

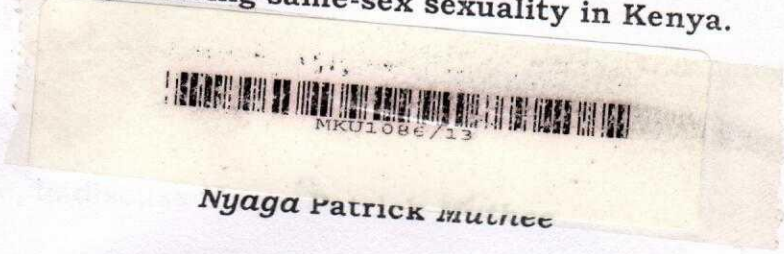
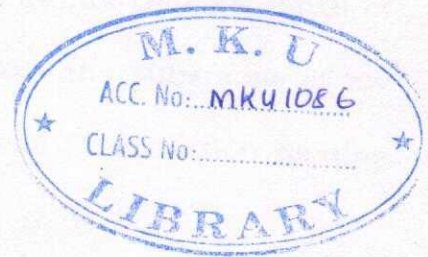
RESEARCH PROJECT

Mount Kenya University

(School of Law)

Working title:

Legal-social challenges facing same-sex sexuality in Kenya.



BLAW/NRP/102/0008

A research for the partial fulfilment of academic requirements for the degree of law in the School of Law, Mt Kenya University

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ABSTRACT

This research examines legal-social challenges facing same-sex sexuality in Kenya. It moves from attempting a brief introduction to the components of research in chapter one—to pointing out some of the researched challenges in a contextual multi-disciplinary manner. This is not limited to legal, social, political and religious fronts. It cuts across the stereotyping of same-sex sexuality in our Kenyan society, and employs social jurisprudence to examine the role of law in social change relating it to human rights—especially those referred to as *minority* rights.

Chapter two kicks off by indicating the general scope to be covered. It has further indicated the inter-disciplinary nature, linking the field of law to politics, religion, human rights and marriages under the umbrella of 'same-sex sexuality in Kenya'. It tries examining the social, media and legal attitudes towards the same. In this context, social set up is examined as encompassing religious and political interests that have challenges gay marriages being legalised in Kenya—both before and after the new Constitution. It seek to answer the question, do gay have any rights in Kenya? Thus it digs down the various attitudes that people remark over same-sex sexuality in Kenya.

The author assesses 'Legal-social Challenges' facing same sex-sexuality in Kenya under Chapter three. This tries to compare Kenyans situation to that of South African and other related democracies in our social-legal set up. Overlapping social, legal, political and religious interests are practically also studied with a view to untangle the mist surrounding same-sex sexuality. This chapter resonate with what is termed as *morality*.

Chapter four gives a legal social analysis on how we can approach political, religious and other social challenges in enhancing effective constructive work and implementing our Constitution, comparative jurisprudence is employed to Chapter five draws a conclusion and offers a recommendation.