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# Love or crime? Law-making and the policing of teenage sexuality in Uganda and the Democratic Republic of Congo

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## ABSTRACT

Age-of-consent legislation serves to protect children from sexual abuse. In Uganda and the Democratic Republic of Congo, however, the reform of laws against sexual violence has led to a criminalisation of non-violent and consensual sexual interactions with and between underage teenagers. These reforms have been inspired by evolving international norms, but discourses in both countries emphasised the regulation of female and youth sexuality over norms of self-determination. This contribution unpacks the interlocking actions of activists, parliaments, police, judges and parents, which turned protective anti-sexual violence legislation into an instrument of patriarchal control. Methodologically, the comparative analysis charts discourses and practices in both countries based on ethnographic, qualitative and statistical data. We trace legislative debates, demonstrate the significance of policing and prosecution of consensual youth sexuality, and discuss incentives for police and justice institutions to engage in this field. We contrast young people's diverse views on underage sexuality with parental attempts to uphold patriarchal norms with the help of the police. The conclusion discusses the social cost of criminalising consensual teenage sexuality and asks whether these violent interventions indicate a crisis of patriarchal authority.

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The Republic of Uganda and the Democratic Republic of Congo have profoundly reformed their sexual violence legislation in the last decades. The countries changed regulations concerning sexual interactions with and between persons under 18 years in the years 1990 and 2007 (Uganda) and 2006 (Congo). Based on the assertion that all persons under that threshold are unable to freely consent to sexual activity, the reformed legislation outlaws not only violent and coercive abuse, but also consensual sexual relationships between minors, as well as between underage and adult persons.

Since the reforms, both countries have seen a steep increase of judicial cases involving young suspects and victims of sexual violence. While it is not possible to gauge precisely the share of *de facto* consensual interactions between young people in the overall judicial caseload on sexual offences, our paper demonstrates the significance of criminalised non-

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violent teenage sexuality as a legal, social and political phenomenon. Reformist discourses merged concerns about the protection of children and conservative moral anxiety but largely neglected young people's lived realities and right to sexual self-determination. After their enactment, the laws provided new fields of lucrative activity for police and justice institutions, and became instruments of parental authority over adolescents' intimate relationships.<sup>1</sup> We demonstrate that age-of-consent legislations in both countries are used as power resources in official and unofficial ways by both private and official actors. These attempts to regain control over youth sexuality, we suspect, indicate a crisis of patriarchal authority. The homogenising regulations laid out in the age-of-consent legislations in both countries enable a 'heteropatriarchal backlash'<sup>2</sup> against the heterogeneity of young peoples' individual struggles for sexual self-determination. The legislation and its translation into practice symbolise patriarchal uncertainty and fear of a rapidly growing and self-reliant youth.

### **Youth sexuality: protection, self-determination and politics**

Studies on youth sexuality in African contexts often overlook the tensions between protection and self-determination, especially in reproductive health studies. This field has not yet moved beyond its (post-)colonial 'checkered history'<sup>3</sup> of concern with supposedly harmful African sexualities.<sup>4</sup> Authors often portray African teenage sexuality as 'closely associated with negative consequences such as unintended pregnancy and sexually transmitted infections (...), as well as poor educational attainment and achievement'.<sup>5</sup> Studies recommend 'effective interventions'<sup>6</sup>, 'prevention programmes'<sup>7</sup> or counselling to counter these adverse effects.<sup>8</sup> Young women's vulnerability is emphasised over their sexual agency<sup>9</sup> and female sexuality associated with danger, risk and norms of morality. The imbalances between power and sex (research) are reproduced by numerous studies on public health and sexuality in Africa.

Fewer studies provide a nuanced portrayal of youth sexuality in Africa. Some approaches demonstrate that child sexual abuse is popularly defined as the violation of pre-pubescent children.<sup>10</sup> We follow these definitions and distinguish questions about the sexual (im)maturity of (post-)pubescent youth from the sexual abuse of pre-pubescent children. We also follow Kisanga and colleagues and differentiate sexual abuse and violence from 'consenting' and 'transactional sex'.<sup>11</sup> However, as neither partners nor parents distinguish clearly between romantic and transactional sex, and the difference does not play a significant role in prosecutorial practices, we do not further investigate these blurred lines.<sup>12</sup> We refer to sexuality as a broad spectrum of intimate interactions (and not limited to intercourse), but clarify the legal stipulations and policing practices below.

Literature on youth sexuality in Congo, and its legislative regulation, is particularly scarce. Studies demonstrate that parent-child communication on sexual matters is uncommon and young people experience a lack of information on sexual matters.<sup>13</sup> Patriarchal norms restrict the self-determination of young women,<sup>14</sup> who lack personal autonomy from male family members even in reproductive health care facilities.<sup>15</sup> Evaluations of sexual violence legislation reforms draw mixed conclusions regarding effective prosecution.<sup>16</sup> To our best knowledge, this paper provides the first academic analysis of the criminalisation of teenage sexuality in this country.

Since the country is strongly fractured into different local discursive arenas and the topic is equally under-researched, the structure of public morale discourse on youth sexuality is difficult to gauge in Congo. Besides a United Nations-run radio station and the state-owned *Radio-Télévision Nationale Congolaise*, no media with a national reach existed during the period of field research (2016-2017). Pentecostal churches, most of whom accentuate norms of female chastity and condemn non-conjugal sexuality, are understood by several authors as a rising moral force.<sup>17</sup> However, the general structure of public discourse in Congo, which takes all important discursive actors into account, including for example political parties, local radio stations, social media,<sup>18</sup> the powerful Catholic church and other religious institutions, and popular artists,<sup>19</sup> still needs to be written.

