.


The article reports the death of the Ugandan Anti-Homosexuality Bill on May 2011.


Report that Canadian Prime Minister Stephen Harper planned to strongly condemn the Anti-Homosexuality Bill during a meeting of Commonwealth leaders.


Guest blog post by journalist Jeff Sharlet on the nuanced meaning of *The Family*’s official opposition to the Ugandan Anti-Homosexuality Bill.


Speech by U.S. Secretary of State Hillary Clinton stating that HIV/AIDS strategy is hampered by LGBT discrimination.


This dissertation defines Mexican scholar Cesar Villanueva’s view of cosmopolitan constructivism as a cultural diplomacy strategy available to nation-states.

**Study Questions**

1. What are the historical foundations of the transnational conservative values network? How did this network spread its message in non-Western states and to what effect?

2. Assess the homophobic culture in Uganda. What are its origins? How did American religious figures influence the emergence of this culture?

3. How did the Family's domestic clout serve its efforts in Uganda?

4. How did key domestic figures like Senator Jim Inhofe advance the efforts of the conservative values network in Uganda? What kind of precedent did this set for the transnational nature of this issue?

5. To what extent did the Family and other conservative values outlets persuade Ugandans to adhere to their traditional values? Did these transnational movements need to do much convincing?

6. Assess the power and influence of the Family domestically and abroad.

7. What role did David Bahati play in the introduction and passage of the Anti-Homosexuality Bill? How did his connection to the Family help him? Hinder him?

8. Compare and contrast the successes and failures of the transnational gay rights network and the transnational conservative values network.

9. How big of a role did global pressure play in delaying the passage, softening the punishment, and eventually overturning of the Anti-Homosexuality Bill?

10. What do you think was the biggest factor in fostering a homophobic culture in Uganda? How critical of a role did transnational religious groups play a part?