

Nudity and its Visual Representation in Uganda's Contemporary Art: It is Artistic Expression, Free Speech and Gendered

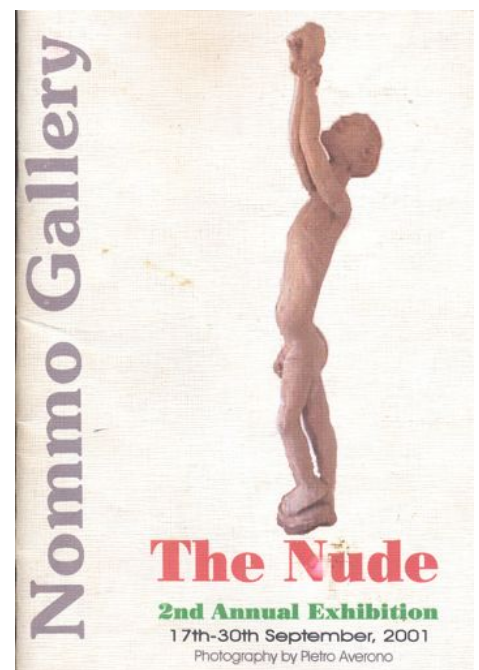
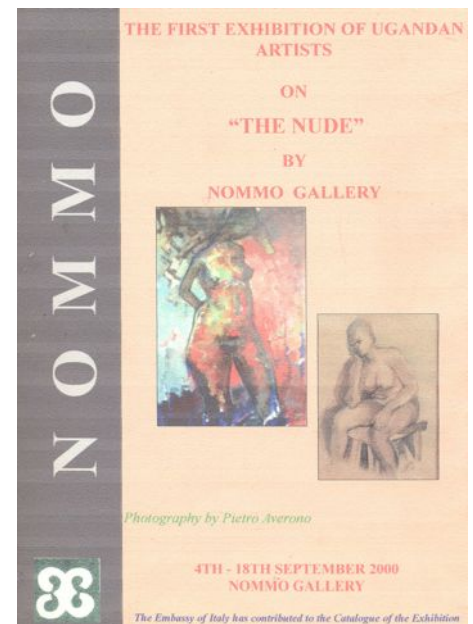
By
Angelo Kakande, 2012

Abstract:

In this essay I analyse the visual representation of the naked human figure in contemporary Ugandan art and its circulation through three exhibitions. I plot and analyse the contour these exhibitions shared with the public and public morality. I use a multidisciplinary approach relying on art and art history, culture and cultural discourse, law and legal analysis to demonstrate and argue that nudity, and the nude, is a category of art whose gendered undertones exploit the weak, especially women. However it is also a form of art, and high culture, in western culture and cultural discourse which, mainly as a result of formal art education, has become part of Uganda's contemporary art and art history, culture and cultural discourse. I further argue that the visualisation of nudity in Uganda's art is part of free speech. It is not pornography; it is a form of individual expression protected under international, regional and domestic law.

Introduction:

On 15th April 2012 Fas Fas Gallery hosted the *Nudes 2012* organized by Ronex Ahimbisibwe. In our interview Ahimbisibwe explained that the objective of the show was to demystify the human body. In an interview with the press, Robinah Nansubuga, the Manager Fas Fas, stated that the exhibition was based on the view that nudity is a form of art that should not be a subject of shame. This exhibition came twelve years after *The First Exhibition of Uganda Artists on "The Nude"* (2000) (*Nude 2000* hereinafter) which was hosted at the Nommo Gallery on 4th – 18th September 2000 and was organised to free the naked body from continuous abuse and stigma. *Nude 2012* also came eleven years after *The Nude 2nd Annual Exhibition 2001* (2001) (*Nude 2001* hereinafter) which was hosted at the Nommo Gallery on 17th – 30th September 2001. Captured in bold in the catalogue, the objective of *Nude 2001* was to "help the public go learn more about the anatomy, the beauty of the body and free the mind from unnecessary misconceptions and to upraise the level of art appreciation" (Mutungi 2001, n.p). Put simply, *Nude 2012* shared with *Nude 2000* and *Nude 2001* the objective of salvaging the human form and freeing it from any obscene (read pornographic) connotations. The three exhibitions served to demystify the naked human body emphasising what Kyeyune (2000,n.p) called its aesthetic appeal.



In this essay I do not intend to fix the meaning of the works (or exhibitions) I analyse. Instead, I provide insight into a debate on the obscure territory in which art meets the public and public morals in Uganda. To do this, I explore the artist's claim for the aesthetic appeal. I attend to ways in which the production and circulation of the nude in contemporary Ugandan art¹ in general and nude exhibitions in particular fuses the line between aesthetics and mass culture; art and non-art. I rely on evidence from three nude exhibitions, decided court cases, the press, interviews, and secondary sources, to demonstrate that the nude shows present an opportunity to artists to go beyond naked bodies to speak about societal issues.

Setting the scene: Is nudity artistic expression and free speech or an affront to public immorality?

In our interview Ahimbisibwe noted that he was exposed to half-clothed models during the life class. He is correct. Half-clothed and un-clothed female and male models have been used during drawing sessions since the 1940s when Margaret Trowell sent her first student, Gregory Maloba, to the Medical School for drawing lessons. Since the 1990s the unclothed model has been rare in the life class at Makerere University. This change has been caused by financial constraints.

As such, given the centrality of the life class (and study of anatomy) in the teaching of Contemporary art in Uganda, the production of nude is not uncommon. Life drawing (currently called drawing general) is a core course which every art student must pass before graduating with a degree in Fine Art and Design of Makerere University (and this is the case in other institutions where contemporary art is taught).

The *Collins Concise English Dictionary* (2008, p.1142) (the dictionary hereinafter) states that the word “nude” comes from the Latin *nudus*. It refers to “a naked figure, esp. in painting, sculpture, etc”. Stated differently, nude and nudity are descriptive terms referring to an unclothed figure as seen in works of art and design. The dictionary therefore confers an aesthetic dimension to the nude and nudity. Clearly this definition is grounded in western aesthetics; it does not problematize nude and nudity.

The dictionary also describes nude as a state of being “completely unclothed; undressed... 2 having no covering...” Many languages in Uganda take this translation. Literally naked, nakedness and nudity mean *obwereere* in Luganda; it means *busya* in Runyankore (spoken by the Banyankore). Philip Kwesiga was alive to these two and related translations when he painted his **Busya[Naked]**². What is not so obvious in Kwesiga's painting is the fact that this meaning is sometimes problematic: it is embarrassing and a taboo for one to appear naked in the public space; it is illegal. For example Section 81(2) of the *Prisons Act 2006* provides that “stripping a prisoner naked...is prohibited”. Section 81(2) of the *Police Act 2006* has a similar prohibition.

Suggesting that it is not abnormal to be naked, Mutungi (2000,n.p) wondered why we get embarrassed “when we look at our [naked] bodies”. In 2000 Kyeyune answered this question. He argued that our socialisation “forbids us from exposing our [naked] bodies publicly”; the public display of nakedness represents vice and immorality



Kwesiga Philip
Busya (Naked)

1 The notion contemporary Ugandan art has a wide meaning. It represents art, design and all other forms of contemporary artistic expression. This is the meaning I adopt in this essay.

2 Like this painting, many of the pictures in the catalogues were not dated. Some of the artists are dead; others cannot be traced, while many cannot recall the dates on which they did the works. It was difficult for me to ascertain the empirical dates. I therefore do not date many of the works I discuss apart from a few works whose dates were ascertained and confirmed by the artists. Where dates are missing I rely on the date of the exhibition to historicize all the works presented in a particular show being discussed.

(Kyeyune, 2000, n.d). Probably this is so. However, what the artists are unaware of is the fact that the law cited above expands the scope to include exposing the naked body of another as many contemporary artists commonly do through their works.

Now Mutungi's and Kyeyune's assertions need to be critiqued. Traditionally, Uganda has no single voice on this matter. For example pictures of naked Bagisu men dancing along urban streets during their circumcision rituals would be unsightly in Ankole and Buganda where Mutungi and Kyeyune hail from. However they are not at all offensive in Mbale among the Bagisu. In effect the culture of the Bagisu cannot, and does not, forbid public rituals involving nudity at least during circumcision. For the Bagisu running around naked, and undressing another in public, translate into an individual's right protected under Article 37 of the Constitution (the right to culture clause). A combination of these issues raises the question of who exactly constitutes Mutungi's "we" and and Kyeyune's "us" as subjects and/or objects of embarrassment. The answer to this question cannot be too obvious; it cannot be universal either.

Nevertheless Mutungi's and Kyeyune's positions help us to understand who constitutes the public in Uganda's socio-political discourses. Who is this privileged subject who is central in the country's cultural milieu? Raising this question, however obliquely, helps us to understand the question of whose tastes inform the media. To demonstrate, in *The new vision* published on 20 September 2000, it was in the public interest for the editor to publish a full-colour image in which the Australian police chased a naked man who had invaded a stadium to disrupt the women's football semi-final match between Brazil and Australia³. Again on the 14 September 2000 *Daily monitor* published a picture of a semi-clothed female protester arrested for disrupting the World Economic Summit. The print media seems to have published these incidents to expose an unsightly act: an outrage to the middle class, educated, world citizenry which watched the football match. By publishing these images in a country where cable TV was preserved for the wealthy, middleclass, elites, the two newspapers seem to suggest that the protesters went beyond free speech and political expression: they offended public morals; they constituted a public nuisance. It is my contention then that arguably Mutungi's "we" and Kyeyune's "us" generally include the elite, educated public whose tastes the newspapers, TVs and galleries in Uganda cater for. It is this public whose "viewing situations" (Nead, 1992, 91) the State often regulates by policing the boundaries of cultural distinction between obscene pornography on the one hand and artistic expression on the other. I must also state that being graduates of university education, contemporary artists in Uganda form part of this class.

However, although seemingly clear, this position creates challenges for the use and mass-circulation of completely unclothed figures in art. I observe that this challenge is bigger for the press than it is for the artists. For example at page 18 of *Daily monitor* published on 1 September 2000, the author published a commentary on *Nude 2000*. He remarked that "...several pieces with vivid shapes of both men and women naked..." were exhibited. To accompany the article, and also to confirm his point, he used Samuel Kakaire's painting, called **Sistine Chapel**. This painting has a central figure supporting its body with its left arm. It folds its right hand backwards to allow the viewer access to the display of its heavily muscled anatomy. Now, it is my view that there was nothing offensive about this painting. I concede that the painting celebrates essentialised masculinity represented by a nude male figure. I am however not prepared to admit that Kakaire's work offends public morals. However there was a problem with the section marked by a large penis. In fact it was by far less exaggerated than the three penises in Kakaire's **Karamojong Egotism** which was also exhibited in the *Nude 2000* show and was later published on page 17 of the *Daily monitor* published on 7 September 2000. *The new vision* also run a commentary on the show accompanied by a picture of the masculinised Kakaire's **Sistine chapel** set in contrast with Jacob Odama's **In the salon** depicting a nude, standing, female figure arranging her hair. Arguably, the editor placed the two works in

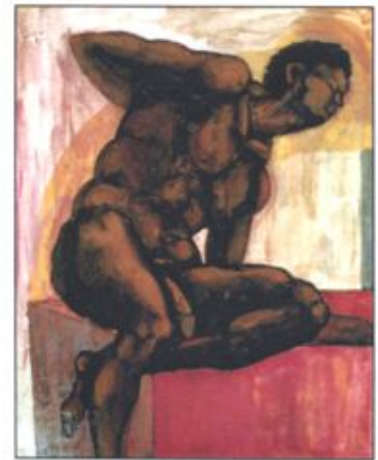
3 See *The new vision* published on 20 September 2000, p.39.

way which confirms that they are gendered.

It could be argued that the newspapers were exercising their right to access and publish information which is enshrined in Article 19 of the *Universal Declaration of Human Rights* and Article 19 of the *International Covenant on Civil and Political Rights*. This right is also encapsulated in Article 41 of the Constitution of Uganda. However its enforcement often provokes a bitter contest between newspapers and the government. The *Daily monitor* was at the front of the fight for the right to access and publish information in the early 1990s. Government responded by denying it revenue and affecting its growth and profitability in the period 1993-1998⁴. Government also relied on repressive colonial laws on sedition⁵ and publication of false news to shield itself from newspaper criticism. The *Daily monitor* was weakened; it became cautious leaving *The new vision* as the most serious forum for criticising government programs and actions until 2006 when its Chief Editor, William Pike, was replaced by the government-leaning Robert Kabushenga⁶. The situation was further complicated by the absence of a



Kakaire Samuel
"Karamojong Egotism"



Kakaire Samuel "Sistine Chapel"

4 See Githongo, J. 2012. Congratulations Monitor, You are Still Going Strong. *Daily Monitor*, Sept. 7. [online] Available at: <http://www.monitor.co.ug/OpEd/Commentary/Congratulations+Monitor++you+are+still+going+strong/-/689364/1498194/-/fa5gwfz/-/index.html> [Accessed 9 September 2012].

5 It was the argument of the state that although they were colonial and draconian these laws were in the statute books and hence had to be enforced and obeyed. Human rights advocates argued that they are outdated and "there was nothing in the realm of democratic governance that stipulates that once a law is made, it has to remain intact forever". This argument was ignored as we see in *The new vision* of 2 September 2000 at p.10.

6 Looking at its headlines confirms this assertion. For example in the month of September the paper incessantly attacked government's lack of accountability, incompetence, corruption, and its handling of the rebellion in Northern Uganda (the brutal LRA rebellion) among other issues. Parliament, dominated by pro-government members of parliament, responded by attempting to expel all journalists from the House. This failed. Then in 2006 *The new vision* published an article titled "LRA War Resumes" in which Fortunate Ahimbisibwe contradicted the official view that the rebellion in Northern Uganda had ended. Although the author cited sources in the military, the article annoyed the Head of State. He promised to "sort out *The new vision* [which had] been very useless for a very long time". To honour his promise, he forced Pike to resign replacing him with Robert Kabushenga who has turned *The new vision* into a government propaganda mouthpiece. See Mulindwa, E. 2006. William Pike resigns Kobushenga comes in. *The mail archive*. Oct. 11. [online] Available at: <http://www.mail-archive.com/ugandanet@kym.net/msg23659.html> [Accessed 9 September 2012].



Samuel Kakaire's *Sistine Chapel* as it was modified and presented in the *Daily monitor*.

law giving effect to Article 41 of the 1995 Constitution which grants access to information which is in the hands of government. It took court battles, like in the case of *Charles Onyango Obbo & anor v AG*⁷, and pressure from an opposition member of parliament who tabled a Private Members Bill, to force government to enact the *Access to information Act 2005* which granted access to information.

Most importantly, and as Enock Kimbowa explained at page 17 of the *Daily monitor* published on 7 September 2000, Kakaire's **Sistine chapel** contrasted sharply with its Italian precedents, Micheal Angelo Buonarroti's works in the Sistine Chapel. It was argued that Buonarroti's work was not offensive because the artist kept the "private parts out of sight"⁸. As a result, although largely phallic, Kakaire's **Sisten chapel** was considered offensive by the editor. He thus gave the painting a semblance of decency by cropping out the penis leaving a black circular patch imposed on the painting.

It could be argued that the *Nude 2000*, and its presentation in the press, tapped into interesting legal, moral and political debates on the function of nudity and the representation of the nude. For example, it is criminal to produce, exhibit, publish or broadcast pornography and obscene drawings, prints, paintings, printed matter, pictures, posters, emblems, photographs, cinematograph films or any other objects which tend to corrupt morals in Uganda. This law limits the freedom of expression guaranteed the Constitution of the Republic of Uganda supporting the view that the right to freedom of expression is not absolute. It can be limited under the law although it cannot be impaired under conditions which cannot be demonstrably justified in a free and democratic society⁹. This is the combined effect of Article 29 of the 1995 Constitution of Uganda and, among others, Section 7 of the *Electronic Media Act Cap. 104*, Section 3 of the *Press and Journalist Act Cap. 105* and Section 166(1) (a) and (c) of the *Penal Code Cap. 120*.