Meanwhile, some of the most insightful literature on legislation and youth sexuality has been produced in and on Uganda. Vorhölter highlights how laws on sexuality serve to extend state and parental control.<sup>20</sup> Tamale and Parikh investigate the development of the law on defilement, as the age-of-consent legislation is called in Uganda. These authors reconstruct unequal power relations and show how the defilement law (re)produces patriarchal structures.<sup>21</sup> Regarding feminist ideas and practices in political and juridical processes, Guma criticises the backlash against women's demands for sexual rights through related legislative initiatives.<sup>22</sup> Ninsiima et al. evaluate how stereotypical gender norms influence adolescents' sexual agency. Young men, they observe, attempt to control female sexuality. Female adolescents are expected to contain their sexuality.<sup>23</sup> Tamale demonstrates how debating age-of-consent legislation became a 'battlefield on which various players struggle to redefine morality and regulate adolescent sexuality'.<sup>24</sup> Several studies highlight the connection between churches and politics. They analyse religious institutions' impact on public discussions of sexuality. In particular Pentecostal churches (often supported by religious groups from the United States and also in Uganda seen as a rising political force), condemn sexual exchange except between married heterosexual couples. Patriarchal values are also upheld and enforced by male elders and conservative politicians. All those actors follow an agenda of strict gender roles and hierarchies, trying to perpetuate patriarchy in the Ugandan society by instrumentalising youth sexuality for their own power purposes.<sup>25</sup> As Sylvia Tamale writes, "through the intersection of religion, statutory law and reinterpreted traditional customs, the complexity of African sexualities (particularly those of women) is instrumentalised, controlled and regulated by the patriarchal state."<sup>26</sup> The literature on Uganda confirms a range of critical studies on South Africa, Europe and the USA. 'Fiercely contested'<sup>27</sup> legislation and criminalisation restrict teenagers' sexual self-determination, proscribes access to sexual and reproductive health services, and reproduces patriarchal structures.<sup>28</sup>

We add to this line of research and understand sexuality, as discussed in critical sexuality studies, as highly political.<sup>29</sup> To investigate the political sociology of sexuality in Uganda and Congo, we employ a comparative ethnographic approach which shows that the age-of-consent legislation has similar effects across the two countries despite their different historical trajectories. In regards of the Congo, we believe that our contribution is the first academic contribution to the topic. In this paper, we ask how legislation on teenage sexuality is discussed, applied and resisted in Uganda and Congo, focussing on the similarities and differences in law development, the police and courts' law

application, young people's opinions and experiences, and the adoption and appropriation of judicial procedure by heads of families. The comparison yields more similarities than differences. Variances in legislative debates, institutional settings, or even the ongoing armed conflict in eastern Congo do not substantially alter our general findings. This finding implies that the criminalisation of youth sexuality responds to similar structural factors across the two cases: rapid youth demographic growth, cultural pluralisation, and structural poverty, which, taken together, put patriarchal control into question. Our result thus confirms and augments previous research results that show how age-of-consent legislations are politically contentious, despite the apparently broad consensus on child protection. These legislations, or more precisely their application, adoption and appropriation by public (police, prosecutors and judges) and private authorities (parents), turns legislative protection from sexual violence into a means to control youth sexual self-determination.

Our empirical material combines ethnographic observation, interviews and discussions, document analysis and descriptive statistical data. It has been collected in two different research projects in Uganda and Congo, conducted independently from each other. We undertook a comparative analysis of our materials when we discovered the significance of teenage consensual sexual relationships as an object of policing in both countries. While the empirical materials are thus not fully congruent, the depth of our separate investigations allows for a solid comparison. More than a year of ethnographic participant observation, thematically focused on gendered everyday policing, took place in police stations and along the streets in urban and rural areas in western, central, and northern Uganda, including in the capital Kampala, secondary towns and villages. Research in the Democratic Republic of Congo investigated the effects of international projects against conflict-related sexual violence in the eastern provinces of South Kivu and Ituri, in provincial capitals, secondary towns and mining areas. Field research consisted of four month-long stays. While primarily interview-based, the Congo-focussed line of research also included focus-group discussions with high school students detailed below.

Besides countless informal conversations, we conducted 130 formal interviews in Uganda and 90 in Congo. Our interlocutors included officials from the police, courts, prisons, governments, international organisations and local NGOs on the one hand, and young people, parents and other private individuals on the other. In addition, we analysed media and NGO publications. Quantitative data comprises Ugandan police statistics. In the Congo, where police statistics on sexual violence prosecution are unavailable, we rely on data published by humanitarian actors and unpublished data collected in prisons and courts.

Our paper demonstrates that age-of-consent legislation and its application have led to the criminalisation of consensual sexual interactions between young people in both countries. As we will show in the following, the legislation and its application by private and official actors, formal process and informal and private practices of control and punishment are interwoven. Debates around legislation, as well as its appropriation in generational clashes, at the same time hint at a crisis of parental and state control over a rapidly growing and sexually active youth population. As our paper outlines, patriarchy, understood as a system of social relations in which norms, discourses, and structures preserve male authority, is reproduced by criminalising youth sexuality. In the context of this paper, patriarchy is "literally" the rule of the father. Importantly, this literal

patriarchy interlocks with the authority of the patriarchal state in the form of (threats of) prosecution. The existing age-of-consent legislation and its practical application is one pillar in a system of formal and informal rules that sustain patriarchal control in Uganda and Congo. Unequally gendered land rights, marriage institutions or norms of female passivity and need for protection are further examples.<sup>30</sup> Age-of-consent legislation is also an example of how a formally gender-neutral law reproduces protective patriarchal control over girls and young women, while it charges and imprisons boys and young men deemed dangerous.

Three interlocking factors, we argue, have been essential in the reproduction of patriarchy through the criminalisation of teenage sexuality: first, discursive emphasis on protection and morality, at the expense of notions of sexual self-determination; secondly, institutional incentives to pursue and prosecute youth sexuality, as well as some police officers' abuse of the law; and thirdly, parents' adoption and appropriation of legislation for their private, often material ends.

The paper is structured into four sections. We trace political discourses in the first on the reform of age-of-consent legislation. Despite differences in historical context, in both Uganda and Congo, discourse on protection from sexual violence on the one hand and sexual mores on the other have been combined to pass stringent and undifferentiated age-of-consent laws. A zeal to protect and control led to a disregard for young people's lived realities and sexual self-determination. The second section examines the statistical data on sexual crimes involving underage teenagers. We find that policing and prosecuting teenage sexuality has become a significant part of police and court work. Estimates of police and justice officials imply that, among the overall caseload of sexual violence charges, a significant share concerns consensual rather than violent sexual interactions. In the third section on institutional incentives and criticisms, we argue that the policing and prosecuting of consensual sexual interactions between and with minors—intermixed with cases of actual sexual violence against young persons—provides legitimacy, funding and opportunities for exaction to law enforcement institutions. At the same time, many police and court officials criticise the criminalisation of consensual teenage sexual interactions.

