



USAID
FROM THE AMERICAN PEOPLE



A Threshold of Moral Tolerance

Accommodating LGBT Human Rights in Contemporary Uganda

April 3, 2012

Chloe Schwenke, Ph.D.

Washington, DC, USA

&

Prof. A. Byaruhanga Rukooko

Kampala, Uganda



USAID
FROM THE AMERICAN PEOPLE



Dialogue Denied, or Dialogue of Confusion

- What threshold must be reached to create a deliberative space within Uganda sufficient to overcome the conflict over LGBT human rights?
 - A forbidden dialogue?
 - LGBT human rights or LGBT sex?
 - LGBT = A vulnerable minority to be protected, or a perverse phenomenon to be rejected?
 - Transgender = Affront to immutable gender boundaries, or about reality of gender dissonance?
 - Human nature = A question of human diversity? A negation of fundamental human traits?
 - LGBT = A natural part of the “human condition”, or a perversion of the human condition?



USAID
FROM THE AMERICAN PEOPLE



LGBT!

What are people (or governments) reacting to?

- Cultural views about gay, lesbian, or bisexual sexual behavior, or status?
 - Homophobia/transphobia?
 - A “lifestyle”? A choice? A human right?
- Moral and legal permissibility
- Extreme self-indulgence, rejecting societal norms?
- Perplexed? Confounded?
- Lack of objective information



USAID
FROM THE AMERICAN PEOPLE



LGBT claims, supported by universal human rights based values

- Right to free association
- Right to identity (transgender)
- Right to privacy
- Right to authenticity (i.e. LGBT not a choice)



USAID
FROM THE AMERICAN PEOPLE



Traditional Ugandan claims

- Homosexuality is abnormal, unintelligible, unnatural
- Heterosexuality divinely ordained for procreation, and procreation is valued
- Gender identity immutable, unless medically problematic
- Not integral to traditional African morality, hence foreign and a threat
- An individualistic imposition on higher priority communal collective norms



USAID
FROM THE AMERICAN PEOPLE



Resolving the conflict of values

- Nature of conflict = universal values (human rights) versus relative (cultural) values
- Possibility of deliberation to reach a resolution
 - Assertion = a threshold of tolerance is a prerequisite for deliberation
 - Constructive, respectful engagement or stigmatized rejection?
- Normalization of LGBT status?
 - Part of the human condition & no harm to society (USA)
 - Stigmatized aberration of the human condition = a culture of silence (Uganda)



USAID
FROM THE AMERICAN PEOPLE



Uganda ~ what about the quality of the deliberation intended to resolve the clash of moral values?

- Poor or no information
- Overcoming stigmatization
 - Pervasive silence
- Lack of a shared commitment to achieving a deliberative consensus
- A few attempts at a structured dialogue
- Universalist claims or endangered cultural identity?



USAID
FROM THE AMERICAN PEOPLE



Cultural relativism regarding human rights validity

- Radical/Strong/Weak = culture as sole/principle/important determinant of validity
- Social compact as a basis for human rights universality
- Human rights as a reaction to human wrongs, injustices
- Human rights as situated in ethical communities (parents, poor, women, LGBT)



USAID
FROM THE AMERICAN PEOPLE



Metaphysical grounding of human rights

- Natural law
 - Chris Brown, Tim Dunne, Nicholas Wheeler
- Cultural attitudes and beliefs
 - Richard Rorty, F. Kasozi, Sango Mwanahewa
- Indicative of a functioning ethical community
- Human dignity/ “okra-dignity” or divine element/ “obuntu”
- As means and/or ends?
 - Prerequisite or by-product?



USAID
FROM THE AMERICAN PEOPLE



Conclusion

- Looking ahead in Uganda, near term:
 - Relativistic moralizing/moral extremism versus universal rigid moral prescriptionism
- Prospect of achieving critical threshold of tolerance, longer term
 - Must be sufficient for a deliberative process to reassess values and reach a stable consensus
 - Dependent on societal investment in a shared sense of the meaning of “human dignity”
 - Will not be achieved soon...