As it was observed by the late Mulenga JSC¹⁰ in the case of *Charles Onyango Obbo & Another v AG* the Constitution of Uganda does not define what freedom of expression means or give its scope. To fill this gap, Mulenga JSC read and adopted the definition provided in the Uganda's 1962 Constitution which is reflected in International and Regional human rights law. He then defined, at page 8 and 11, freedom of expression as the holding, receiving and imparting all forms of opinions, ideas and information. He argued that this definition does not exclude opinions, ideas and information which are controversial, erroneous or unpleasant as long as they are expressed within the law. Byamugisha Ag. JSC observed, in the same case, that the right must be enjoyed without offending public morality although, as Mulenga JSC held, the onus is on the state to prove that any limitations imposed are justifiable¹¹.

I concede that this position remained unclear until the *Onyango Obbo case*. This uncertainty may explain the caution and the ambivalence with which the editor of the *Daily monitor* approached the publication of Kakaire's **Sistine Chapel**. I suspect that he initially considered the painting capable of offending the public morals of his readers' and hence constituting a crime under the law. He probably later changed his mind when he realised he had impaired an aesthetic statement; a work of art which does not constitute pornography; he had breached the right to freely speak about things including those which are unpleasant.

Now, I concede that the *Onyango Obbo case* was about media freedom. I also concede that I have not come across a Court's decision concerning the [im]morality of Uganda's contemporary art/design. However in the South African case of *Roy Stephen Curtis v Ministry of Security & Ors*¹² the petitioner had been arrested

7 Const. Appeal No. 2/2002. [online] Available at: <http://www.ulii.org/ug/judgment/supreme-court/2004/1> [accessed 9 September 2012]

8 See Kimbowa, E. 2000. The nude show opens at Nommo Gallery. *Daily monitor*. Sept. 7. p.17.

9 At page 12 Mulenga JSC called this the limitation of limitations.

10 JSC stands for Justice of the Supreme Court. Justice Joseph Nyamihana Mulenga served at the Supreme Court from 1997 until 2009 when he retired. He died on 29 August 2012.

11 Also see Article 43 of the Constitution of Uganda (the limitation clause).

12 Case No. CCT 21/95. [online] Available at: <http://www.saflii.org/cgi-bin/disp.pl?file=za/cases/ZACC/1996/7>.

and charged for production and possession of sexually explicit video footage. The matter was referred to the South African Constitutional Court to decide whether among others, the trial did not infringe on the accused's freedom and speech and artistic expression. Justice Mokgoro traced the colonial, and imperialist, origins of the crime of indecency and how it was inherited in the postcolonial (and post-apartheid) Republic of South Africa. He observed that by 1995 this crime had outgrown its colonial moralism and Common Law legacy and gained a specifically political dimension. In the process its definition gained a "sweeping ambit" for which Courts struggled to find scope and objective test. The question for Court then was to determine if the law comported with the freedom of expression guaranteed by the Constitution. In deciding this matter, the Court addressed itself to a more specific question of whether "sexually explicit material" was a category of speech and expression protected by the Constitution" and if so whether the possession of sexually explicit material is protected under free speech? Arguing that the rights guaranteed by the Constitution of South Africa cannot be limited outside the limitations imposed by the limitation clause in the country's constitution (which is materially similar to Article 43 of the Constitution of Uganda), Justice Mokgoro found at page 17 that:

... the *freedom of artistic creativity* would be seriously undermined if it did not encompass the right of individuals to unhampered access to sources of artistic and intellectual inspiration, including (or, one might say, *especially*), those expressions which convey sentiments that are threatened with suppression by the state or with marginalisation in civil society, because they are deemed dangerous, offensive, subversive, or irrelevant.

He then held at page 21 "that sexually expressive speech is subject to the protection of ...the Constitution, and that such protection must necessarily extend to the right to possess such material" (my emphasis).

As Justice Mokgoro puts it this case was defined by South African's specific context and history. Uganda has not had a similar history. However the case had a far-reaching *erga omnes* effect on the protection of visual statements which would appear unpleasant. I am therefore of the opinion that in the wake of this decision the state cannot purport to gag free artistic expression under the guise of protecting public morality. Such sanction is very wide: it denies the right to access information which is sexually explicit; it inhibits the right to free speech and artistic expression. Instead, the law must apply the limitations imposed by the constitutional limitation clause to protect the vulnerable – this is what Justice Mokgoro calls the "harm principle".

Let me also add the detail at page 57 of the judgement in the *Independent Newspapers (Pty) Ltd v Minister for Intelligence Services*¹³ namely that: the law must protect "the interests of [human] dignity, gender equality and the rights of children". Consistent with this principle South African's penal laws have been amended to restrict protection to children and people with physical and mental disabilities¹⁴. A similar move is yet to be seen in Uganda. The country's penal and related laws¹⁵ still carry their imperialist colonial legacy. There is no urgency to reconsider them. Instead, the country is preoccupied with extremist views as seen in the *Babati Bill* (which is an anti-homosexuality law).

I contend that the right to the freedom of artistic expression is not absolute. Nevertheless, there is a need to strike a strategic balance between the protection of free artistic expression on the one hand and what Mulenga JSC in the *Onyango Obbo case* calls "social considerations" or "community interest"¹⁶ (read public morality) on the other. This debate has been growing within the civic, cultural and legal circles since the US Supreme Court

[html&query=%20pornography](#) [Accessed 18 July 2012]

13 *Independent Newspapers (Pty) Ltd v Minister for Intelligence Services (Freedom of Expression Institute as Amicus Curiae) In re: Masetlha v President of the Republic of South Africa and Another (Independent (CCT38/07) [2008] ZACC 6; 2008 (5) SA 31 (CC); 2008 (8) BCLR 771 (CC) (22 May 2008)*. [online] Available at: <http://www.saflii.org/za/cases/ZACC/2008/6.html> [Accessed 12 December 2012]

14 See *Criminal Law (Sexual Offences and Related Matters) Amendment Act, No. 32/2007*. [online] Available at: http://www.saflii.org/za/legis/num_act/cloarmaa2007509.pdf [Accessed 9 September 2012].

15 Among others, I can cite the following laws which deal with the crime of indecency: *The Magistrates Court Act* Cap. 16, the *Police Act* Cap. 303, the *Prisons Act*, 2006 and the *Computer Misuse Act* No.2/2011.

16 Mulenga JSC uses these phrases interchangeably. See pages 12 and 13 of the judgment.

decision in the Case of *City of Erie et al v PAP's* (also called the *G string cases*) which characterised exotic (or nude) dance as a form of artistic expression which is a form of expressive conduct and is constitutionally protected. Grant Wahlquist (2011) writes that this case exposed the need to ascertain the intention of the artist rather than the assumed immoral effect of what she produces and exhibits before her audience.

Put in another way the intention to produce nudity for art, and not for harmful pornography and obscenity, has an artistic merit and cannot, and must not, be unreasonably and unjustifiably sanctioned. Where sanctions are imposed, this can only be done within the parameters set in Article 43 of the Constitution of Uganda. This Article provides that the enjoyment of the rights and freedoms prescribed by the Constitution cannot be done at the expense of the rights of others or the public interest. However it insists that public interest cannot permit any limitation beyond what is acceptable and demonstrably justifiable in a free and democratic society. It follows therefore that nudity as a form of artistic expression, even if sexually explicit, shall be assured of protection as form of artistic expression. This may explain why the three nude exhibitions were held without interruption by the law enforcement agencies.

There is another angle though. In her *Female Nude: Art, Obscenity and Sexuality* (1992) Lynda Nead analysed the historical moments in which nudity and pornography, as visual categories, became separate. In the process nudity became an ideal form of art while pornography remained obscene and not art. She observed that “[m]ore than any other subject the female nude connotes ‘Art’. The framed image of a female image body, hung on the wall of an art gallery, is shorthand for art more generally; it is an icon of western culture, a symbol of civilization and accomplishment” (Nead 1992, p.1; my emphasis). The female nude is removed from pornography which is a low category of non-art which is a basis for sensory fulfilment, or what Kenneth Clark (1957) calls an “incentive for action”.

It is part of universal aesthetics: an object of contemplation to which no bodily desire must (and can) be attached. It is my opinion that it is here that many of the arguments for the *Nude 2000*, *Nude 2001* and *Nudes 2012* are located. This position also confirms that the production of nudes in general and female nudes in particular is rooted in western and not Ugandan culture (whatever this term means). It is a product of access to western culture and cultural discourse, art and art history.

However, Nead also unsettled the female nude arguing that in western cultural discourse nudity has become a “means of containing femininity and female sexuality” and a procedure and convention through which high art controls the unruly body of a woman “placing it within the securing boundaries” of aesthetic discourse. To understand this development, Nead urges us to look beyond high art per-se and see its relationship with patriarchal culture. That way we make an inquiry into how “...the image of the female body displayed in the gallery relates to other images of the female body produced within mass-culture?” (Nead 1992, p.1).

Like Clark’s book, Nead’s book is probably dated. After Nead other arguments have emerged. For example Mira Schor (1997) used a painting of a female vagina on a book in which she contended that the penis and masculinity are male. This was a deliberately essentialist discourse on art which would challenge Amanda Tumusiime’s (and Nead’s) contention that gender, and its transmission through art, is a construct and not a biological phenomenon. For Schor the debate was critical to open new areas of inquiry into the production of masculinity (and its circulation through art?).

Nead’s book is however still relevant to the discussion on the production and exhibition of nudity in contemporary Ugandan art as seen in the celebrated nude exhibitions. In fact by taking up Nead’s question at a theoretical and methodological level, Amanda Tumusiime (2012) has analysed ways in which Uganda’s contemporary artists have joined the battle against the non-conforming women in Uganda. She demonstrated that as a result of this battle, forms of artistic expression depicting women in suggestive poses have in different

but related ways become icons of perversity akin to those circulated by mass-culture and pornography. In the process the line separating high and low art, striptease (commonly called **kimansulo**), pornography and art, has faded. As a result Tumusiime argues that nudity has ceased being a neutral art form and become loaded with pejorative connotations intended to attack and demean non-traditional women as a way of pushing them out of the public domain. As such Tumusiime observed that *Nude 2000* had a gendered bias.

I adopt and extend this debate as I attend to the socio-political context of representations of nudes and nudity in three nude exhibitions. I engage the convergence between the right to free speech, art, public opinion, morals and policy. In response to, and in an attempt to demystify such a convergence, three exhibitions have been held in succession. I start with *Nude 2000*.

Nude 2000: Its Gendered undertones, Free Speech and Artistic Expression

On 4 September the Nommo Gallery launched *Nude 2000* amid high expectations, pomp and ceremony¹⁷. Its subject matter was distant from that seen in the exhibition which was hosted at the newly opened Cassava Republic¹⁸ in which Akiiki and Etyang featured artworks celebrating Uganda's traditions, traditional dresses and dress codes. It was also distant from Bruno Sserunkuuma's ceramics show which was hosted at the French Embassy around the same time. It that show Sserunkuuma attended to the mastery of skill¹⁹.

The Director Nommo Gallery Emanuel Mutungi wrote in the catalogue explaining the objective of the show. He argued that *Nude 2000* was intended to demystify the human body which had been "abused by many" religious and other negative stereotypes. He wondered why "[n]obody hates himself or herself yet many of us shy away when we look at our [naked] bodies" (Mutungi 2000, n.p) when they are placed in the public. These views were reproduced in the press: they were published in *The New Vision* of 1 September 2000 for example. Mutungi does not answer his question. However in my estimation Kyeyune (2000, n.p) provides some good answers to it. He wrote in the catalogue that *Nude 2000* served two functions; it allowed art to function "as a piece of reflection as well as aesthetic appeal" (Kyeyune 2000, n.p). He, without elaboration, observed that *Nude 2000* captured the "spirit of its time". He thus persuaded those who visited the show to view "nudity in context". He was concerned that the exhibition risked "standing ambiguously except when interpreted in its [social political] context."

Clearly Kyeyune was alluding to the context in which, as Trowell (1954)

17 It was reported in *The new vision* that Nommo Gallery was packed to capacity, guests "stretched their necks" in order to see the works. Over 100 works were exhibited. See *The new vision* of 8 September 2000. Vol. 15, No. 214 at p.30.

18 For example there was a painting called "Lady in Busuuti". Busuutii is a traditional garb won by women in Uganda. See Beauchamp, P. 2000. Cassava republic opens up. *The new vision*. Sept.1. p.26.

19 This point was made in an article published by Juliet Nsiima and William Craddock in *The new vision* of 15 September 2000. Vol. 15, No. 220 at p.30.



Byuma Denis "Nudeness"
Ebony Wood



Kabiito Richard "The Nude"
Collage



Kigozi Ernest "Two Men"

observed, contemporary art in Uganda mirrors its society as it assumes a political function – for instance the political nexus in Kakande (2008) and the imag[in]ed gender in Tumusiime (2012). He observed that the context in which *Nude 2000* was located was one in which the mass-circulated image of a naked person was one of embarrassment. The press was awash with pictures of unclothed and half-clothed images accompanying stories concerning adultery, rape, murder, theft, etc.



Mugambi Lydia "Nude"
Ink & Chinese Wash



Mugambi Lydia "Nude"
Ink & Chinese Wash

Let me agree with Kyeyne and mention that faced with a rising criminality, mob justice became a convenient way of dealing with crime; it still is²⁰. Most crucially, at the time of *Nude 2000* graphic images of half-clothed and totally unclothed people, some badly beaten or set ablaze, were common in the vernacular and English language press²¹. In all instances the victims had been suspected of committing a crime before being beaten, undressed and killed as a way of punishment.

However many of the images in *Nude 2000* were not representing this historical fact. Some artists experimented with material and media: Byuma explored ebony wood in sculpture and did **Nudeness**; Kabiito Richard in his **The nude** presented a collage resulting from a combination of traditional baskets, basketry and oil painting; Mzili Mujunga did a wood print in his **Silhouette**; Ernest Kigozi exhibited **Two men** a water colour in which two nude male figures are set in a ritual dance or wrestle; Lydia Mugambi presented **Nude** an experimental project in which she used black ink on paper; Margaret Nagawa used water colour and chalk on paper. Some works were a product of creative imagination: Joseph Sematimba's



Ssematimba Joseph "Nude"
Oil on Canvas

20 Mob justice continues today. Threats of arrest and prosecution haven not helped to curb the menace.

See Wokulira, S. 2012. Kkooti y'ekyalo esalidde 5 ogw'okufa. *Bukedde* Sept. 2. [online]. Available at: <http://www.bukedde.co.ug/news/66626-kkooti-y-ekyalo-esalidde-5-ogw-okufa.html> [Accessed 2 September 2012]

21 For example *Daily Monitor* published a picture on 3 September 2000 of a half-clothed 49 year-old woman Margaret Apo. She had been "seriously beaten" for stealing a chicken. A similar punishment is seen a photo published by *Daily Monitor* of 8 September 2000. It this picture, Hudson Apunyo captured the back of a one Boniface Atime to show the grievous bodily harm inflicted on him by a mob through what the author called "a trend today of punishing thieves". There was also a picture of abused children with badly wounded bodies. Now, these children, like Apo and Atime, should have considered themselves lucky; they escaped with serious injuries. *The New Vision* published on 20 September 2000 carried a "suspect bicycle thief" burning to death having been tied and set ablaze by an angry mob. See *Sunday Monitor* published on 4 September 2000, at p.15; *Daily Monitor* published on 9 September 2000, at p.17 and *Daily Monitor* published on 19 September 2000, at p.25. Also see Mugenzi, J. 2000. Mob justice, a child of an impotent law. *The new vision*. Sept. 20. p.22.