The fourth section shows that young people in the Congo are aware of sexual violence legislation but hold widely diverging views on its pertinence. Focus-group discussions demonstrate young people's differentiated perspectives on sexuality and sexuality legislation. The fifth section describes how parents employ the law and state institutions in private conflicts between or within families, aiming to uphold their control of young persons' relationships and sexualities. Young women, in particular, are subject to such parental actions. In the conclusion, we discuss the social costs of criminalisation. We argue that it stigmatises teenage sexuality, especially vulnerable young people with precarious social backgrounds, and denies female sexual agency.<sup>31</sup> Stringent legislation also unintentionally weakens efforts to fight sexual abuse and rape, as actual violence is rendered banal in public and official discourse, and scarce public resources are wasted. Moreover, some law enforcement practices themselves constitute violence and human rights violations.

## **The reform of age-of-consent laws**

When Uganda introduced a uniform age of consent for women in 1990, it followed a global pattern. Child sex abuse laws, including age-of-consent clauses, became an

international legislative standard after World War II, with another wave of reforms across the globe from the early 1980s onwards.<sup>32</sup> Uganda's amended Penal Code Section 129 prohibited sexual intercourse, or any attempt thereof, with a girl under 18 years.<sup>33</sup> The reform passed in 1990 without much debate. During the period, women gained increasing political influence in the country.<sup>34</sup> However, Parikh argues, the laws' female advocates deliberately framed sexual abuse as a problem of child protection rather than a more controversial question of women's rights.<sup>35</sup> Uganda ratified the International Convention on the Rights of the Child in the same year.

The debate about gender, sexuality and violence became more contested from the mid-1990s.<sup>36</sup> Youth sexuality and child abuse figured in these broader discussions, which also touched on the minimum age of marriage (set at eighteen since 1990), spousal sexual violence, homosexuality and pornography. As Vorhölter argues, 'both youth and female sexuality were commonly framed in negative terms' in these debates.<sup>37</sup> Culturally conservative, predominantly male legislators criticised Uganda's minimum age for marriage and sexual relations as a Western tool against African cultural traditions.<sup>38</sup> Women's rights activists, health workers and religious leaders, on the other hand, expressed 'outrage at the suggestion of lowering the age of consent', which they perceived as an invitation 'to moral degeneration and a victory of rapists and child abusers'.<sup>39</sup> They defended the law as a safeguard against HIV/Aids infections, teenage pregnancies, school dropout and transactional sex between underage girls and 'sugar daddies'.<sup>40</sup>

A third position was developed by some jurists and law enforcement agency members, critical activists, and academics. Most prominently, in 1997, the official Uganda Law Reform Commission questioned the standardising of the age of consent, highlighting adolescents' individual development instead.<sup>41</sup> Moreover, the commission pleaded that the law be reformed to reduce the backlog of cases.<sup>42</sup> Despite the various arguments for a reduction and differentiation, the commission forwarded 'an ambivalent proposal to parliament requesting legislators to choose between retaining age eighteen or lowering it to sixteen'.<sup>43</sup> Ten years after the Law Reform Commission's report, parliament finally revised the legislation in 2007. The reform rendered the stipulations gender-neutral and widened the definition of defilement from vaginal penetration to a more broadly understood 'sexual act'. The broader definitions did not, however, include consensual hugging or kissing. The amendment also put some offences into the jurisdiction of lower courts to address the case backlog.<sup>44</sup> The commission's plea for a differentiated approach to underage sexuality remained unheeded: the minimum age of consent remained 18 years.

In Congo, the primary concern prompting legislative reform in 2006 was war-related sexual violence. Existing legislation did not allow for the punishment of some crimes prevalent in the ongoing armed conflicts. Women's rights organisations from the eastern war zone pushed for a legislative overhaul and presented a draft law that specifically targeted war-related crimes.<sup>45</sup> Women's NGOs headquartered in the largely peaceful capital Kinshasa welcomed the momentum. However, these organisations' primary concerns differed as they had long been active against 'retrograde traditions' in rural areas, including arranged marriages of girls in their early teens. These concerns pitted Kinshasa's activists against a conservative male majority in parliament, who defended such marriages as part of the cultural heritage similarly to their Ugandan counterparts. The capital's women activists, jurists, international consultants, and supportive

parliamentarians then revised the draft law.<sup>46</sup> The resulting text moved substantially beyond the original draft by introducing several regulations specifically concerned with the protection of minors. Crucially, any sexual interaction with minors, including a broadly defined ‘act against decency’ (*attentat à la pudeur*), was prohibited in or outside of marriage.<sup>47</sup>

During Congo’s post-war ‘transition’ from 2003 to 2006, Congolese civil society organisations wielded comparatively large influence, as they profited from international funding and protection. Women’s organisations used the upcoming electoral campaign, asking parliamentarians to either endorse the law reform or be denounced as indifferent to sexual war atrocities. The transitional parliament passed the new law shortly before the national election of 2006.<sup>48</sup> In interviews, most women’s and human rights activists considered the law an outstanding achievement.<sup>49</sup> As in Uganda, only a seeming minority of jurists, police personnel, and women activists criticised the redirection of the law, arguing that early marriage may be more effectively addressed through the social and educative empowerment of young women.<sup>50</sup>

Both Uganda and Congo followed a global pattern by introducing a general, gender-neutral and increased age of consent.<sup>51</sup> However, the legislations are remarkable in two regards: while most states set the age of consent at around age 16, Uganda and Congo introduced a comparatively high threshold of 18 years.<sup>52</sup> Secondly, unlike many countries, Uganda and Congo do not exempt sexual interactions between underage persons, or between such persons and young adults, in so-called close-of-age clauses.<sup>53</sup> Such clauses in other countries’ legislation reflect the tension between children’s right to protection and their right to (sexual) self-determination according to their evolving capacity, age and maturity, both stipulated in the 1989 Convention on the Rights of the Child.<sup>54</sup>

In Uganda and Congo, stringent, high age-of-consent rules without any exceptions appeared an easy solution to cure many perceived social ills. Within the alliances, motivations ranged from concern about the welfare of young people to anxieties about the apparent demise of sexual mores. A high and strict age of consent appeared a jointly acceptable, simple, and straightforward way of addressing these phenomena. Child protection measures, it was reasoned, could also protect underage women’s rights, as enforced marriages with minors were indirectly criminalised. Moreover, proscribing all sexual interaction of underage persons diminished the burden-of-proof problem inherent in much sexual crime prosecution. Religious leaders welcomed a high and strict age of consent as a tool against the youth’s perceived loose morals. In light of these large political alliances, only few activist and jurists warned about the law’s social costs. The voices of young people themselves did not feature in these debates. The zeal to protect overwhelmed more differentiated perspectives.