Gwokitcho Stephen "Seated Lady"
Gold Dust on Paper

Nude depicting a head-less female figure reclining across the picture space is a good example. Others were done from a life class: Stephen Gwotcho's **Seated Lady** can be cited. Many of the works were about nudity as art. It is therefore my opinion that these works had nothing to do with embarrassment. There was nothing sexually explicit about them.

I am prepared to admit that some artists did work bordering on vulgarity. For example Fred Kizito did **Ec[s]tasy** depicting a naked couple. To the right the woman faces up and folds her hands backwards while setting her legs apart to allow the man to stand between them. The man holds his (not completely?) erect penis in his right hand as he advances towards the woman. The painting seems to have been informed by an X-rated movie. However its modernist style ensures its position as art.

Some artists did subtly erotic images to deliver a gendered message. For example in his **Unleashed** Clovis Mutebi captured a reclining female figure. The painting is not like the reclining figure in Samson Ssenkaaba's drawing titled **In my room** in which the woman comfortably claimed her private space and controlled it before using it to explore the erotic possibilities of her body. As seen in the artist's other painting titled **In the sofa**, Mutebi's figure sits in an uncomfortable pose (and position) set in a disorganised space. She is seemingly disorientated. She supports herself (or leans?) against an assortment of objects which litter her space. By appropriating the gesture of a woman spreading her legs (which is taboo in most communities in Uganda) the two artists began to use nudity to question the character of women and women spaces – a critique which is also seen in Johnson Mwase's **Untitled**.

Other artists did works tapping into the sensitive questions of public health of the day although their works defied any attempt to pin them to single meaning. For instance Francis Ifee painted **Not in the mood**. He depicted an identifiably heterosexual couple. The woman stands in the immediate foreground as she shifts her right hip allowing her left leg to loosen and part creating a space through which we see a flaccid penis of the man seated at the back. The couple is anonymous thus not embarrassed. The artist attends to male and female anatomy as if to invite the beholder to compare and contrast the two. Yet he explained to the *Daily monitor* published on 7 September 2000 that his images were part of the struggle to control the spread of HIV-AIDS²².

HIV-AIDS stands for the Acquired Immunodeficiency Syndrome a disease which weakens the body by attacking its defence mechanism. By 2000 HIV-AIDS had become a scourge inviting pragmatic solutions. Promiscuity and unsafe sex were blamed for spreading the disease. In such



Kizito Fred "Ecstasy"
Oil on Canvas



Mutebi Clovis W. "Unleashed"
Engraving



Senkaaba Samson "In my room"



Ifee Francis "Not In The Mood"
Water Colour

²² Identified as serving a benevolent social duty two of his images were among the few reproduced in the press. They were accompanied with a caption that "Was it safe... had dark allusions to Aids and unsafe sex". See Kimbowa, E. 2000. 'The nude' show opens at Nommo Gallery. *Monitor*. Sept.7. p.17.

an environment the state responded by rounding up all alleged prostitutes and detained them under inhuman and degrading circumstances²³ and charged them with trumped up charges of being idle and disorderly. It still does today²⁴. This intervention was welcomed by the conservatives and traditionalists. However it was gendered and intended to punish women and not men²⁵. It attracted negative criticism including from within the ruling party²⁶.

The body politic had its own interventions including those which were bizarre and bordered on criminality. To demonstrate, on 16 September 2000 *The new vision* published a story in which 45 year-old Marita Aketo “had sex with her son Elemu Juventine (25) as a way of protecting him from acquiring Aids”. This act is illegal since the combined effect of Sections 149 and 150 of the *Penal Code* (Cap. 120) criminalises incest. The incident shocked Aketo’s neighbourhood; she was rejected as insane. However Aketo explained that “it was safer for him [meaning her son] to satisfy his sexual needs with her instead of going out for girls” and risk his life. It is my contention that in light of interventions like Aketo’s, Ifee’s works becomes socially relevant. The artist seems to have used [t] his images to communicate a socially-relevant anti-HIV-AIDS message couched in ambiguousness and nudity.

In summary, on 19 September 2000 *Daily monitor* published an article titled “You don’t say! You don’t say!”²⁷ Coming a day after the closure of *Nude 2000*, the article evaluated the success of the show. “How do you undress a strange woman put her against a wall and get away with it?” the author asked. “You paint her” he responded suggesting that the show had demystified the human body. This view was probably informed by the largely rehearsed script circulated by Mutungi, the Director Nommo Gallery, and published in several articles²⁸. As I have argued elsewhere public opinion and policy in Uganda is not shaped by exhibitions of art (see Kakande 2008, p.326). But since what we read in *Daily monitor* was the stated objective behind the *Nude 2000*, I would argue that the show was a therefore a success to that extent. Nevertheless it is difficult to argue that the show completely changed attitudes towards nudity. The distinction between pornography and nudity has not been fully appreciated. As such it is still taboo, outside of traditional rituals, to undress publicly. This position remains in spite of the fact that nudity is freely circulated in art and art exhibitions. What *Nude 2000* succeeded in doing, in my opinion, is to open another public forum for a discussion on the sensitive subject of the naked body. In the process artistic expression became a vehicle for free speech allowing the production, transmission and possession of unsightly visual information some of which was sexually explicit. This right to express oneself using unpleasant images is not specifically guaranteed under domestic law. It is however protected under regional and international law.



Kamya Ibrahim
Untitled

Gendered debate, expanded art: the un-arrested visual commentaries of *Nude 2001*

On 17-30 September 2001 Director Mutungi fulfilled his promise to host

23 To make this point Mr. Ras, a cartoonist in *The New Vision*, made a comic strip in which hordes of women had been piled at the back of a pick-up with their legs left turned upwards. See *The New Vision* published on 21 September 2000, at p.10.

24 In fact 12 years later the police mounted another swoop in Kampala in which they detained many sex-workers. See Ssenyondo, H. 2012. Bamalaaya e Katwe bakunamidde abapoliisi ababadde babakwata. *Bukedde*. Sept. 4. [online] Available at: <http://www.bukedde.co.ug/news/66699-bamalaaya-e-katwe-bakunamidde-abapoliisi-ababadde-babakwata.html> [Accessed 4 September 2012].

25 Feminists and activist made this argument in the press. See Kyomuhendo, M. 2000. Sex on the street, what about the buyers. *The New Vision*. Sept. 21. p.11. Also see Chibita wa Duallo. 2000. We need a new law against prostitution. *The new vision*. Sept. 21. p.29.

26 John Naggenda is the Senior Presidential Advisor on the Media. He has served the ruling party since the 1980s. In his “One Man’s Weak” Naggenda criticized the criminalization of prostitution. He called for its legalization. See *The new vision* published on 30 September 2000, at p.10.

27 See A.R.K. 2000. You don’t say! You don’t say!. *Monitor*. Sept. 19. p.18.

28 See for example Opolot, C. 2000. Artists launch nude body show. *The new vision*. Sept. 1. p.26.

a nude exhibition every year at the Nommo Gallery. 115 artists participated (presenting 185 works). Clearly then, compared to *Nude 2000* which attracted 38 artists (presenting 88 works), it is arguable that the success of *Nude 2000* sparked off an interest in the production and exhibition of nudity – and this point was made in the *Daily monitor* published on 15 September 2001²⁹.

Edris Kisambira wrote a review in *The new vision* in which he characterised works which captured the female nude as alluring adding that *Nude 2001* had some of the most graphic expressions of the nude female forms to be ever displayed in Uganda³⁰. Kisambira further explained why *Nude 2001* attracted more artists and artworks. This was because the works exhibited in *Nude 2000* were “scooped off the wall so fast”. In other words, and this is how Mutungi was quoted to have observed, there was a lot of “public interest in the subject” of nudity.

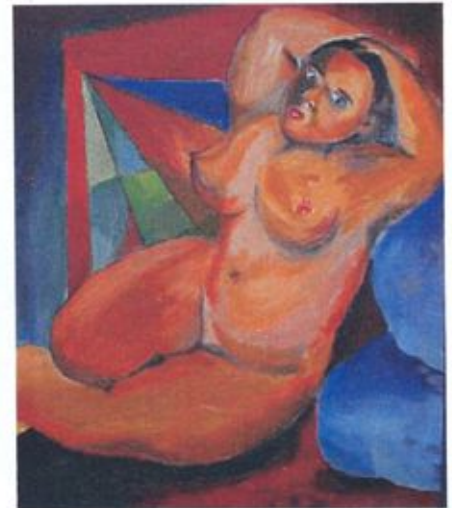
Let me point out that the exhibition had more female nudes. It however had works based on male and children as well. Let me also observe that the message in some of the works was obliquely expressed and could therefore not be characterised as graphic. For instance Benedict Bukenya’s **Ripening series** and his **Stretching** lacked clarity.

Some works with female nude were not graphic at all. For instance the following works had female nudity but could not be characterised as graphic: Ibrahim Kamy’s sculptures **Untitled** and **Happy nude**, Norman Koko’s sculpture **Maliced**, as well as Francis Luyinda’s **Suckle on the move** and Lutwama Romano Jr’s **Beauty in nudeness**, Kyazze Muwonge’s glass works titled **Sublime**, Charles Kamy’s **Nude**, Paul Kitimbo’s **Nude**, Paul Bazibu’s **Blue love** and Cesar Baba’s **Nude woman**. In these artworks artists studied the female form exploring its anatomy and relationship with space.

Other artists stayed away from the controversial representation of the genitals. Joshua Agaba’s’s painting **Look at me**, Rhami Balyeku’s **My back**, Paul Bazibu’s **The butt** can be cited as examples. Although based on a nude these works were also not graphic at all. The artists explored material and attended to form, volume and balance, understanding of design, control of the media, colour, picture space, composition, balance and the golden section. This was art.

Mutungi explained that like *Nude 2000*, *Nude 2001* was educative. It helped the public “to learn more about the anatomy, the beauty of the body and free the mind from unnecessary misconceptions and to upraise the level of art appreciation in Uganda”.

But the artworks seemed to testify to a variety. Some of them showed more of what the artists learnt, through socialisation, than what they taught to anyone. For example in his painting, titled **Comparison**, Leopold Higiroy



Lutwama Romano Jr.
Beauty in Nudeness



Muwonge Kyazze
Sublime



Bazibu Paul
Blue Love

29 See “Nude Exhibition starts Monday” published in *Daily Monitor* of 15 September 2001 at p.18.

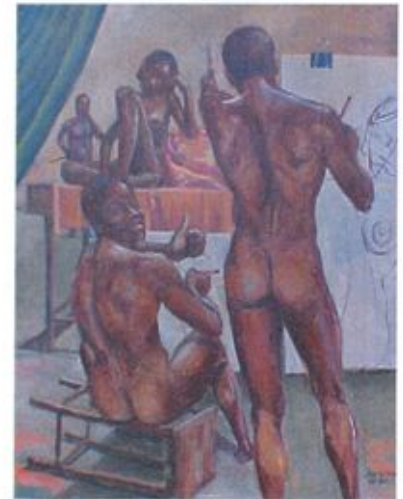
30 See Kisambira, E. 2001. Alluring: some of the most graphic expressions of nude female forms to be displayed. *The new vision*. Sept. 14. p. 28.



Baba Ceasar
Nude Woman



Higiro Leopold
Comparison



Mugisha Joseph
Life Drawing Class

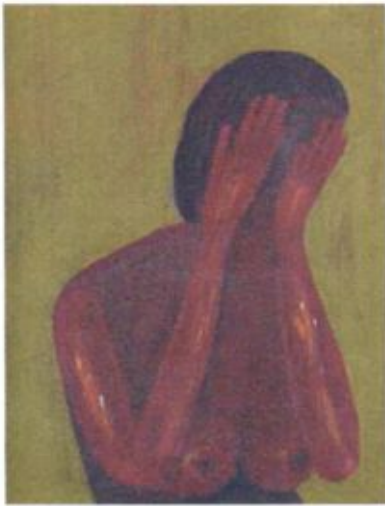
presented a soft and feminine female figure juxtaposed with a rough and muscled male figure. The two are set in tableaux to allow the audience to draw the distinction between male and female bodies. This understanding of male as masculine and female as feminine is a social construct known by many in Uganda and beyond. The artist did not have to teach any one. Rather than freeing the socialised mind of gendered misconceptions on masculinity and femininity, the artist affirmed them.

Joseph Mugisha's **Life drawing class** was probably close to the stated objective. In this work, the artist described what happens in a life class: human beings pose nude. However to show that there is nothing awkward and taboo about it, in his he painted nude male students drawing from a nude female model. Wearing a smile, one of the students turns to the beholder and makes a thumbs-up gesture. Mugisha thus demystified the production of nude art while bringing humour into the discussion on the visualisation of nudity. The same can be said of Francis Sseruwu's **Who cares**.

There was, also, lot of energy and varied responses seen in the works displayed on the show. This confirmed that Mutungi's pre-set objective was not restrictive. Artists used it only as a point of departure. They explored and experimented with varied materials (wood, metal, banana fibres, clay, oil, glass, coloured pencil, crayon, charcoal, wash, etc), techniques and styles to unlock their creative potential and artistic expression. Some even used it as an occasion to celebrate issues of African identity and Uganda's culture: For instance Yoshi Ishida volarised the identity of the Baganda (a dominant group in Central Uganda) in his **Buganda woman**. Jude Kiwekete Kateete in his **African beauty queen**, and Joseph Kizito in his **African treasure**, celebrated the identity of an African woman. Rashid Mpenja drew on the decorations, and decorativeness of traditional bead work called *endege*, to create his **Endege** series.

A new tabloid was inaugurated on 16 July 2001. Called *The red pepper*, it was, in the words of Major General Salim Saleh (President Museveni's brother), to publish stories based on controversial subjects: HIV-AIDS, exploitation, etc.³¹ These stories were spiced, or even hyped, by cartoons in which heterosexual couples had sex. Their spaces are identifiably private. For instance the couple in its edition of 18-24 July 2001 *The red pepper* published a cartoon of a couple having sex on a couch under the cover of a blanket. This link between sex, sexuality, eroticism and the private (and individual) space was clothed with a modicum of decency. This position, and positionality, was taken in the *Nude 2001*. For instance, Joseph Agaba's **Nude comfort**, Rogers Adhola's

31 This was published on *The red pepper* of 19-25 June 2001, at p.3.



Yoshi Ishida
Buganda Woman



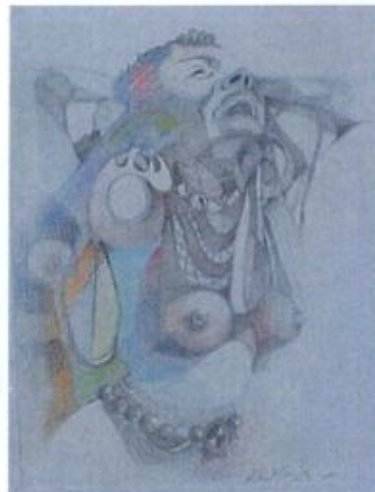
Katete Jude
African Beauty Queen



Kizito Joseph
African Treasure



Mpenja Rashid
Endege



Mpenja Rashid
Endege



Kibiyira Silvester
Beautiful Enough

Attitude, and Silvester Kibiyira's **Beautiful enough** show women located in different social classes. The artists attended to sexuality and eroticism. They however introduced a significant amount of cloth to wrap their women and ensure that they are socially appropriate. I submit that Uganda's patriarchal society generally expects women to dress 'decently' (whatever that means). It is a rigid form of socialisation which is policed with a combination of sanctions (for those in breach) and rewards (for those who comply). Arguably then artists joined *The red pepper* in the propagation of certain heterosexual expectations about sex, sexuality and the human body.