### Counting age-of-consent violations

This section presents statistical data on sexual crimes, including age-of-consent violations. We show that the policing and prosecution of sexual interactions with and between minors in both countries constitutes an important institutional activity. As the data does not differentiate between consensual and non-consensual sex, it does not allow for gauging the percentage of non-violent, *de facto* consensual sexual interactions



included. However, authorities informally estimate a high share of *de facto* consensual exchanges.

The annual crime reports published by the Ugandan police are the best available statistical material on the policing of defilement. As the yearly crime reports show, defilement is the most reported sexual crime in the country.<sup>55</sup> Indeed, defilement ranks among the three most reported crimes, with between 7,000 and 9,500 registered cases per year [Table 1](#).<sup>56</sup>

The only nationwide dataset on sexual violence in Congo is jointly compiled by the Congolese national ministry for family, women and children, and the United Nations Population Fund. These numbers are collected from UN-financed local NGOs and hospitals providing victims' health, social and legal services. They therefore reflect not only the extent of sexual violence but also the changing numbers of aid projects. [Table 2](#) shows that these organisations register a consistently large number of underage teenage victims. The number of these registered aid-demands that lead to police and court action can only be estimated. NGOs provide judicial assistance, typically involving pressing official charges, in between eight and 29% of all nationwide cases and across all age groups. When assuming an equal share of legal aid requests across age categories, several thousand cases are reported by or on behalf of underage teenagers each year.

While the numbers on sexual violence against minors in Uganda are higher than in Congo despite the former's much smaller overall population (about 40 m to 85 m), [Table 2](#) also indicates a different spatial distribution: In Congo's eastern post-conflict provinces, on which our research focusses, account for the majority of cases. The increased societal turmoil after armed conflicts and the clustering of internationally funded aid projects and state infrastructures in these regions may explain this geographic imbalance. As rebel-contested areas remained inaccessible, these cases were centred even more strongly in relatively secure urban centres in eastern Congo.<sup>57</sup> In Uganda, post-conflict regions also register higher numbers of defilement cases, but rural areas stand out more often.<sup>58</sup>

In both countries, courts prosecute sexual violence against minors, even if the number of trials is much lower than the cases reported by police and humanitarian actors. In Uganda, in 2017, courts charged 4,751 persons with defilement.<sup>59</sup> Also, data collected directly in Congolese institutions indicates that sexual violence against minors has become a significant prosecutorial activity. For example, at the *Tribunal de Grande Instance* in Bunia (which investigates only adult suspects), age-of-consent crimes in

**Table 1.** Cases of defilement reported to the Ugandan police.

Year	Reported defilement cases	Juveniles accused	Cases pending in court
2008	8,635	680	3,791
2009	7,360	785	n.d.
2010	7,564	466	3,234
2011	7,690	534	3,024
2012	8,076	n.d.	4,202
2013	9,589	545	4,288

Note: Based on police annual crime reports from 2009 to 2013 published as Uganda Police, Annual Crime Report, available on <https://www.upf.go.ug/publications/> (28 February 2019). Data from 2009 and later years is incomplete. The numbers of cases and accused juveniles diverge as not all cases involve juvenile suspects, and not all reported cases lead to prosecution

**Table 2.** Incidents of sexual violence reported in Congo.

Year	Aid request cases	Victim age 12–17 (share of all cases)	Legal aid across all cases	Eastern provinces' share of all cases
2011	11,366	3,466 (30%)	29%	79%
2012	19,656	6,579 (33%)	24%	78%
2013	27,339	8,756 (32%)	14%	83%
2014	21,964	6,056 (28%)	17%	49%
2015	26,738	11,117 (42%)	12%	53%
2016	22,075	9,943 (45%)	8%	51%

Note: Republique Democratique du Congo, Ministère du Genre, de la Famille et de l'Enfant, "Données." At the time of writing, the database provides meaningful numbers only for the years indicated.

2016 constituted 61% of the sexual violence caseload. Furthermore, the incarceration and prosecution of underage suspects and offenders are significant in both countries. Uganda regularly counts several hundred imprisoned minors accused of or convicted for defilement. In Congo, no centralised data on incarceration exists. As an indication, we collected some numbers directly in two locally important prisons in provincial capitals. In late 2017, Bukavu's prison held 12 (out of 42 underage prisoners), and Bunia's prison incarcerated 17 juveniles (out of 38) for sexual violence charges. Sexual violence has become a relevant type of crime for both the Ugandan and Congolese police and justice systems, including juvenile suspects and convicts.

Yet how many of these cases involved voluntary, non-violent sexual encounters between or with minors? NGO staff, lawyers, police officers, prosecutors and judges in Congo stated that a considerable part is non-violent dating. Officials estimated a 50% to 70% rate of *de facto* consensual teenage sex among the reported cases.<sup>60</sup> The actual number may be considerably lower. However, even an estimate of 10% would mean that in both countries, several hundred 'victims' and 'perpetrators' of non-violent sexual encounters are being dragged to the police and courts each year.

### Institutional incentives and criticisms

Police officers, prosecutors and judges in Uganda and Congo are divided about the usefulness and appropriateness of teenage sexuality criminalisation. Its policing and prosecution provide considerable material benefits in both countries, linking institutional interest with the legislative zeal to protect. Indeed, the quantification of crime statistics itself may be considered an attempt to enhance the reputation and budget of these institutions. At the same time, many law officials deem the legislation as inappropriate, creating waste of rare resources and unintended social costs.

The Ugandan crime reports legitimise the police's constant calls for more personnel and higher funding and play a significant role in budget negotiations.<sup>61</sup> Also, the Ugandan media frequently uses police statistics when reporting on defilement offences, demonstrating the supposed prevalence of the crime and the necessity of police work on it. While the crime reports depict data about suspects and procedural developments, there is no basic information on victims' gender and age. The neglect mirrors the police's larger disregard for victims of sexual violence, which may even "traumatise them more by blaming them more".<sup>62</sup> Victims have to report in crowded offices regardless of their vulnerability. Until recently, there were no units specifically trained to

deal with cases of sexual violence. Appropriate infrastructure is still lacking, and victims are not provided with medical aid.<sup>63</sup> This indifference raises the question of whom or what the busy policing of defilement is actually serving. Does it protect or harass young people?

In eastern Congo, funding for sexual violence policing and prosecution is provided to a large extent as international donations to free-of-charge, NGO-run legal clinics, and to specialised police and public prosecution units.<sup>64</sup> The statistical data collection legitimises the international effort against conflict-related sexual violence, as the numbers illustrate both the magnitude of the problem and the appropriate deployment of funds. Non-violent age-of-consent offences increasing the case numbers enhance the standing of Congolese and international organisations on the competitive global humanitarian funding market. Some local NGOs' finances depend almost entirely on such funding,<sup>65</sup> while public servants benefit from internationally financed infrastructure and paid training.

In Uganda, we also found that some police officers abuse the defilement law to extort young people. As became clear during participant observation, police generally regard young females in public after dark to be prostitutes, while young heterosexual couples are defilement suspects. Moving around at night has become a risk for young people, as narrated by a young man in Kampala:

I met my girlfriend, it wasn't yet midnight, we had an argument. We went in a distance, I was even crying, she gave me a hug, that is when police patrol car came along. Officers asked 'Are you safe? You are crying, are you drunk?' Then they said we were kissing on the way. I said 'She is just hugging me. There is no case'. The officer answered, 'I have a right to put any case on you!' We had to enter the car, and we were patrolling around. On the way, the officer asked me: 'Do you have anything for me?' We said: 'Please, don't call the parents.' I said that I have 10,000 shilling. They refused to take it. He said he wants 80,000.<sup>66</sup> (...) They told us, 'You had sex on the way.' (...) They brought us to [the] police station. When we reached there, we had to make a statement. I was asking about the case we had and explained that there is no case at all. 'It was not yet midnight. She was just hugging me.' But he said: 'It is me to determine a case'. We gave them 40,000, and they released us. They just wanted money.<sup>67</sup>

The defilement law serves as a pretext to arbitrarily arrest young people, even if hugging and kissing do not qualify as crimes under Ugandan law. Police present these apprehensions as successful patrol results or to solicit ransom payments. The latter is possible because young people are anxious about their parents' reactions to alleged love 'crimes'.<sup>68</sup> Legislation, moral discourse, and incentives interlock.

Interviewees from law and order institutions differed in assessing the criminalisation of consensual sexual interactions. Some insisted on their legal commitments, or affirmed the law as congruent with public morals.<sup>69</sup> Another group considered the legislation inappropriate. In Congo, in particular, police, prosecutors and judges argued that the harsh rules may have made sense in the earlier war context, but societal developments since made a re-evaluation of the law in regard to 'passion' necessary.<sup>70</sup> A children's judge called the age-of-consent rules a 'legislation against nature' incongruent with teenagers' lived social realities.<sup>71</sup> Some also deplored that criminalised teenage love was congesting an already overstrained legal system, thereby diminishing the capacity to pursue cases of actual sexual violence.<sup>72</sup>

Age-of-consent crimes have become a relevant work area for the police and courts. Embedded in moral discourses on sexuality and violence, the sheer magnitude of the caseload allows police and justice institutions to enhance their reputation and use the law for extra-legal extortion practices against vulnerable youths. In both countries, nonetheless, many interviewees practising the policing of teenage sexuality are critical, in particular, of parents using the law to gain leverage in private conflicts, because policing and prosecution may negatively affect young people.

## Young people's perspectives

To learn about youth perceptions of age-of-consent legislation, we facilitated focused group discussions with students in several secondary schools in the city of Bunia (Congo). In a first step, the author and sociology students at the Université de Bunia developed a list of questions, which small teams then discussed with twelve groups of school students aged 14–18. This sample is not representative as secondary school (Lycée) students have a much lower risk of persecution than their socially more precarious peers, and urban youth face different realities than their rural peers. The focus group method also favoured the affirmative emphasis of (female) chastity and invited some (male) bragging about sexual adeptness. Despite these limitations, our questions stimulated vivid and illuminating debates about youth sexuality, sexual self-determination, and its criminalisation.

Centrally we asked what the students regarded as 'normal' for first sexual exchanges. The question stimulated controversy since 'normal' may refer to the normatively or legally legitimate as well as the actually prevailing. Many school students affirmed the law. Others found it even too liberal, since it allows for sexual exchange before marriage. Both these groups bemoaned that, contrary to the law and moral values, underage people do engage in sexual exchanges. The tension between law and public mores on the one hand, and the lived reality on the other was critically highlighted by a third group of students. This group emphasised that many underage youths are unjustly forced to conceal their sexual engagements to avoid moral condemnation and legal prosecution.

The following quotes are taken directly from one discussion.<sup>73</sup> They mirror the range of different opinions across the groups. In the first quote, a female student does equate maturity, as a precondition for legitimate sex, with educational achievement:

I mean at the age of 18. There, young people are [legally] authorised to practice this. [...] On this point, I don't know if I can say what age because there are people who can finish their studies at the age of sixteen. So, the person who has finished his studies at the age of sixteen is directly allowed to practice sexual intercourse. And that is how it has to be. But as long as he is not yet mature, he is still a child, he is not yet an adult, he is not, he is not allowed to do that. [...] In my opinion, really, I do not have the precise age for that. (Female student #1)

This student argues for rules that reflect different paths of young people. Her peer, instead, preferred to preserve female sexuality to marriage:

Our country tells us that it is normal to start practising sexual intercourse at the age of 18, this is the best. I can say no. I can try to contradict this with some arguments. I can say, for example, if I'm 18, I'm going to do such things, and it's going to cost me at least because I'm a girl. What will it cost me? I start practising here and there, two, three, five boys in my life

until the age of maybe 25, 26. When I am now at home in my house and with my husband, [...] it will cause too many problems. (Female student #2)

Another student stated her observations on actual underage sexual activities:

Sexual intercourse is practised at the age of 15, because girls have their curiosity. I can say that all young people have curiosity to know everything. Even at the age of 15 they can practice sexual intercourse. (Female student #3)

Her male classmate interjects that sex should be practised only once men can fulfil their role as breadwinners:

The age for a sexual relationship, it must be practised during adulthood. When you can afford to support a woman you have taken as a wife. (Male student #1)

Another female student appears to support this view with Christian arguments and portrays pre-marital sexual curiosity as dangerous:

In my opinion, if someone is married, he can practice sexual intercourse because the bible told us: Do not awaken, do not awaken love. [...] When you wake up love, you wake up a sleeping lion. If we wake up a sleeping lion, it will be serious. (Female student #4)

A male student interrogates this view and echoes the previous statement on sexual curiosity:

What is happening in our times, there is no age. Why? I mean, if we see the games that children play, it is from eight to nine years old. Yes, it's true. And I was among those people. And if you have participated only once in these games, then you already understand what is going on, and when you go to the fifth or sixth grade, you will be a champion. And if we see the constitution now, it pushes us to 18 years. [...] But for them, they are champions. And if we see the constitution: Before marriage, no. But for them, it is normal; it is normal. And you do it in hiding, you see. (male student #2)

The last contribution points to the consequences of criminalisation. The concealment of sexual exchanges enhances the risks of partner violence and reproductive health complications.<sup>74</sup> The concealment also extends to communication, even among peers, as talking about female pre-marital sexuality is frequently silenced. Nonetheless, the discussions provided ample evidence of young people's awareness about sexual matters, including legal and moral stipulations and the lived reality. The animated group discussions highlight that these young people valued open communication and debate, in itself an indication of their capacity to weigh and confront questions about their own sexuality.