The red pepper also circulated pictures of international women celebrities cropped from the internet or the discreetly circulated pornographic magazines. This was possible. By this time "Pornography [sold] big" as it was observed in the **Sunday vision** published 30 September 2001 the day when *Nude 2001* ended. *The red pepper* captured Toni Braxton and Britney Spears in erotic and seductive poses. This representation was not unique to *The red pepper*. The mainstream press also sometimes published such images in full colour. To give an example, on 16 September 2001 the *Daily monitor* published a picture of pop star Madonna describing her as the hottest pinup in schools³². This came two days after 14 September 2001 when *The new vision* published a photo of Victoria Beckham, singer and wife of football star David Beckham. With her body facing the back she turns her head to face the reader causing her hair to swirl as she reveals her much celebrated identity, as one of

32 This was raised in "Popstar Madonna still has her lustre" in the *Daily monitor* published on 16 September 2001 at p.19.

the spice girls, and flair³³. She was described as a “role model” confirming the role of schools and the print and electronic media in forging a ‘global culture’ based on the notion of *celebrities-as-role-models*.

In response to this fixation with the international celebrities, ‘skin-breaching’, ‘hair extensions’, etc., have become popular among women. Local industries like Samona Industries, among others, have been established to cater for the growing local market for skin-lightening concoctions.

I contend that many of the works seen in *Nude 2001* had been informed by the celebrities circulated by the internet and print media and the new craze for fair skins and hair extensions among the local women elite. The works have attributes of fair skin, slender bodies and long hair suggesting that they were not done from any life class or private drawing session. In fact in our interview with Amanda Tumusiime (who lectures drawing at Makerere Art School) she confirmed to me that her student James Sonko developed his **Nude** from a pornographic magazine which he also carried to the drawing class³⁴. This does not take away the innovativeness with which the artist engaged humour as an artistic device. It can however be verified. In his **Nude** Sonko depicted a young, supple woman dominating a space. She kneels on a loosely folded fabric allowing her athletic upper body to fall backwards and her sharp breasts to thrust outwards. In a display of flair and style, she holds her thick, long, dark hair as she seductively winks drawing the attention of the beholder. The painting is bathed in a luminous red and yellow colour palette which adds to its vibrancy and vitality. This painting, and two other works exhibited by Sonko, was far removed from the drawings he did out of imagination and the drawing class. It confirms that in Uganda’s contemporary art the production of nudity is inextricably interlaced with the mass-circulated image.



Ssonko James
Nude

The red pepper publicised a new type of dance in which seductive dancers performed in drinking pubs like Will’s Café at Kabalagala, Kiman* zone at Kalerwe (read Kimana “named after the female genitalia”³⁵), Sax Pub on Luwum Street. Groups like the Shadow Angels, the Amarulas, the Queen Dancers Family Group actively performed and promoted this dance called *kimansulo*. With minimum training girls were guided and encouraged to dance and strip naked allowing their male audience to touch their genitalia, take pictures of it and have sex with them on the stage in front of an audience. *The new vision* reported that taking pictures of the female genitalia became brisk business in suburbs like Kawala Zone, Jambula and Kimombasa³⁶. At Kimombasa, in Bwaise, such sex performances would attract crowds as couples outcompeted each other in what was called “sex competitions”³⁷. By August *The red pepper* was regularly publishing photographs of couples having sex in all sorts of public places³⁸. There is an interesting discussion in which Tumusiime (2012, pp221-227) has argued that the print media and *kimansulo* dymstified the naked female body and gave it a public face. I agree confirming that this phenomenon informed some of the works exhibited in *Nude 2001*. The exhibition took nakedness and erotic imagery to the centre of *haute couture* and mainly high art as it fused the line between high art, low art and mass culture.

The red pepper also mass-circulated sexually explicit images. For example on 8 August 2001 it published a photo of a couple having sex at the veranda of a run-down “pit latrine behind a church”. I admit that this

33 See “Victoria Becham (Posh Spice)” published in *The new vision* of 14 September 2001 at p.28.

34 Tumusiime, A. Interview with the author, 13 September 2012, at Makerere University.

35 See *The Red Pepper* published on 18-24 July 2001.

36 See Ocen, P. 2001. Kawempe police swear to catch bold sex workers. *The new vision*. Sept. 14. p.33.

37 See *The red pepper* published 25-31 July 2001, at p.16

38 See *The red pepper* published on 9-15 August 2001

image was sexually explicit and probably offensive if children saw it. Critiques attacked it and related images. I however strongly argue that critiques must move beyond form to establish the content and context of the material visualised. In my opinion *The red pepper* used explicit imagery to raise serious governance, moral and economic issues. This argument is premised on tabloid's professed belief that "[i]t is exposure that fights evil." "What a shame!" was the headline accompanying a picture in which a drunken man fondled the genitalia of an equally drunken woman at Sax Pub located at Luwum Street. Using this, and related pictures, the tabloid criticised the deterioration in morals in most parts of Kampala "night clubs and those involved have no regard for other members of the public"³⁹. Through what it called "medical briefing" the tabloid advised young people on how to avoid sexually transmitted diseases⁴⁰, juvenile sex, drug abuse and other modes of irresponsible behaviour. This, in my humble estimation, was the message behind the front-page coverage of an incident in which students were taken, for a retreat, to a beach at Entebbe road. While there, students turned to alcoholism, premarital sex and drug abuse. *The red pepper* used the occasion to warn parents against sending their children to end of year school parties in the course of which they engaged into immorality and bad behaviour because of lack of supervision and guidance. The article was accompanied with graphic images of three juvenile couples having sex on the beach.

Unfortunately this context was often missed (it still is). Critiques have attacked *The red pepper*⁴¹ suggesting that the sole target of is the publication is profit maximisation. In the words of Pastor Martin Sempa, *The red pepper* "is just battling to make money...they are simply exploiting the public"⁴². In 2001 one reader harshly criticised and blamed *The red pepper* for having created a forum in which "exposing underwear, nude bodies and obscene actions are unfortunately becoming rampant in the country"⁴³. Traditionalists and radical conservatives have called on government to ban the publication. As a result in October 2001 the Police raided, searched and jailed Richard Tumusiime, the Editor of *The red pepper*⁴⁴. This was part of a well-publicised crackdown, intended to appease the moralists and conservatives, in which so-called prostitutes (or sex-workers) were randomly, arbitrarily and inhumanely arrested, loaded on to trucks and detained⁴⁵ in defence of public morals. It was an affront to media freedom and free speech.

I suspect that *Nude 2001* was permeated by this debate. Daniel Birungi did his painting titled **Think twice**. He depicted a nude female figure standing in the foreground. She spreads her hands outwards allowing another figure to fondle its breasts. To confirm that the woman before us is not following traditional conventions, she wears a sophisticated coiffure and jewellery. The artist seems to make a statement about the challenges of uncontrolled heterosexual behaviours of the elite. It could even have been an attempt to construct (or challenge) male sexual virility. As such he introduced other equally nude and non-traditional women into an otherwise calm and (probably) private space. They casually roam around the space in a manner which suggests that they are on the loose in search of sexual partners just like the strollers in Sylvia Katende's **On the streets**. Very interestingly Katende seems to suggest in her **Satisfied** (which, by the way, was also exhibited during *Nude 2001*) that the women before us have an insatiable



Birungi Daniel
Think Twice

39 See *The red pepper* published on 25-31 July 2001, at p.1

40 For example see *The red pepper* published on 30 August – 5 September 2001, at p.17.

41 In a letter to the editor a one Byamukam from Bushyenyi advised *The red pepper* to keep outrageous images from the public view: "...keep them to yourselves", he asserted.

42 See "Sempa, 2001. The red pepper editor, trade fire over porn. *Sunday Vision*, Sept. 30.

43 See *The red pepper* published on 1-7 August 2001

44 See "Raided, Searched, Jailed, Bailed" published in *The red pepper* on 4-10 October 2001, at p.1.

45 See for example the photo in *The New Vision* published on 16 September 2001, at p.7.



Katende Sylvia
On The Streets



Katende Sylvia
Satisfied

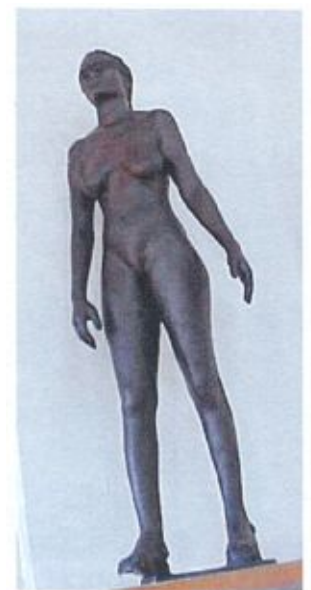
libido. Where they find no man they lie down and spread their legs open while indulging in all forms of autoerotic behaviour.

These paintings, just like Lulagala Mawazi's **Through the walls**, were in many ways erotic. Intriguingly the artists were not arrested or searched. Although it was hosted just behind the residence of the President of Uganda, the exhibition was not disrupted. This then raises three issues: Firstly, Ssekisonge argued in *Daily monitor* published on 28 September 2001 that "nude must not be offensive...it is about innocence..."⁴⁶ As such Evelyn Kiapi Matsamura encouraged Ugandans to visit the show; there was "no reason to shun the exhibition" she explained. Under this perception contemporary art was separated from pornography; the artists and organisers could not have been properly charged under Section 166 of the *Penal Code Cap. 120* or indeed any other law. Similarly, the *Daily monitor* published photographs of works exhibited at the Nommo Gallery. However it could not have been charged under Section 7 of the *Electronic Media Act Cap. 104*, Section 3 of the *Press and Journalist Act Cap. 105* or indeed under the any other municipal law, the Common Law or International law which prohibits the publication of pornography. This is because there was no criminal intent in the making of the artworks or their publication. Instead, the images made social commentary albeit sometimes obliquely.

Secondly, the exhibition was not accessible to the 'unsophisticated' masses. In fact a photo published in *Daily monitor* of 20 September 2001 captured two men, one wearing a necktie (an attribute of the middle class) inspecting Lwasampijja's **Mystery woman**⁴⁷. In this sculpture the artist represented a blindfolded woman tracing her way through a space. That she is wearing high-heeled shoes confirms her access to non-traditional dress codes; it also confirms that she is an urban woman.

Thirdly, couched in modernist vocabularies of pictorial anatomy and visual vocabulary, *Nude 2001* remained inaccessible to the majority of Ugandans who are visually illiterate and can only access the literal meaning available in the photos published in *The red pepper* among others.

To the extent that it attracted the elite middle class and western tourists, the exhibition did not threaten the support of the ruling party. Seen in this light one can safely conclude that the exhibition was not a threat to the State and public morals generally. On the contrary it may have been seen to be resolving a more socially relevant problem. This strategy of using erotic (but generally female nude) imagery to fight vice can be traced back to the 1980s when Musangogwantamu (Rip) did his sleep series.



Lwasampijja Patrick
Mystery Woman

⁴⁶ Taught by Margaret Trowell in the late 1950s, Musangogwantamu was an

⁴⁶ See *Daily Monitor* published on 28 September 2001, at p.9.

⁴⁷ See Birakwate's photo published in the *Daily Monitor* published on 20 September 2001, at p.8.



Francis Musango, *Sleep v* (1987)



Francis Musango, *Emptiness of lust* (1987)



Baker Apollo
Still Kawa



Baker Apollo
For How Long

artist and art educator. He taught art and art history at Makerere University before he retired to start another Art School at Nkumba University. Many of the artists who displayed their works were his former students.

Musangogwantamu did **Sleep v** (1987) depicting a woman. She rests against a pillow closing her eyes while holding her breasts and directing her right hand, and the beholder in the process, to her legs which are spread to expose her white panties. She dominates the private space as she caresses her inner thighs. Musangogwantamu's reference to the autoeroticism of the woman in this work was subtle (Tumusiime 2012) in order to preserve a decorum of modesty. However the work tapped into a wider criticism on the morals of urban non-traditional women. This criticism shaped the songs, theatre and film of the late-eighties; Musango escalated it in his **Emptiness of lust** (1987).

In **Emptiness of lust** we see a woman filling the entire picture plane. She closes her eyes and throws her head backwards causing her hair to swirl as she gasps for air. Her body is ruptured by her preoccupation with material things which ooze from her now decomposed body. In [t]his work the artist presents a moral critique highlighting the folly of overindulgence with the material things (jewellery, shoes, among other things symbolised

by improvised objects) and worldly excesses. That this criticism was directed towards women has been rejected as a visualization of the misogyny: the fear of Uganda's women who, since 1986, have broken chains imposed by tradition and taken up new positions in Uganda's social, economic and political spheres (cf Tumusiime 2012, p.163).

In *Nude 2001* Apollo Baker did his **Still kawa** and **For how long** whose gesture, figuration and composition hack back to Musangogwantamu's sleep series. Ivan Maganda's **Done** and John Matovu's **The nude woman** point to the autoerotic behaviour of middleclass elite (but mainly urban) women seen in Musangogwantamu's sleep series. In many of the works the artists used nudity to expose the materialised woman subject who has subverted conventions, traditions and traditional mores. Clearly these works propagated gender stereotypes about women. However, in a patriarchal country struggling to control the woman in the public space, this message was relevant and welcome. This may explain why the artists and the show were not touched.

In sum, *Nude 2001* grew from the success of *Nude 2000*; the two shows had a common agenda of demystifying the naked body. I however submit that that is not what the show should be remembered for. In my opinion it should be remembered for providing an occasion for the artists to explore the nude for art and for purposes of contributing to socio-political discussions in the country. There were few male and child nudes on the show. The majority of artists captured a feminine, young "sharp-breasted", sexually appealing female nudes. This was at a time when serious doubt was being cast on whether "young 'sharp breasted' women [were] still worth the time and money". By raising and answering this question in the negative, Samuel Nsubuga wrote an article in *Daily monitor* which was published on 30 September 2001 the day *Nude 2001* ended. He submitted that young, sharp-breasted women are not worth the time and money. It was universally accepted that they come with a baggage without bringing added value in terms of sexual satisfaction to the patriarchal male. In fact it was older women who are better in bed because the sexual performance of a woman improves with age. Nsubuga however argued that older men still needed 'sharp-breasted' women not for sex but to massage their ego and for public opinion. It is thus my opinion, and argument, that the circulation of the nude, and mainly the female nude, in *Nude 2001*, had no sexual intentions however erotic some of the works may have been. Rather, it was for artistic, social and political expression. This is the legacy left behind by *Nude 2000* it is the legacy passed on to *Nudes 2012* which I attend to in the next section.

Nudes 2012: Away from private parts, through controversy, into a gendered terrain

On 15 April 2012 Fas Fas Gallery hosted *Nude 2012*. Unlike *Nude 2000* and *Nude 2001* *Nudes 2012*, did not have a catalogue. However Thomas Bijouskau and Ronex Ahimbisibwe preserved its visual archive which is enough to guide my discussion. I have also had a discussion with Ronex Ahimbisibwe for information and guidance of my discussion.

The show was organised by Ronex Ahimbisibwe. From our discussion, it emerged that Ahimbisibwe was concerned that "...everybody feared the subject" of the naked human body. He however wondered "why is it so easier to show the face which is so detailed than the other parts [of the body] which are [considered] private?"⁴⁸ The objective of the exhibition was therefore to "invite the public to discuss" this question. In other words the show was premised on the old question dating back to *Nude 2000*. It was intended to demystify the naked body and make it a centre for the public and public discussion.