## **Parental adoption and appropriation**

In both Uganda and Congo, the great majority of those reporting the sexual abuse of minors to NGOs and state institutions are not the victims themselves, but parents and other family leaders.<sup>75</sup> Among them, parents reporting de facto consensual sexual encounters have different motivations: some seek institutional support to prevent their children from maintaining sexual relationships. Others selectively appropriate official services to increase their leverage in private marriage and compensation negotiations. Despite these differences, both groups ultimately seek to reinstate control over

(female) adolescents' sexuality. These processes, as narrated by our interview partners, are remarkably similar across the two countries. Except where otherwise specified, this section summarises our findings based on station diaries of the Ugandan police collected from across the country, as well as interviews with journalists, local NGO staff, lawyers, police officers, prosecutors and judges in Uganda (2011-2019) and eastern Congo (2016-2017).

Some parents who report consensual sexual relationships adopt age-of-consent legislation to proscribe uncontrolled sexual relationships of their teenage children, and want their partners to 'face justice'.<sup>76</sup> Intra-familial generational conflicts, including a lack of open communication and trust regarding intimate relationships between some parents and their teenage children, ultimately motivate reporting. The young Ugandan couple mentioned above believed that their parents would trust the police rather than themselves. They paid a ransom to avoid parental sanctions:

Getting arrested because you were with a girl is very bad. Her parents would say: "We pay your school and you are with a boy." And my parents would say: "We pay your studies, and you are with a girl."<sup>77</sup>

By reporting pre-marital sexual relations to police and justice institutions, parents seek to regain lost control and authority and deter intimate partners they deem unsuitable.<sup>78</sup> These parents portray their teenage children, particularly daughters, as neither capable nor entitled to make informed and voluntary decisions in sexual matters. Pressing charges on behalf of young women constitutes an attempt to repair the alleged moral damage created by female sexual activity and shift blame to the 'seducing' male partner. Prosecutors and judges usually follow this gendered argumentation. Even if both partners are minor, mainly young men are prosecuted.

Another central topic in discussions about youth sexuality is pregnancy. In northern Uganda, the second author met an anxious young woman in front of a police station. The desperate parents of her arrested boyfriend accompanied her. The young woman's father had reported the boyfriend for defilement. Now he demanded informal compensation of 5 million UGX (approximately 1,100€), using the police report as a lever against the boy's family. During our encounter, the young woman stated that she was pregnant. Waiting anxiously in front of the police station, she and her boyfriend's parents worried about a potential prison sentence.

Generational conflict is visible in female 'victims' resistance to the criminalisation of their sexual relationships. For sexual violence prosecutions, the victim's testimony is often a singularly important piece of evidence, and parents and institutions accordingly pressure young women to incriminate their partners. When these young women deny sexual encounters, investigators and judges seek to detect contradictions in their testimony or order a medical virginity test.<sup>79</sup> Young women resist in several ways, including lobbying authorities, running away, skipping court hearings, acting emotionally or remaining mute in court, and falsifying identity documents to imply adult age. In one case reported in Congo, a young girl staged a sit-in protest at a police station to free her beloved.<sup>80</sup>

The second area of parents' motivations for reporting consensual sexual relationships centres on inter-familial conflicts. Parents in these cases do not adopt the law to achieve prosecution. Instead, they borrow institutional power as leverage and threat in private

conflicts and use police paperwork to achieve favourable terms in what the Congolese call *arrangement à l'amiable* (friendly arrangement). Once private negotiations succeed, the parents do not pursue the charges anymore. This selective appropriation of age-of-consent legislation, law officials estimate, is an important reason the high number of cases never make it to court.

Police and judicial officials distinguished three main conflict categories in which sexual violence allegations are made to achieve private ends. First, parents in rural areas often agree on an (illegal but widespread) customary marriage of their underage dependents, but the groom's family's failure to deliver the expected bride price leads to conflict. Second, parents in both countries also frequently denounce age-of-consent violations to push for marriage negotiations between unmarried couples. The charges then serve as leverage against boyfriends (or their parents) who refuse to make a sexual or romantic relationship official. Third, interviewees saw unwanted teenage pregnancies as a significant background reason for pressing charges. In these cases, the parents' aim is marriage, a higher bride price, or extra-marital alimony for both mother and child.

These cases also show that juridical and public perceptions of justice are dissimilar because 'the books of life and law' differ, as a Ugandan journalist put it. For police officers and prosecutors, forever-pending cases are a source of frustration and a major challenge.<sup>81</sup> Particularly in rural regions, police officers see charges based on age-of-consent violations also as 'a source of getting income. They [the families] enter into negotiations. They want to have money. They do not want to testify. They want negotiations'.<sup>82</sup> Such practices express a popular view of sexual abuse definitions that differ from the legislation and a preference for retributive over penal justice: 'In our punishments, we believe in compensations'.<sup>83</sup> Both Congolese and Ugandan institutions condemn parents for accepting what the police calls 'bribes' from the suspected offender. Ironically, in both countries, police officers and other state officials often mediate such informal negotiations.<sup>84</sup> Such straddling of informal and formal roles paradoxically builds on and reconfirms the state's power and ability to protect patriarchal control over young people's sexuality.

Family leaders have taken on an active role in criminalising consensual teenage sexuality. It is not teenagers themselves who address the police, but family leaders report cases of potential abuse defilement and bring alleged victims and perpetrators to police stations. While the causes that motivate reporting and the subsequent follow-up vary, our research does not impute false reporting. Instead, it seems possible that actual sexual abuse is not every parent's primary concern. Aspects of control over young women's sexuality and body, alimony, and compensation for the violation of prevalent norms may play a more significant role – "the push factors for defilement are quite numerous", as one Ugandan journalist explained.<sup>85</sup>

As stated above, these findings have been similar across the two cases. Differences appear to be stronger between urban and rural settings. In the latter, it appears that conflicts related to (parentally arranged) illegal underage marriages play a major role. In the urban spheres autonomous adolescent sexual relationships, including non-planned pregnancies, seem to constitute the dominant parental concern. However, these preliminary findings need further research.

## Conclusion: a crisis of patriarchy?

As this paper demonstrates, legislative regulations on sexual interactions shape and are shaped by structures of generational and gendered inequality, institutionalised power and normative stances prevalent in state and families. In particular female bodies “become sites for political inscriptions”.<sup>86</sup> In both Uganda and Congo, concern about sexual violence, institutional incentives to prosecute, corruption, and family conflicts interlock and result in the criminalisation of non-coercive teenage sexuality. The underlying reason driving these processes may be a broader crisis of patriarchy in the region. For parents and institutions, the increasing number of adolescents in the demographic structure, rapid urbanisation, and poor economic conditions make it increasingly difficult to protect, guide and control the sexuality of young people. Stringent age-of-consent legislation, linking agendas of protection, supervision and punishment, may signify patriarchal weakness rather than strength. Law-makers’ disregard for norms of self-determination has resulted in a joint attempt of state institutions and parents to discipline the sexually active youth in both countries.

International standards of child protection inspired age-of-consent legislation in both countries. However, the political landscape and societal practices, including ignorance of the equally international norm of sexual self-determination, have undermined much of its protective potential. This disregard for autonomy is also prevalent in much of the literature on youth sexuality in Africa. While there are critical studies that provide important insights into the lived realities of young people, many scientific approaches are overly concerned with the alleged negative consequences of (female) sexuality. Their recommendations and results usually envisage the regulation of female sexuality, thereby contributing to the criminalisation of teenage sexualities.

The social costs of the laws are manifold. Most strikingly, the stringent legislation unintentionally weakens efforts to confront actual sexual violence against minors. High numbers of consensual sexual encounters distort and inflate statistics, congest overburdened police and judicial systems, and in societal discourse belittle the reality of sexual violence. While young women are not treated as persons with sexual rights but as either marriage candidates or prostitutes, actual sexual violence is often ignored. Another social fallout is the disproportional criminalisation and incarceration of poor offenders. As both court proceedings and private negotiations depend strongly on the social and economic capital of the conflicting parties, impoverished adolescents face greater risks. They can neither bribe judicial institutions, seek a lawyer’s support, nor compensate their partner’s family.

For criminalised youth, both so-called victims and offenders, the consequences can be devastating. While mandated to protect young people, the judicial system in both countries acts violently against vulnerable youth. Physical violence includes arbitrary arrest, mandatory virginity tests, prolonged investigative custody, and incarceration in derelict and violence-prone prisons. Judicial interference into personal relationships causes psychological damage. Private informal arrangements, negotiated between families based on the leverage of officially pressed charges, benefit patriarchal familial control, and relegate young people, especially women, to the position of sexualised objects. Age-of-consent legislations in both countries developed into restrictive



regimes upheld by parents, police, courts, and prisons, a defence of crumbling patriarchal norms and structures.

## Notes

1. The paper deals with the prosecution of heterosexual interactions. The criminalisation of same-sex relationships in both countries needs to be researched separately.
2. Hundle, "Postcolonial Patriarchal Nativism," 44.
3. Tamale, "Sexualities in Africa," 18.
4. Epprecht, "Sexuality, Africa, History."
5. Kim, "School Socioeconomic Composition"; Maswikwa et al., "Minimum Marriage Age Laws."
6. Kelly and Ntlabati, "Early Adolescent Sex."
7. Bingenheimer, Asante, and Ahiadeke, "Influences on Sexual Activity."
8. Adaji et al., "Attitudes of In-School Adolescents."
9. Bingenheimer and Stoebenau, "Context of Adolescent Fertility"; Gyan, "Change in Sexual Behaviour."
10. Thornhill, "Power, Predation, State Formation"; Divon and Boas, "Negotiating Justice."
11. Kisanga et al., "Parents' Experiences."
12. Oldenburg, "Politics of Love"; Denney et al., "Change the Context"; Formson and Hilhorst, "Faces of Transactional Sex."
13. Vodiena et al., "Perception des adolescents."
14. Mulumeoderhwa, "Girl Who Gets Pregnant."
15. Lambert and Mbeva, "Femmes et accès aux soins."
16. Mpiana, "Cour Penale Internationale"; Zongwe, "New Sexual Violence Legislation."
17. Matangila, "Eglises de réveil"; Demart, "Genre et transgression des normes morales."
18. Kanteng, "De l'utilisation d'internet."
19. Braun, "Dancing Ambiguities."
20. Vorhölter, "And Other 'Modern Threats.'"
21. Tamale, "How Old Is Enough?"; Parikh, "Sugar Daddies"; Parikh, "Loving a Schoolgirl."
22. Guma, "Feminism," 44.
23. Ninsiima, et al., "Girls Have More Challenges."
24. Tamale, "How Old Is Enough?"
25. Parikh, "Sugar Daddies"; Parikh, "Loving a Schoolgirl"; Ward, "The Role of the Churches," 131; Bompani and Brown, "A 'Religious Revolution?'," 115; Valois, "Virtual Access," 156.
26. Tamale, "Contours of African Sexualities," 150.
27. Waites, *The Age of Consent*, 1.
28. Cocco, "Welfare Queen"; Sutherland, "From Jailbird to Jailbait"; Müller et al., "Make a Judgment Call"; Strode et al., "A Feminist Critique."
29. Fahs and McClelland, "When Sex and Power Collide."
30. Bird and Espy, "Power, Patriarchy and Land"; Ninsiima et al., "Girls Have More Challenges."
31. Bumet, "Situating Sexual Violence."
32. Frank, Camp, and Butcher, "Worldwide Trends."
33. Vilhelmsson, "What about the Law?"
34. Matembe, *Gender, Politics, and Constitution Making*.
35. Parikh, "Sugar Daddies," 92; Parikh, "Loving a Schoolgirl," 1776f.
36. "Defilement: A Growing Social Worry." *New Vision*. May 8, 1992; "Defilers Should Be Hanged - AG." *New Vision*. December 7, 1992; "Defilement Puzzling." *New Vision*. December 18, 1992; "Children's Court: Not Good Enough." *Daily Monitor*. June 14, 1995.
37. Vorhölter, "Homosexuality, Pornography, and Other 'Modern Threats,'" 97; see also Guma, "Feminist Solidarity," 24.
38. Tamale, *When Hens Crow*, 114-22.