David Mpanga is an Advocate of Uganda Courts of Judicature. On 2 June 2012 he published an interesting

48 Ronex Ahimbisibwe, personal interview with the author at the Institute of Heritage Conservation and Restoration, Makerere University, 24 June 2012.

article in *Daily monitor*⁴⁹ in which he analysed the import of Brett Murray's painting, titled **The spear** (2012). This painting was part of a body of works Murray exhibited in his the *Hail to the thief II exhibition* (2012). The artist appropriated the image of Jacob Zuma, the President of South Africa, for political expression. In the process the representation of an individual became the representation of a poorly governed and corrupt regime. The painting attracted controversy. The artist was sued in defamation; **The spear** was attacked and damaged on the 22nd May 2012. Mpanga reminded his readers of Robert Mapplethorpe's exhibition in which the photographer used erotic subject matter in his compositions. He was correct. In the early 1990s Mapplethorpe held a travelling exhibition, **The perfect moment**, in which he used explicit erotic images thus blurring the line between pornography and high art.

Citing the arguments for the right to free speech (to which I referred earlier in my discussion), and the need to tolerate differing views and satire in a free and democratic society, Mpanga made a case for the need for restraint. He asserted that accepting dissenting, eccentric, silly, obnoxious, ignorant, frivolous or vexatious opinions expressed by others demonstrated political maturity and democracy. For Mpanga denying the expression of such opinions is an affront to the right to freedom of expression which is a universally recognised right and can only be limited under exceptional circumstances provided for under municipal, regional and international human rights law. In this context Brett Murray's **The spear** was an object of free speech which is legally protected and Mpanga vowed to protect.

However, Mpanga warned that not everything which is lawful is right. As such, individuals must ensure that they enjoy their right to free speech in a way that is right, fitting and socially acceptable. He suggested that Brett Murray had crossed the thin line between satire and gratuitous obscenity. He contended that **The spear** was offensive to South Africa's Head of State; it was demeaning and racially charged. Put simply although the artist's right to freedom of speech must be protected, the way he expressed his political opinion was immoral and inappropriate.

I am not entirely persuaded by Mpanga's case for morals. The argument that minority views must be seen to fit into a view acceptable to the majority (this being Mpanga's "many") is democratic. But it is problematic in Uganda where what is right, fitting and socially acceptable has often been subject to the wishes of the regime in power. For example it was wrong, unfitting and socially unacceptable for women to wear short dresses (and skirts) during Amin's era. He made a decree to protect society. As we read in Tumusiime (2012, pp 70-71) the decree was draconian and intended to subjugate women and police their bodies. It had patriarchal undercurrents which cannot be sustained today following the case of *Uganda v Nabakoza and 9 Others*⁵⁰. In that case the Chief Magistrate heard a criminal case involving six girls who had been arrested for wearing dresses which were so skimpy that they were "almost naked". In addition to jailing them for months, the Chief Magistrate ordered that the girls' dresses be confiscated and burnt and their heads shaved. When the matter came up for judicial review, Justice Okumu-Wengi did not find the law on which the Chief Magistrate based his orders. Instead he found that "the girls were enroute to an orderly theatre arts fete and were adorned in the costumes for it." The Court then found and held that the punishment assailed women's dignity; it amounted to cruel, degrading treatment and punishment which were prohibited under Articles 24 and 44(a) of the Constitution of Uganda. In compliance with these provisions of the law, Justice Okumu-Wengi set the Chief Magistrate's orders aside.

Secondly, Mpanga is imagining a market place of ideas where opinions are freely exchanged. However Uganda's history has taught us that the regimes in power have often lacked good debaters who can advance their

49 See Mpanga, D. F. K. 2012. Murray's expression of feeling about Zuma is a given but was it appropriate?. *Daily Monitor*. Jun. 2. [online] Available at: <http://www.monitor.co.ug/OpEd/Commentary/Murray+s+expression+of+feeling+about+Zuma/-/689364/1418562/-/civy1cz/-/index.html> [Accessed 2 June 2012].

50 [2004] UGHC 24. [online] Available at: www.ulii.org/ug/judgment/high-court/2004/24 [Accessed 20 December 2012].

positions. They have deployed state institutions to shield themselves against dissenting opinions and mask their failures. The National Resistance Movement (NRM) -- the regime which has ruled Uganda since 1986-- has continued this legacy. For instance in 2009 the NRM failed to defend its position on the conflicts between the Kingdom of Buganda and the self-styled king of the Banyala. To win the debate, it used institutions like the Uganda Communications Commission, the Uganda Police, the Uganda Peoples Defence Forces, prisons, etc., to block debate. Government's actions caused an uprising which was marked by loss of life and property. Radio stations were closed down. In fact government reopened CBS radio in 2010 when it became clear that its continuous closure was going to cost the incumbent the February 2011 elections. Open talk shows, called **Bimeeza**, which were broadcast live on radios, were permanently outlawed. This blocked the popular forum in which citizens freely, and openly, challenged public policy and criticised government.

The State has deployed similar harsh treatments to shield itself against criticism from writers. For example Major Kazoora is a veteran of National Resistance Army (currently Uganda Peoples Defence Forces). He also served in other capacities. Like many others, Colonel Kiiza Besigye being the most notable, Kazoora fell out with the regime. He is now a member of the opposition Forum for Democratic Change (FDC) and a critic of the government in power.

On 13 August 2012 Kazoora launched his book titled **Betrayed by my leader** (2012) in which he recounted his personal memoirs. Justice Kanyeihamba attended the occasion. In an article published in *Daily monitor* of 2 September 2012, Kanyeihamba explained ways in which the whole occasion was enveloped by the fear of being attacked by agents of the State. At least Kazoora's launch was not disrupted. Bookstores are free to sell Kazoora's book at least for now.

However in October 2010 Olive Kifefe Kobusingye, Kiiza Besigye's sister, launched a book titled *The correct line? Uganda under Museveni* (2010) in which she contradicted the official account of the rebellion which brought the ruling NRM to power and questioned the party's democratic and human rights record. The book was declared treasonous and "outlawed"⁵¹, its launch was blocked, bookstores refused to sell it under fear of State repression.

Also, in January 2011 Dr. Ssejaaka published the *Summit business review* (2011). Its cover page had a visual representation of an elderly President of Uganda preparing to cut a cake and blow candles lit to celebrate the country's 48th birthday (Uganda got independence in 1962). Some elements within the government felt that the image had insulted the President of the Republic. Also placed on billboards strategically located in the city, the illustrator suggested that the President was actually much older than what was officially acknowledged during the campaign trail. Now, I do not think the symbolism of this image could be restricted to one, univocal meaning. In my opinion the image could equally speak of wisdom which comes with old age. President Museveni has often been called *Mzee* – a Swahili word which means a respectable, old person. Used in this context old age becomes a mark of respect.

This multiplicity of meaning was not important in an election year when there were questions asked about the President's eligibility for another term. In this context the magazine was seen as a strategy used by the opposition to contrast the official election posters on which a jovial, chubby, middle age, president was seeking re-election. As a result government sympathisers vandalised the billboards. The magazine was confiscated. Together with his Editor Mustapha Mugisha, Ssejaaka, the owner of the magazine, was arrested and jailed for "allegedly publishing a caricature of the President that embarrasses him"⁵². In light of these examples it can be argued that Mpanga's opinion (and moralist arguments) can in fact be explored to breach the very freedoms he vows to protect

51 See "Government Seizes Pro-Besigye Book" published in the *Daily Monitor* of 10 October 2010. [online] Available at: <http://www.monitor.co.ug/News/National/-/688334/1029370/-/cmxivcz/-/index.html> [Accessed 3 September 2012].

52 See Bagala, A. 2011. Magazine editors held over Museveni cartoon. *Daily Monitor*, Jan. 12. [online] Available at: <http://mobile.monitor.co.ug/News/-/691252/1088164/-/format/xhtml/-/15l9jxwz/-/index.html> [Accessed 3 September 2012].

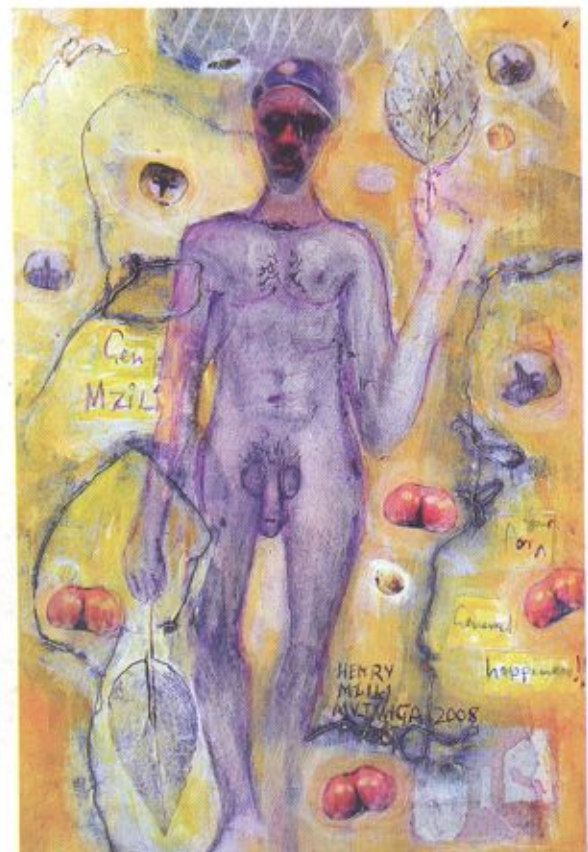
and promote.

Mpanga's article is however instructive. It points to the historical circumstances in which *Nudes 2012* was conceived and hosted at Fas Fas Gallery. Firstly, Mpanga confirms that in the eyes of the public (at least as it is captured in the local press) artists can sometimes cross the controversial line between satire and gratuitous obscenity. In my earlier discussion I have discounted this line of argument. I am however prepared to admit that nudity has been deliberately used by artists who explore the margins of controversy, art and sexuality while challenging conventions and the State.

As a form of artistic expression controversy shaped two art exhibitions supported by the Embassy of the Kingdom of the Netherlands and organised by Afriart Gallery. Opened on 4 February 2010, *Controversial art exhibition vol. 001* (2010) featured several artists and artistic comments. Some artists exhibited ambiguous statements. For example it is not clear what controversy Fred Mutebi intended in his **Last supper**. Other artists used other forms of expression as a source of their controversial political texts. For example David Kigozi's **Kabinika** and **Duniya** were probably based on lyrics from controversial songs. Some images were strongly political anchored in current debates on foreign aid (for example Daudi Karungi's **In the name of aid**), international conflicts (in Sane Eria Nsubuga's **Mentor and protégé**) and regional wars (in Sane Eria Nsubuga's **Bashir's ghosts**). Some artists used the opportunity to question the ruling NRM and its militaristic foundation (and we see this in Henry Mzili's **The general problem**).

Some artists relied on the genitalia. Now called *ebifo eby'ekeyama* (translated private parts), the genitalia cannot be discussed publicly. Doing so has always sparked controversy. Artists are aware of this since right from childhood Ugandans are trained that it is taboo to publicly discuss matters concerning the genitalia. That they exhibited images with graphic details laying emphasis on the genitalia confirms that they deliberately wanted to be controversial. For example we see this in Henry Mzili's **General happiness**. According to *The new vision* published on 18 February 2010, this work evoked thoughts about nudity⁵³. I observe that the artist used a stark naked male figure to link sexual gratification with (eternal) human happiness. Enock Mukibi captured a picture space in which the artist attended to the virility of the male phallus measured at varied levels. However his **Rose in bed** needs specific comment for the reasons which are important for understanding the stance Ahimbisibwe took in *Nudes 2012*.

We see a figure playing a central role in a largely empty space. She is identifiably female. She emerges from the left to fuse into a generally polluted ground contrasted with a smooth greyish-yellow sky. The artist uses a limited colour palette which he explores in varied shades. He does not display a mastery of skill and media. This however does not affect the efficacy of the symbolic gesture captured in a nude figure in the centre of the picture plane. It spreads its legs wide open to expose the genital area. This painting could, more than David Salle's **The disappearance of**



General Happiness, Henry Mzili
29 X 20cm, Collage on Canvas

53 Vision Reporter, 2010. Controversial expression. *The new vision*, Feb. 18. [online] Available at: <http://newvisionuganda.info/PA/9/44/710407> [Accessed 3 September 2012].



*Rose in Bed, Enoch Mukiibi
60 X 60cm, Acrylic on Canvas*

the booming voice (1984), be said to have been appropriated from what Schor (1997, p.3) calls “mass-media pornography....”

During our interview with Ahimbisibwe we specifically discussed the import of the visual vocabulary in **Rose in bed**. He noted that Mukiibi’s work is “provocative”. However it is also a testimony to the fact that “artists can be predictable. When you talk about controversy artists go for the private parts which is the easy option. I do not think controversy is about private parts”⁵⁴. I find three issues in this statement which I need to attend to before I proceed with my discussion. Firstly, although he states what controversy is NOT about, Ahimbisibwe did not explain to me what it is about.

Secondly, his statement can be attacked on the grounds that it misses the boldness with which Mukiibi captured his subject and subject matter. There is suspense, in **Rose in bed**, created by the presence of an improvised object in the open sky above the central figure. The effect of this suspense can neither be predicted nor predictable. Clearly the symbolism in **Rose in bed** is not obvious; it is undeniably a product of an appreciation of visual vocabulary, experimentation, interrogation and intellectual input.

Thirdly, Ahimbisibwe did not clearly spell out for me what he meant by artists being “predictable”. However there is an earlier characterisation of some artists as being predictable which shades some light on the meaning of this adjective.

Together with David Kigozi, Mugalu, Daudi Karungi, Anwar Sadat, Ssali, among others, Ahimbisibwe exhibited at the Afriart Gallery then located at UMA Lugogo Show ground in July 2009 (the *UMA Show* hereinafter).

54 Ronex Ahimbisibwe, personal interview with the author at the Institute of Heritage Conservation and Restoration, Makerere University, 24 June 2012.

Like many other shows in which Ahimbisibwe has participated, the *UMA Show* was not documented. Ahimbisibwe explained that the general lack of documentation is caused by the fact that artists lack writing skills. As such they “find it hard to write about their work”⁵⁵. I think this statement is probably too general. Besides it is only one of the reasons. The other reasons could include Uganda’s problematic history marked by war, trauma and disruption. As a result of this history the record of the history of the country’s contemporary art has been disrupted or lost (Sanyal 2000; Kakande 2008, p. 16). This loss however should not detract us because fortunately Samson Ssekaaba wrote a review in *The new vision* published on 9 July 2009. It is not exhaustive but it is relevant to the understanding of the notion of predictability in Ugandan controversial art.

In the article Ssenkaaba wrote about what he called Yusuf “Ssali’s predictable woman image”. Without access to the archive of the exhibition it is difficult to know which of Ssali’s works he was characterising. However Yusuf Ssali often paints women. He, like Ahimbisibwe, Karungi and Mzili with whom he participated in the *UMA Show*, is a graduate of Makerere University Art School (also called the Margaret Trowell School of Industrial and Fine Arts). He is a prolific painter who has developed a sort of leitmotif seen in his paintings, bathed in a vibrant and luminous palette, in which women perform chores to sustain the (domestic) economy. It is my speculation that it is on this basis that Ssenkaaba wrote that his work carried a predictable woman image. It is also clear in the article that predictable artists are those who are new on the scene, they work within a limited horizon and show limited energy. These are the ones whom Ssenkaaba called “a few other less known artists” contrasting them with the experienced and versatile Ahimbisibwe who explored varied themes, textures, gestures and media in his work⁵⁶.

It then follows that indeed the controversy in the *Controversial art exhibition vol. 1*, or indeed any other controversial art, does not reside in the forms. Rather, it may be an issue of interpretation. I am also of the opinion that controversy resides in the subject matter not in the private parts *per se*. This view was explored in *Controversial art exhibition vol. 002* (2011).

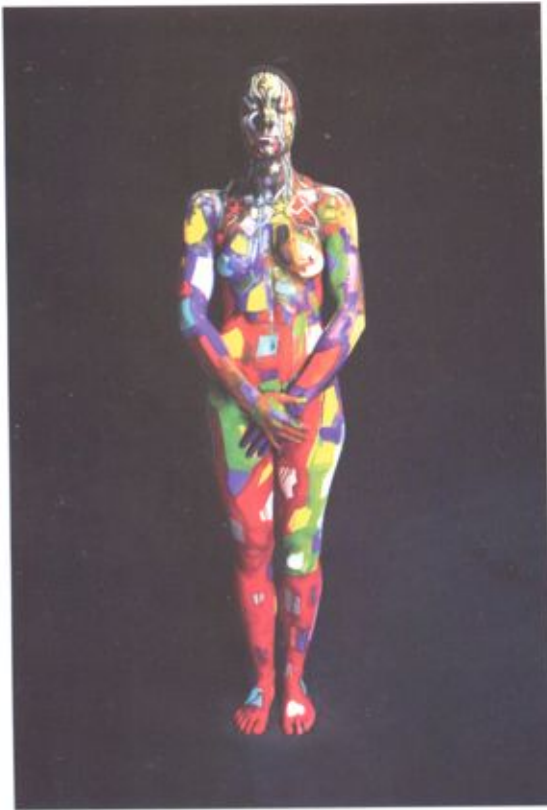
Officially launched on 11 March 2011, this show took controversial art to a competitive and democratic level. This is explained by the fact that there was an award for the most controversial artist given to Stella Atal through a voting process. The exhibition covered controversial themes of the day: homosexuality, female circumcision, mob-justice, human sacrifice and election malpractices among other themes. Questions over governance have shaped Uganda’s contemporary art since its nascent days (Kakande 2008). In 2001 Nommo Gallery hosted the *2001 Presidential elections in the eyes of the artists (Sweet and Sour)* (2001) in which artists expressed varied visual opinions on the conduct of the 2001 presidential elections. However issues of homosexuality, female circumcision and human sacrifice took a back stage until the *Controversial art exhibition vol.002*; they rarely informed artistic discourse.

Karungi did his **Hide your private parts** (2011). It is a photograph of a female model painted with vibrant primary colours. Just like in his **Sit down, shut up and look beautiful (marriage)** (2011) in which he critiques the patriarchal foundations of the marriage institution and how they silenced women, Karungi’s **Hide your private parts** seems to challenge deep-seated conservative constructs and conventions related to human sexuality in general and the genitalia in particular. This is controversial; it confirms that even where private parts are hidden a controversial message can be delivered.

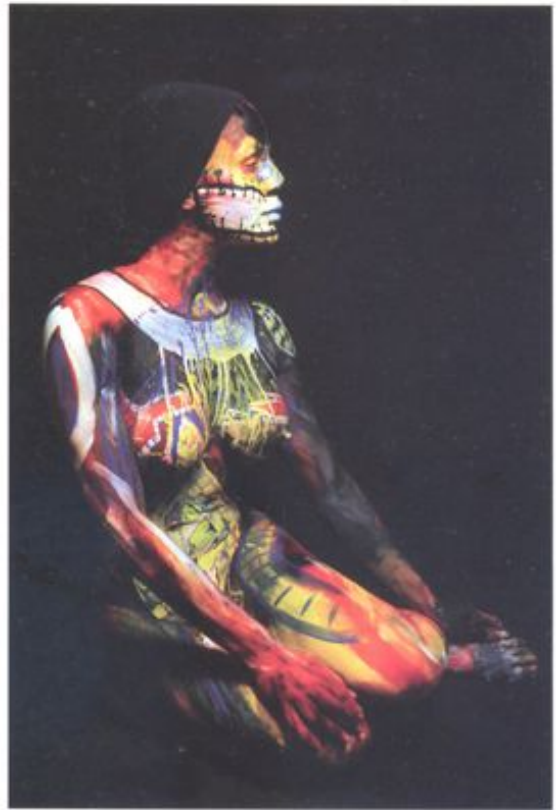
Equally controversial was the way Karungi extended the meaning and possibilities of painting. If his co-exhibitors had produced art in the conventional sense, Karungi turned the human body into a canvas. Although traditionally done among the Bagisu (during circumcision rituals) for example, this idea of the *body-as-a-canvas* was

55 Ronex Ahimbisibwe, personal interview with the author at the Institute of Heritage Conservation and Restoration, Makerere University, 24 June 2012.

56 I need to add here that Yusuf Ssali’s recent work has all these things.



Daudi Karungi
Hide your private parts
 Body paint on human skin



Daudi Karungi
Sit down, Shut up and look beautiful
 (Marriage)
 Body paint on human skin

unprecedented in contemporary Uganda art and it was certainly controversial.

Arguably then *Controversial art exhibition vol.002* provided an opportunity for the notion of controversy to be stretched beyond the conventional ways of art-making and interpretation and the private parts. It is from here that Ahimbisibwe picks it in *Nudes 2012* to produce another layer of interesting results. As a method, and visual strategy, the need to go beyond private parts seems to have shaped the choices and instructions Ahimbisibwe gave to the participating artists; it influenced the resultant shift in depiction of the nude, and its symbolism, as seen in *Nude 2012*.

For example Ahimbisibwe's **Self-searching** (2012) was one of a series of works in which the artist experimented with materials and textures. By capturing the upper part of a woman, Ahimbisibwe stayed clear of private parts.

Unlike many of the artists who participated in *Nude 2000* and *Nude 2001*, Ahimbisibwe works with a model. He thus has another reason for staying away from the private parts. He was concerned that he has worked with the same model for the last four years. He was aware that Uganda's cultural sensitivities render the use of models difficult. Consequently it is difficult to find models. To be able to find and work with one, the artist must gain her confidence. This position has shaped the Ahimbisibwe's strategy. For starters, he uses digital effects to disguise his sitter's nakedness. In the process he has [re-]introduced a modicum of decency. His work has become decorative, ambiguous and multivariate thus assuming its position in the realm of high art without exposing his model to embarrassment.

Secondly, he combines traditional artefacts and modern techniques of art production—mainly photography. The sitter captured on the poster, and in another work in which the model is in full view, can be cited as examples. Here the model covers her face with a mask. By taking poses that are comical she diverts our interest away from



Ronex Ahimbisibwe,
Self-searching, collage,
2012



Ronex Ahimbisibwe, *model with a mask?*, photograph, 2012



Ronex Ahimbisibwe, *Self-searching*, collage, 2012

her nakedness to the act of performance. As it was with the *Gstring cases* (to which I referred earlier), this would be an expressive act, an act protected under freedom of expression which cannot be sanctioned or prohibited.

Also, the artist successfully shifted our attention from the private parts of the model seen in one of the works, directing it to the traditional object with which the model seems to be playing. This gesture shifted the meaning of the tradition and traditional object without offending them. The strategy was essential to preserve the image of the artist and his sitter before a public uncomfortable with the sight of nakedness in the public. As the artist explained, the “model may have a boyfriend; the newspapers may publish [her image] and cause embarrassment”⁵⁷ to the artist and the model. This had to be avoided at all costs.

Thirdly, like Ro Karango, Katja Lienard, Sheila Black and Daudi Karungi, Ahimbisibwe relied on a modernist style. (Writing in *The observer* of 19 April 2012, Vianney Nsimbe called it the “avant-garde art in Kampala”⁵⁸.) This made the works on display in *Nudes 2012* less accessible to the masses. No doubt many of the visitors were expatriates and a few educated elite. This then would explain why Fr. Simon Lokodo, the Minister for Ethics and Integrity (to whom I come back later on) did not disrupt it. Arguably the show was not a threat to the country’s traditions (and/or morals?).

This is not to suggest that *Nudes 2012* was totally without problems. During our interview, Ahimbisibwe narrated an incident in which a visitor was concerned that the show had a lot of women bodies. This criticism in not supported by evidence. Vianney Nsimbe reported that female nudity was prominent in the show. However he also noted that Katja Lenart “exhibited male nudity in two pieces because she was inspired by the need to be different”. Put simply, Lenart deliberately diversified the show by introducing male nudity although she exhibited only two works.

That notwithstanding, Nsimbe informed his readers that Ronex Ahimbisibwe, Daudi Karungi and Henry Mzili “overtly [un]covered the female body, leaving little to the imagination. Some guests thought that the thin line between pornography” and art had been crossed. Nsimbe then gave a title to his article raising a question which has hovered over the *Nude 2000*, *Nude 2001*, *Nudes 2012* shows and all the other forms of art in which nudity has been visualized, namely: “Is nudity pornography?”⁵⁹

Posed in *The observer* published on 19 April 2012, this question attracted four recorded responses in its discussion forum and all of them merit our attention: First, on the 19 April 2012 an online reader, by the name Nudist, wrote as follows: “The answer is nudity it is not pornography. Is sex pornography? No it is not. Then what is pornography? It is nothing.” I have already agreed with the first limb of this submission: nudity is not pornography. The second position needs to be qualified in light of the analysis I gave earlier. The argument that pornography is nothing must be rejected because it underestimates the views of those, like Betty Long whose response I turn to next, who feel so strongly that pornography is immoral.

Second, on 20 April 2012 Betty Long wrote in the same discussion forum. She seems to agree that nudity is not pornography. She however quoted and challenged Nudist’s contention that pornography is nothing. She observed that pornography “is addictive, demoralizing, and big business. Its purpose is to arouse prurient interest. 90% of the activity not content of the Internet is pornography.” As such Long exposed the moral, psychological, economic and political issues associated with pornography while seemingly agreeing with Nudist that indeed nudity is not pornography. She then cited the decision of the US Court of Appeals Ninth Circuit in which pornography was legally defined as a “shameful and morbid interest in nudity, sex, or excretion”

57 Ronex Ahimbisibwe, personal interview with the author at the Institute of Heritage Conservation and Restoration, Makerere University, 24 June 2012.

58 Nsimbe, V. 2012. Is nudity pornography. *The observer*. Apr. 19. [online] Available at: http://observer.ug/index.php?option=com_content&view=article&id=18303:is-nudity-pornography&catid=42:sizzling-entertainment&Itemid=74 [Accessed 4 September 2012].

59 Ibid.

Long's comment is interesting to the extent that it gives an objective legal meaning to pornography. Put simply pornography is a legal rather than strictly moral issue. As I demonstrated elsewhere this is a valid claim.

Third, a one Wodgot wrote on 20 April 2012. He argued that indeed the issue of whether nudity is, or is not, pornography is subjective.

It all depends on the intentions of the individuals in question and what they are actually doing with their nudity. If, the postures of the nudity is in public domain and is intended for sexual gratification, then it qualifies to be a porn. If, it's a turn off or non-provocative, then it's known as normalcy.

Wodgot then concluded by stating that unlike nudity, "[p]ornography are watched and performed by people who are PSYCHO." In other words like Long Wodgot sees pornography as a disease which is distinct from nudity which like Nudist and Long he does not define. He also takes the position held in the Penal Code of Uganda.

Fourth, when Vianney Nsimbe put the above question to Ronex Ahimbisibwe, the artist adamantly argued for art. "We live with nudity and taking photos of nude objects or paintings are an extension of glorifying great levels of art," said Ahimbisibwe. He further explained "pornography as sex-oriented images and not necessarily a nude body."

Arguably then like Nudist, Long and Wodgot Ahimbisibwe insists that nudity is not pornography. He further argues that unlike nudity which is an ideal form of high art, pornography is profane, obscene, low grade and not art. As Ahimbisibwe explained, "nudity is appreciating the body with no sexual intentions"⁶⁰.

To make his point Vianney Nsimbe used Mzili's **Adoration of magi** (2012). The painting then became the public face of show which defined the problematic gendered line separating morality from immorality, art from pornography, ideal form from image for self-gratification.

Mzili's **Adoration of the Magi** has a direct message. It is made using a semi-realist style which renders its text accessible to a wide, and largely visually illiterate, public which reads *The observer* in which it was reproduced. The painting is stylistically different from Mzili's other painting whose style and figuration reminds one of the late Geoffrey Mukasa's oeuvre. It has two sources: first its title is informed by a classical biblical theme which several Western artists (Leonardo Da Vinci, Fillipino Lippi, Rembrandt, Sebastiano Ricci, to mention but a few of my most favourites) have painted. Secondly, during our interview with the artist, and Ahimbisibwe, it was confirmed to me that the painting was informed by a scene from an "X-rated movie" whose title the artist could not recall⁶¹. What we have here is a combination of two opposed categories – religious symbolism and pornography – which is unprecedented in Ugandan art. The painting is not graphic. It however has a symbolic gesture which, as Tumusiime (2012) has written, fades the line between high art and pornography. It thus merits further extended debate.

In this painting Mzili depicted a female figure reclining across the foreground and defining the point at which the beholder enters the picture plane. She lies on a soft, well-decorated bed which contrasts and defines the contours of her feminine body. Her skin colour is fair rendering her body young and supple; her hair flows to the right frame of the painting confirming her access to non-traditional forms of hair treatment available mainly in Uganda's urban and peri-urban spaces. She lies backwards forcing her breasts to inflate and erect on her chest. This gesture and symbolism serves to map the sex, age, sensuousness and [pre]occupation of the woman before us while persuading us to notice her interest in bodily desires. She is identifiably a debased object of sexual desire available (and availed) for the immediate inspection of the beholder and the men in the background. The artist has thus sexualised and gendered the act of art production and viewing.

As I noted in my discussion on *Nude 2001*, eroticism has been used before as a critical devise. I submit that eroticism served a similar purpose in Mzili's painting. His pervert closes her eyes and gasps for air in an act of

60 Ronex Ahimbisibwe, personal interview with the author at the Institute of Heritage Conservation and Restoration, Makerere University, 24 June 2012

61 Mzili Mujunga, telephone interview with the author, 4 September 2012.



Mzili Mujunga, *Adoration of the magi*, oil on canvas, 2012

narcissistic self-indulgence. However unlike Musangogwantamu's **Sleep v, Love letter to Rose** and **Emptiness of lust** (among others) in which women occupy their own (if private) world to which the artist allows his audience to have [un]privileged access, Mzili's woman has company. Another woman, captured in chocolate brown, is nearby. Her posture is ambiguously expressed. She lies in an uncomfortable position on her belly while holding on to some synthetic object as if to find support. It is not immediately clear why she is squeezed between the pervert in the foreground and three men lined up in tableaux at the back. The men animate an otherwise dull background while turning the composition into a crowd – a sexual orgy. They fix their gaze on the women's bodies. Uninterrupted by the beholder, they seem to be entertained. This gesture confirms that the men in the background are interested in, and are seeking access to the women's bodies. If valid, these readings give Mzili's painting a multiplicity of meanings, and multivocality, thus making the painting hard to fix on any singular reading. This however should not mask its gendered bias.

First, I concede that there is a latent moral critique offered by the artist using this work which must be admitted. The three men wear moustaches. In November 2011 Mark Kawalya published an article entitled: "Grooming: Tips on improving your image"⁶² in which he offered advice to any man who has to "play a make-or-break role in business meetings", the corporate personality. He advised such a man as follows: "[s]have regularly to look your best. If you sport a beard or a moustache, then make sure it is trimmed neatly and has no stray hairs sticking out in multiple directions."