39. Tamale, "How Old Is Enough?," 83.
40. Parikh, "Loving a Schoolgirl."
41. Tamale, "How Old Is Enough?," 91f.
42. Doya, "History of Penal Code."
43. Ibid.
44. Government of Uganda, Penal Code (Amendment) Act; Doya, "History Uganda Penal Code," 227; "Judiciary in Crisis Over Amendments." *Daily Monitor*. October 17, 2007; "New Defilement Guidelines Out." *Daily Monitor*. October 27, 2007.
45. Interview, women's NGO member, Bukavu, 5 April 2017; interview, former NGO advisor, Bukavu, 7 April 2017; interview, human rights NGO member, Kinshasa, 26 October 2017; Réseau des Femmes pour un Développement Associatif, Réseau des Femmes pour la Défense des Droits et la Paix, and International Alert, "Le Corps de Femmes Comme Champs de Bataille Durant La Guerre En République Démocratique Du Congo Violences Sexuelles Contre Les Femmes et Les Filles Au Sud-Kivu (1996-2003)."
46. "Congo-Kinshasa: Marie Mossi Mota : « Nous avons recommandé aux femmes d'accorder leurs voix aux candidats compétents. »" *Le Potentiel*, May 24, 2006; USAID and Global Rights, "Répression Des Violences Sexuelles"; UNFPA, "Les Leçons Apprises."; interview, women NGO member, Bukavu, 5 April 2017; interview, human rights NGO member, Walungu, 6 April 2017; interview, former NGO advisor, Bukavu, 7 April 2017; interview, judge, Bukavu, 9 September 2017; interview, Faïda Mwangilua, former government minister, Kinshasa, 29 October 2017.
47. Government of the Democratic Republic of Congo, *Loi No 6/18 modifiant et complétant le décret du 30 janvier 1940 portant Code Pénal Congolais* (2006).
48. Government of the Democratic Republic of Congo, *Loi No 6/18 modifiant et complétant le décret du 30 janvier 1940 portant Code Pénal Congolais* (2006).
49. Interview, Faïda Mwangilua, former government minister, Kinshasa, 29 October 2017; interview, human rights NGO member, Walungu, 6 April 2017; interview, lawyer, human rights NGO, Uvira, 30 March 2017; interview, human rights NGO members, Uvira, 27 March 2017; interview, women NGO member, Bunia, 28 Feb 2017.
50. Interview, women NGO member, Bukavu, 5 April 2017; interview, international NGO member, Kinshasa, 3 November 2017; interview, police officer, Bunia, 15 November 2017; interview, judge, Bukavu, 9 September 2017; interview, lawyer, women NGO, Bunia, 28 February 2017.
51. Bullough, "Age of Consent," 9; Dixon-Mueller, "How Young Is 'Too Young?'"
52. A small number of other African states also legislated the 18-years threshold, see UNFPA, "Harmonizing the Legal Environment for Adolescent Sexual and Reproductive Health and Rights. A Review of 23 Countries in East and Southern Africa."
53. Zhu and van der Aa, "Age of Consent Legislation."
54. Frank, Camp, and Boutcher, "Worldwide Trends."
55. As this section implies, there are incentives to inflate numbers. Also vagaries of data collection may distort the count. Yet the scale and depth of the statistics, combined with qualitative material, demonstrate the judicial significance of age-of-consent violations.
56. Uganda Police, "Annual Crime Report 2017", 3.
57. Interview, prosecutor, Bukavu, 19 October 2017; interview, police officer, Bunia, 15 November 2017; interview, police officer, Walungu, 6 April 2017; interview, prosecutor, Walungu, 6 April 2017; interview, official, National Ministry of Gender, Family and Child, Kinshasa, 30 October 2017.
58. Uganda Police, "Annual Crime Report 2017," 12.
59. Ibid., annex a.
60. Interview, judge, Bunia, 22 November 2017; interview, prosecutors, Bunia, 21 November 2017; interview, judge, Bukavu, 9 September 2017; interview, social worker, Bukavu 17 October 2017; interview, human rights NGO member, Walungu, 6 April 2017.
61. Uganda Police n.d., "Draft Crime Report 2015," 20.
62. Interview, programme officer GBV shelter, northern Uganda 21 February 2019.

63. The Judiciary of the Republic of Uganda 2018, “Special Court Sessions.”
64. Conversations with local NGO personnel and specialised police and prosecutors, 2016-17.
65. Hilhorst and Douma, “Beyond the Hype?”
66. 80,000 Ugandan shillings are approx. 20USD.
67. Interview young resident, Kampala, 15 January 2013.
68. Field research, especially participant observation of police patrols, Uganda 2012-19.
69. Interview, human rights NGO member, Walungu, 6 April 2017; interview, lawyer, human rights NGO, Uvira, 30 March 2017; interview, human rights NGO members, Uvira, 27 March 2017; interview prosecutors, Uvira, 30 March 2017.
70. Interview, judge, Bukavu, 9 September 2017; interview, prosecutors, Bunia, 21 November 2017; interview, NGO members, 21 November 2016, Bukavu.
71. Interview, judge, Bukavu, 9 September 2017.
72. Interview, prosecutors, Bunia, 21 November 2017; interview, NGO members, 21 November 2016, Bukavu.
73. Focus group, Bunia, 21 November 2017.
74. Lambert and Kahindo, “Femmes et accès aux soins”, 739-40.
75. Tamale, “How Old Is Enough?,” 94; Parikh, “Loving a Schoolgirl,” 1780.
76. Interview, journalist, Kampala, 18 January 2013.
77. Interview, young male resident, Kampala, 15 January 2013.
78. Parikh, “Loving a Schoolgirl,” 1781.
79. Interview, prosecutor, Walungu, 6 April 2017; interview, judge, Bunia, 22 November 2017.
80. Interview, police officer, Bunia, 8 and 15 November 2017; interview, judge, Bukavu, 9 September 2017.
81. Uganda Police, “Annual Crime Report (2013),” 15.
82. Interview, police officer, Kampala, 21 November 2011.
83. Interview, journalist, Kampala, 18 January 2013.
84. Interview, prosecutors, Bunia, 21 November 2017.
85. Interview, journalist, Kampala, 16 January 2013
86. Tamale, “Contours of African Sexualities” 2017, 20.

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