The men in Mzili's work seem to have followed Kawalya's advice. It is obvious that the first one to the left shaves regularly; his face is clean and smooth. Next to him is a man with thick dark hair which the artist calls "Afro" a reference to hair style which was popular with the elite of the sixties and seventies. The third man has shaved off all his hair. Called clean-shave, shaolin, etc, this hair-style is associated with the elite who often shave

62 Kawalya, M. 2011. Grooming: Tips on improving your image. *Daily Monitor*. Nov. 13. [online]. Available at: <http://www.monitor.co.ug/artsculture/Relationships/-/691230/1272036/-/cvvdtk/-/index.html> [Accessed 2 September 2012].

their heads while growing a significant moustache. Lieutenant General Jeje Odongo, the Minister of State for Defence, has had such a style for a long time now.

Arguably the men in the picture space are well-groomed to look their best; their moustaches are trimmed and neat. This confirms that they are corporate. They belong to another, in fact more sophisticated, class high above the perverts (the debased *Others*) before them. In our telephone conversation on 4 September 2012, Mzili confirmed that his painting has multiple meaning. He however conceded that it was a critique on the preoccupations of the elite and middleclass who, for him, shy away from reality and have been least productive. Hence in the painting we see that instead of being in the boardroom, they are in a bedroom. Instead of wearing suits, they are dressed casually. (One is identifiably wearing a grey t-shirt.)

In this sense Mzili seems to use his work to question the preoccupations of the elite (corporate) male. The painting is also a critique on the consumerist culture. In Kakande (2008, pp.214-215) the question of how culture has revolutionised artistic strategies and tastes was discussed. Now it is clear from Mzili's work and claims for it that the beneficiaries of such a culture are beginning to question it. This is a kind of self-reflection which we need to acknowledge and document.

Also, Mzili's painting fuses into a wider concern expressed in *Bukedde* (a Luganda⁶³ Daily) published on 29th August 2012 by Martin Ndiijo. Ndiijo can be criticized for delving into some problematic ethnic stereotypes in which prostitutes from neighbouring countries, especially Rwanda, are considered more immoral, and lethal, than their Ugandan counterparts and are therefore a worse danger to Uganda's corporate male and the health of the nation state⁶⁴. In a moment we will see that 'local' prostitutes (like Bad Black) are not less lethal to the economy, and the corporate male, than their Rwandan counterparts. However, his article, titled "Abawala b'e Kigali bawambye siteegi za bamalaaya mu Kampala" (Translated prostitutes from Kigali (the capital city of Rwanda) have besieged and overrun Kampala's red districts), is instructive to my discussion to the extent that it gives insight into a phenomenon its author calls "corporate prostitution" which sketches the socioeconomic backdrop against which Mzili's **Adoration of the magi** is cast.

Corporate prostitution is different from the low class, non-corporate prostitution, engaged into by ordinary Ugandans. It is characterized by corporate personalities, politicians and government technocrats going to expensive bars, massage parlours and dance halls where they meet and buy sophisticated prostitutes at the expense of engaging into productive enterprise. It is disguised and therefore hard to detect and sanction by the agents of the State (especially the police). In an article published by *Bukedde* on 4 September 2012, Henry Ssenyondo reported on a police operation in which many ordinary prostitutes were arrested and inhumanely bundled up into waiting lorries in a degrading way. Several pictures accompanied the article intended to expose, degrade, embarrass and ridicule the women and their trade. In the discussion forum section a one Kewaza questioned gendered undercurrents behind the whole exercise and the impartiality of the police. He wrote that: "Obwa malaaya obuli mu ma office nga bwo tebukoonebwaako?? Nsubira nti abakazi n'abasajja beetunda era nebasasulwa ebifo mu Government ne zi office, oba okukuzibwa ku mirimo."⁶⁵ (Translated: corporate prostitution is common in the offices. Women and men gain promotion in the public service and private sector in return for sex. But why are they not arrested?)

Although the extent of corporate prostitution is undocumented there is evidence to confirm that it is

63 Luganda is a language spoken mainly in Central Uganda.

64 This is the point which Ndiijo makes when he writes that: "Bamalaaya ba kuno obudde bwe bamala ku nguudo nga basiiya abasajja abayitawo n'okubawemula, bano abava e Rwanda obasanga mu bifo eby'ebbeeyi ebisanuyikirwamu ne 'bamusibattaayi' bayite abakozi b'omu ofisi n'abakungu ba gavumenti ababagula n'okubacakaza". Translated while the Ugandan prostitutes spend time attracting roadside poor men using vulgar language, the prostitutes from Rwanda attract, and have good time with, affluent corporate men and technocrats whom they find in posh places. The complete article is available online at <http://www.bukedde.co.ug/news/66546-abawala-b-e-kigali-bawambye-siteegi-za-bamalaaya-mu-kampala.html> [Accessed 29 August 2012].

65 Double question marks in the original; my emphasis. See Ssenyondo, H. 2012. Bamalaaya e Katwe bakunamidde abapoliisi ababadde babakwata. *Bukedde*, Sept. 4. [online]. Available at: <http://www.bukedde.co.ug/news/66699-bamalaaya-e-katwe-bakunamidde-abapoliisi-ababadde-babakwata.html> [Accessed 5 September 2012].

real and has complex economic ramifications. The only problem is that these ramifications fused into a moral campaign which seeks to fight corporate prostitution as vice while exposing women to abuse. Unfortunately women (read prostitutes) have no protection; it is the interests of the corporate male that the system (and the law) protect.

For example, on the 6th July 2012 Justice Catherine Bamugemeriire read her judgement in the criminal case of *Uganda v Shanita Namuyimba & Anor*⁶⁶ alluding to the moral issues surrounding corporate prostitution, notably: “corporate corruption” and related offences. In that case a well-known corporate prostitute, Shanita Namuyimba alias Bad Black (Bad Black hereinafter) started a “romantic relationship” with a British businessman David Greenhalgh. The two met at an expensive bar called Rock Garden Bar located at the upscale Speke Hotel, Kampala. The relationship blossomed into a business venture called Daveshan Developments Uganda Limited. However the court record indicates that the accused Bad Black had an insatiable appetite for material things. As such, Court found that she, together with an accomplice, “in an unprecedented manner wiped away an eleven billion [Shillings] fortune within a record period of nine months” leading to the collapse of Daveshan Developments Uganda Limited. In her ruling Justice Bamugemeriire acknowledged the Court’s duty not inquire into what happens in people’s bedrooms. However, in *obiter dicta*, she launched a stinging moral campaign against corporate prostitution. “Whilst it is not this Court’s duty to regulate how private individuals spend their resources” she argued, “[t]his Court will not take lightly the growing decline in public morals and social values” she concluded before handing down a four year prison sentence to the disgraced prostitute.

Let me add here that in the period 2011-2012 the Bad Black case became a sensation in the media. A lot of moral arguments were made against the accused at the expense of the serious human rights concerns it brought to the fore. In her sworn testimony Bad Black averred that;

...she dropped out of school at the start of Senior Two, which renders Senior One her highest level of education. [She] further stated that two or three years after dropping out of school, whilst still a minor and teenager she became a sex worker. It is on account of her sex trade that she met [Greenhalgh] at Rock Bar Restaurant, located in Kampala City’s proverbial red district⁶⁷.

Against that backdrop, the Defence Counsel prayed that Court compares and contrasts Greenhalgh’s circumstances of life with those pertaining to Bad Black. Greenhalgh was a
a 54year old British national, an International Businessman, a British trained Engineer with a Bachelors Degree in Engineering and a Master’s Degree in Business Administration who owned a host of multi-national companies and enjoyed business relations with a host of well-placed partners.⁶⁸

Bad Black’s defence team further invited Court to consider the eschewed power matrix in which the accused was trapped in a relationship with a mature, wealthy, educated corporate personality: the powerful privileged male. This was fine. However its other argument was unhelpful. It argued that the accused was entitled to the money since she was being paid for the “assorted services” she rendered to Greenhalgh. Of course the lawyers were making a wrong argument. They were suggesting that there was a contract of service between Bad Black and Greenhalgh involving prostitution (which is what the lawyer called assorted services). Prostitution is illegal in Uganda and it is trite law that the Court cannot sanction an illegality.

However there is something which Court overlooked as it served the interests of the powerful privileged male. On 2nd June 2012 *The new vision* published an article, titled “I was sexually abused” in which Edward Anyoli catalogued the level of sexual abuse which characterised the “assorted services” Bad Black offered in the alleged return to the billions of shillings she took out of the company. Bad Black is quoted to have asked Court “to take interest in this matter of [Greenhalgh] sexually abusing...” her. This was important for her defence because

66 [2012] UGHC 48. [online] Available at <http://www.ulii.org/ug/judgment/high-court/2012/48> [Accessed 2 September 2012].

67 See *Uganda v Shanita Namuyimbwa & Another*, at p.21-22

68 See *Uganda v Namuyimbwa & Another*, at p.20.

Greenhalgh had “abused her sexually on several occasions.”⁶⁹

Justice Mpagi-Bahigaine is the Deputy Chief Justice of Uganda; she is a member of the bench at the Court of Appeal which, under Article 137(1) of the Constitution of Uganda, sits as a Constitutional Court to determine questions related to the interpretation of the Constitution. In 2010 she sat on the panel which determined the question relating to the validity of the traditional practice of female genital mutilation. This was in the case of *Law and Advocacy for Women in Uganda v AG*⁷⁰. The matter was decided in favour of outlawing the practice of female genital mutilation in Uganda. The case has been celebrated as a milestone in the protection of women’s sexual and reproductive rights. In her ruling Justice Mpagi-Bahigaine argued, in *dicta*, that:

...it is now incumbent upon the judiciary to play the very important role in completely eliminating any form of violence against women ...The judiciary being part of the State machinery is enjoined to address this issue aggressively whenever it comes before court by involving innovative and progressive interpretation of the laws.

It is obvious from the facts I have presented that the woman named Bad Black alleged that violent acts were committed against her by her accuser. It is however also obvious that Justice Bamugemereire did not follow Justice Mpagi-Bahigaine’s advice to inquire in the alleged violent acts. As Justice Bamugemereire observed, “[t]he salacious details of the nature of [the Greenhalgh] and [Bad Black] affair” were only of the interest to Court as “a matter of record.” This is because “the Defence Counsel appears to have abandoned that line of argument and adopted the position that the funds in question did not belong to Greenhalgh in the first place.” Put another way, the rights of the accused were sacrificed as the Defence team resorted to pure economic arguments and matters of Company Law which Court rejected as it agreed with the prosecution’s case.

Let me state here that Justice Bamugemereire did not aggressively, innovatively and progressively deal with the question of violence in Bad Black’s case. She did not inquire into the ways in which the defence counsel had joined the male-dominated judiciary and patriarchal order to protect the capitalist interests of the privileged, powerful male. If Marilyn French (1992, p.9) had defined the patriarchy as male supremacy backed by force, then Justice Bamugemereire did nothing to protect those who bore the brunt of this supremacy and the force which defined its contours. Instead she just placed their painful wounds and scars on record.

I am not attempting to vindicate Bad Black’s criminality. I am only suggesting that in matters pertaining to sex workers, economic and moral arguments tend to be over-emphasised at the expense of protecting the vulnerable against violence and exploitation. This then suggests that a work of art which raises any argument related to sex workers, and their relationship to Uganda’s corporate elite slips into a problematic territory. Like Justice Bamugemereire’s judgement, it risks perpetuating and propagating, even if inadvertently, patriarchal interests while vilifying the abused, the marginalised. Through his work, the artist, as an author, secures his position in an ideological loop in which, art becomes part of an institution (a patriarchal order) which propagates the male domination of the public space and public sphere.

Against this backdrop it becomes convenient for the state to abrogate its duty to protect prostitutes. Consequently in November 2010 the Minister for Ethics and Integrity, Nsaba Buturo, disrupted a regional meeting in which prostitutes were to deliberate on matters of common concern. It was organised by an NGO called Akina Maama Wa Afrika. As published by *The new vision* of 20 November 2010, the minister’s action was based on his duty to prevent an illegality⁷¹. However the eviction breached the prostitutes’ freedom of conscience, expression,

69 See Anyoli, E. 2012. I was paid billions for sex - Bad Black. *The new vision*. Jun. 1. [online] Available at: <http://www.newvision.co.ug/news/631577-i-was-paid-billions-for-sex-bad-black.html> [Accessed 2 September 2012].

70 Const. Pet. No.08/2007. [online] Available at: <http://www.ulii.org/ug/judgment/constitutional-court/2010/4> [Accessed 11 December 2012]

71 See Mugisa, A. 2010. Minister block Prostitutes Meet. *The New Vision*. Nov. 20. [online] Available at: <http://www.newvision.co.ug/D/8/13/738733> [Accessed 2 September 2012].

assembly and association which is guaranteed under Article 29 of the Constitution of Uganda.

Following the Court decision in *George Owori v AG & Hon. William Oketcho*⁷² Minister Nsaba Buturo was forced to lose his parliamentary seat; the Prime Minister forced him to vacate his ministerial post⁷³. During the elections of February 2011 a Catholic Priest Fr. Simon Lokodo was elected representative for Dodoth County in Kaabong District, Northern Uganda. He was appointed to replace Nsaba Buturo. Unlike his predecessor, Lokodo found prostitution to be a lesser evil than homosexuality⁷⁴. Rather than disrupting prostitutes he has

disrupted⁷⁵ workshops hosted by the LGBTI⁷⁶. His actions, just like the proposed *Anti-homosexuality Bill* (2012) which seeks to criminalise homosexuality, have been criticized locally and internationally⁷⁷.

Mzili is liberal; he probably would not condone Buturo's or even Lokodo's actions. However his visual statement, and the claims he make for it, bear the risk of slipping into a problematic gendered territory. In this territory the defence of collective morals (being what Mpanga calls that which is right, fitting and appropriate at all times) glosses over, or totally ignores, the cries of those considered to be perverts. The State selectively (and arbitrarily) punishes them.

Furthermore, Mzili, and others like him, must appreciate that the defence of morals in Uganda has bred some degree of intolerance which has caused immense fear in the LGBTI community⁷⁸ and other minorities who are often maligned and marginalised.

This project has been challenged. For example in the case of *Victor Mukasa & Anor v AG*⁷⁹ High Court Judge, Justice Stella Arach-Amoko heard a matter in which, in the defence of collective morals, a police officer and a local government official arrested and humiliated two women after attacking their home and confiscating their property. This was done because the women were suspected of having a same sex relationship. Her Lordship Arach-Amoko concluded that the acts of the State infringed on the women's right to property, dignity and privacy; they amounted to torture, cruel, inhuman and degrading treatment. Similarly, on 16 August 2012 activists attacked the website of the office of the Prime Minister of Uganda⁸⁰ and posted on it pro-LGBTI messages. Fr. Lokodo's own actions have been challenged on several fronts. For instance there is a Court case against him before the High Court in which the petitioners allege that his actions are "arbitrary and unjustified"; they amount to an infringement on the "right to equal treatment."⁸¹

This defensive is yet to inform visual discourse. However, Ronex Ahimbisibwe has challenged Lokodo's

72 Const. Pet. No. 038/2010. [online] Available at: <http://www.ulii.org/ug/judgment/constitutional-court/2011/1> [Accessed 2 September 2012].

73 See Vision Reporter. 2011. Buturo quits. *The new vision*. Mar. 15. [online]. Available at: <http://www.newvision.co.ug/D/8/12/749139> [Accessed 2 September 2012]. Also see Karugaba, M. 2011. Buturo hands over ministerial office. *The new vision*. Mar. 15. [online] Available at: <http://www.newvision.co.ug/D/8/13/749178> [Accessed 2 September 2012].

74 He made this point during a talk show hosted by Mwangushya on 93.3 KFM.

75 See Ssebuyira. 2012. Ethics Minister shuts down gay rights conference. *Daily Monitor*. Feb. 14. [online] Available at: <http://www.monitor.co.ug/News/National/-/688334/1327440/-/b0qolnz/-/index.html> [Accessed 14 September 2012].

76 This is an acronym which stands for Lesbian, Gay, Bisexual, Transgender and Intersex.

77 For example the US Secretary of State, Hillary Clinton, was worried that if passed into law the bill would erode individual rights and liberties. It would encourage discrimination, harassment and intimidation of individuals. She thus remarked that "it is critical for all Ugandans - the government and citizens alike - to speak out against discrimination, harassment, and intimidation of anyone. That's true no matter where they come from, what they believe, or whom they love. See Quinn, A. 2012. Clinton hails gay rights activists in wary Uganda. *Reuters*, Aug. 3. [online] Available at: <http://www.reuters.com/article/2012/08/03/us-uganda-clinton-idUSBRE8721FH20120803> [Accessed 2 September 2012].

78 The BBC reported on 16 February 2012 that the gay community in Uganda is fleeing the country fearing for their lives. See "Gay Ugandans flee fearing for their lives" available at: <http://www.bbc.co.uk/news/world-africa-17058692> [Accessed 2 September 2012].

79 HCMC No. 24/06 (unreported).

80 See "Uganda prime minister hacked 'over gay rights'" published by the BBC on 16 August 2012. [online] Available at: <http://www.bbc.co.uk/news/world-africa-19281664> [Accessed 2 September 2012].

81 See Wekesa, A. 2012. Gay activists case against ethics minister, AG for today. *Sunday Monitor*. Jun. 25. [online] Available at: <http://www.monitor.co.ug/News/National/Gay+activists+case+against+Ethics+minister++AG+for+today/-/688334/1434894/-/gt5jja/-/index.html> [Accessed 2 September 2012].

actions while making a strong case for the culture of tolerance. During our interview he argued that “we need to learn to live with some things...I think they [meaning Fr. Lokodo and the police have] nothing much to do. The Ministry of Ethics must be closed. It is a wastage of money.”⁸² This is a strong statement; one wishes it took visual expression.

In summing up, the issues and debates surrounding *Nudes 2012* had several legal, political, social, class, and moral tangents. They carry details which are more complex than the works exhibited. However that the exhibition had a common contour with them – and the organizer and the artists were aware of this shared contour – is worthy of acknowledgement and documentation. By identifying and acknowledging the existence of such a contour we begin to look past Ronex Ahimbisibwe’s claim that *Nudes 2012* was intended to demystify the naked body and open a discussion on the naked body. It is my opinion, and argument, that in attending to this debate, with its complex multidimensional details, we begin to confirm that *Nudes 2012* was part of, rather than being a source of, a discussion on the health of the nation-state led by the patriarchal, middleclass, capitalist, corporate male.

Secondly, *Nudes 2012* was different from *Nude 2000*, *Nude 2001* and the controversial art exhibitions which were funded by the Italian and Dutch Embassies respectively. It was mobilised with local resources and initiatives. This created the burden of the need to sell and recover costs. I suggest that, this economic incentive affected the positions the artists took and the visual strategies they adopted. They treaded carefully avoiding the risk of offending anyone. Following the limited discussion at *The Observer.com* they seem to have succeeded.

Conclusion

Nudity, and the nude, may be problematic categories of art with powerful gendered undertones which work in the interests of the patriarchal order and marginalise the weak especially the women. They are forms of art, and high culture, enmeshed in western cultural discourse. Mainly, as a result of formal art education, the visual representation of nudity, and its gendered biases, is now part of Uganda’s contemporary art. This proposition is confirmed by the three exhibitions analysed in this essay: *Nude 2000*, *Nude 2001* and *Nudes 2012*. They all had a stated mission of demystifying the unclothed body. This claim was probably stretched. Uganda has traditions which have respected rituals in which participants undress publicly, or as Justice Okumu-Wengi observed in the case of *Uganda v Nabakoza and 9 Others*, dress skimpily to the point of being almost naked.

I submit that it is not entirely correct to state that the success of the three shows was in their ability to give a naked body a public presence thus removing stigma from it. I contend that if this stigma ever existed it was outside art and art production. The nude shows were seen as art and received in the public domain as such.

I further submit that the nude shows allowed artists to redefine the boundaries of nudity. To them nudity was not just a form of art. It was also a process of inquiry, research and exploration of materials, styles and vocabularies used in art making. There is no reason to believe that there was an intention to be vulgar.

I argue that the nude shows confirm that the artist, art and art tastes are markers of elite and high culture in Uganda. They have not been seen by the State as things which can pollute public culture, public morals and the public space. They are forms of art; they are part of free speech which can only be constrained under the limited ways defined under international and regional human right law. I posit that this explains why the three nude shows were not arrested by the state apparatus intent on defining and guarding public morality in ways which sometimes offend personal rights and liberties. I however conceded that it may as well confirm the broader argument that after all Uganda is a hybrid state which has both democratic and repressive tendencies (Tripp 2010).

82 Ronex Ahimbisibwe, personal interview with the author at the Institute of Heritage Conservation and Restoration, Makerere University, 24 June 2012.

Bibliography:

Books:

- Clark, K. 1957. *The nude: a study of ideal art*. London: John Murray.
- French, M. 1992. *The war against women*. New York: Ballantine Books.
- Nead, L. 1992. *The Female nude: art, obscenity and sexuality*. London and New York: Routledge.
- Schor, M. 1997. *Wet: On Feminism, Painting and Art Culture*. Durham & London: Duke University Press.
- Tripp, A. M. 2010. *Museveni's Uganda: Paradoxes of power in a hybrid regime*. Boulder: Lynne Rienner Publishers Inc.
- Trowell, M. 1954. *Classical African Sculpture*. London: Faber and Faber.

Dissertations:

- Kakande, A. 2008. *Contemporary art in Uganda: a nexus between art and politics*. PhD. University of Witwatersrand.
- Sanyal, S. 2000. *Imaging art, making history: two generations of Makerere University*. PhD. Oxford: Emory University.
- Tumusiime, E. A 2012. *Art and gender: Imag(in)ing the new woman in contemporary Uganda art*. Ph.D. University of South Africa.

News paper Sources:

- A.R.K. 2000. You don't say! You don't say!. *Monitor*. Sept. 19. p.18.
- Anyoli, E. 2012. I was paid billions for sex - Bad Black. *The new vision*. Jun. 1. [online] Available at: <http://www.newvision.co.ug/news/631577-i-was-paid-billions-for-sex-bad-black.html> [Accessed 2 September 2012].
- Bagala, A. 2011. Magazine editors held over Museveni cartoon. *Daily Monitor*, Jan. 12. [online] Available at: <http://mobile.monitor.co.ug/News/-/691252/1088164/-/format/xhtml/-/1519jxwz/-/index.html> [Accessed 3 September 2012].
- Chibita wa Duallo. 2000. We need a new law against prostitution. *The new vision*. Sept. 21. p.29.
- Githongo, J. 2012. Congratulations Monitor, You are Still Going Strong. *Daily Monitor*, Sept. 7. [online] Available at: <http://www.monitor.co.ug/OpEd/Commentary/Congratulations+Monitor++you+are+still+going+strong/-/689364/1498194/-/fa5gwzfz/-/index.html> [Accessed 9 September 2012].
- Kawalya, M. 2011. Grooming: Tips on improving your image. *Daily Monitor*. Nov. 13. [online]. Available at: <http://www.monitor.co.ug/artsculture/Relationships/-/691230/1272036/-/cvvdtk/-/index.html> [Accessed 2 September 2012].
- Kimbow, E. 2000. 'The nude' show opens at Nommo Gallery. *Daily Monitor*. Sept.7. p.17.
- Kimbow, E. 2000. The nude show opens at Nommo Gallery. *Daily monitor*. Sept. 7. p.17.
- Kisambira, E. 2001. Alluring: some of the most graphic expressions of nude female forms to be displayed. *The new vision*. Sept. 14. p. 28.
- Mpanga, D. F. K. 2012. Murray's expression of feeling about Zuma is a given but was it appropriate?. *Daily Monitor*. Jun. 2. [online] Available at: <http://www.monitor.co.ug/OpEd/Commentary/Murray+s+e+expression+of+feeling+about+Zuma/-/689364/1418562/-/cjyy1cz/-/index.html> [Accessed 2 June 2012].
- Mugenzi, J. 2000. Mob justice, a child of an impotent law. *The new vision*. Sept. 20. p.22.
- Mugisa, A. 2010. Minister block Prostitutes Meet. *The New Vision*. Nov. 20. [online] Available at: <http://www.newvision.co.ug/D/8/13/738733> [Accessed 2 September 2012].
- Mulindwa, E. 2006. William Pike resigns Kobushenga comes in. *The mail archive*. Oct. 11. [online] Available at: <http://www.mail-archive.com/ugandanet@kym.net/msg23659.html> [Accessed 9 September 2012].

- Nsimbe, V. 2012. Is nudity pornography. *The observer*. Apr. 19. [online] Available at: http://observer.ug/index.php?option=com_content&view=article&id=18303:is-nudity-pornography&catid=42:sizzling-entertainment&Itemid=74 [Accessed 4 September 2012].
- Opolot, C. 2000. Artists launch nude body show. *The new vision*. Sept. 1. p.26.
- Quinn, A. 2012. Clinton hails gay rights activists in wary Uganda. *Reuters*, Aug. 3. [online] Available at: <http://www.reuters.com/article/2012/08/03/us-uganda-clinton-idUSBRE8721FH20120803> [Accessed 2 September 2012].
- Ssebuyira. 2012. Ethics Minister shuts down gay rights conference. *Daily Monitor*. Feb. 14. [online] Available at: <http://www.monitor.co.ug/News/National/-/688334/1327440/-/b0qolnz/-/index.html> [Accessed 14 September 2012].
- Ssenyondo, H. 2012. Bamalaaya e Katwe bakunamidde abapoliisi ababadde babakwata. *Bukedde*. Sept. 7. [online]. Available at: <http://www.bukedde.co.ug/news/66699-bamalaaya-e-katwe-bakunamidde-abapoliisi-ababadde-babakwata.html> [Accessed 4 September 2012].
- Ssenyondo, H. 2012. Bamalaaya e Katwe bakunamidde abapoliisi ababadde babakwata. *Bukedde*. Sept. 4. [online] Available at: <http://www.bukedde.co.ug/news/66699-bamalaaya-e-katwe-bakunamidde-abapoliisi-ababadde-babakwata.html> [Accessed 4 September 2012].
- Ssenyondo, H. 2012. Bamalaaya e Katwe bakunamidde abapoliisi ababadde babakwata. *Bukedde*, Sept. 4. [online]. Available at: <http://www.bukedde.co.ug/news/66699-bamalaaya-e-katwe-bakunamidde-abapoliisi-ababadde-babakwata.html> [Accessed 5 September 2012].
- Vision Reporter, 2010. Controversial expression. *The new vision*, Feb. 18. [online] Available at: <http://newvisionuganda.info/PA/9/44/710407> [Accessed 3 September 2012].
- Vision Reporter. 2011. Buturo quits. *The new vision*. Mar. 15. [online]. Available at: <http://www.newvision.co.ug/D/8/12/749139> [Accessed 2 September 2012]. Also see Karugaba, M. 2011. Buturo hands over ministerial office. *The new vision*. Mar. 15. [online] Available at: <http://www.newvision.co.ug/D/8/13/749178> [Accessed 2 September 2012].
- Wekesa, A. 2012. Gay activists case against ethics minister, AG for today. *Sunday Monitor*. Jun. 25. [online] Available at: <http://www.monitor.co.ug/News/National/Gay+activists+case+against+Ethics+minister++AG+for+today/-/688334/1434894/-/gt5jja/-/index.html> [Accessed 2 September 2012].
- Wokulira, S. 2012. Kkooti y'ekyalo esalidde 5 ogw'okufa. *Bukedde* Sept. 2. [online]. Available at: <http://www.bukedde.co.ug/news/66626-kkooti-y-ekyalo-esalidde-5-ogw-okufa.html> [Accessed 2 September 2012]

Online sources:

- Wahlquist, G. 2011. Achilles heel: Revisiting the supreme courts nude dancing. [online] Available at: <http://mylaw2.usc.edu/why/students/orgs/ilj/assets/docs/20-3%20Wahlquist.pdf> [Accessed 6 September 2012].

Statutes:

Criminal Law (Sexual Offences and Related Matters) Amendment Act, No. 32/2007. Available online at http://www.safii.org/za/legis/num_act/cloarmaa2007509.pdf [Accessed 9 September 2012].

The *Access to information Act 2005*

The *Computer Misuse Act No.2/2011*.

The *Electronic Media Act* Cap. 104.

The *Magistrates Court Act Cap.*

The *Penal Code Cap. 120.*

The *Police Act 2006*

The *Press and Journalist Act Cap. 105*

The *Prisons Act 2006*

Court Cases:

Charles Onyango Obbo & anor v AG. Const. Appeal No. 2/2002. [online] Available at: <http://www.ulii.org/ug/judgment/supreme-court/2004/1> [accessed 9 September 2012]

George Owori v AG & Hon. William Oketcho Const. Pet. No. 038/2010. [online] Available at: <http://www.ulii.org/ug/judgment/constitutional-court/2011/1> [Accessed 2 September 2012].

George Owori v AG & Hon. William Oketcho Const. Pet. No. 038/2010 Also available at <http://www.ulii.org/ug/judgment/constitutional-court/2011/1> (accessed 2-9-2012).

Independent Newspapers (Pty) Ltd v Minister for Intelligence Services (Freedom of Expression Institute as Amicus Curiae) In re: Masetlha v President of the Republic of South Africa and Another (Independent (CCT38/07) [2008] ZACC 6; 2008 (5) SA 31 (CC); 2008 (8) BCLR 771 (CC) (22 May 2008). [online] Available at: <http://www.saflii.org/za/cases/ZACC/2008/6.html> [Accessed 12 December 2012]

Law and Advocacy for Women in Uganda v AG Const. Pet. No.08/2007. [online] Available at: <http://www.ulii.org/ug/judgment/constitutional-court/2010/4> [Accessed 11 December 2012].

Roy Stephen Curtis v Ministry of Security & Ors Case No. CCT 21/95. [online] Available at: <http://www.saflii.org/cgi-bin/disp.pl?file=za/cases/ZACC/1996/7.html&query=%20pornography> [Accessed 18 July 2012]

Uganda v Nabakoza and 9 Others [2004] UGHC 24. [online] Available at: www.ulii.org/ug/judgment/high-court/2004/24 [Accessed 20 December 2012]

Uganda v Nabakoza and 9 Others [2004] UGHC 24. [online] Available at: www.ulii.org/ug/judgment/high-court/2004/24 [Accessed 20 December 2012].

Uganda v Shanita Namuyimba & Anor [2012] UGHC 48. [online] Available at <http://www.ulii.org/ug/judgment/high-court/2012/48> [Accessed 2 September 2012].

Uganda v Shanita Namuyimba & Anor [2012] UGHC 48. Available online at <http://www.ulii.org/ug/judgment/high-court/2012/48> [Accessed 2 September 2012].

Victor Mukasa & Anor v AG HCMC No. 24/06 (unreported).

Victor Mukasa & Anor v AG HCMC No. 24/06 (unreported).

