

Statement by Indian groups and individuals on Uganda Anti-Homosexuality Act, 2014
February 26, 2014

To,

President Yoweri Museveni, Members of Parliament of Uganda,
and the People of Uganda

Through Ms Elizabeth Napeyok, High Commissioner,
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We register here our strong condemnation of President Museveni's signing of the Anti-Homosexuality Bill, 2009 into law. The Uganda Anti-Homosexuality Act, 2014 violates the basic human rights of the kichus of Uganda, impeding their right to live and love without harm to others, in enjoyment of the rights of freedom and equality guaranteed by the Ugandan Constitution. In the face of this severe blow to the struggle for universal human rights, we reassert our solidarity with the lesbian, gay, bisexual, transgender, queer, disabled and HIV-affected people of Uganda, and of all 36 of Africa's 55 countries where same-sex relations are illegal.

We write as citizens of India, also a former British colony grappling with the multiple legacies of colonialism, of which the inheritance of homophobic laws is only one. We too have been told that homosexuality is a 'Western import' that is alien to our culture. This claim flies in the face of a wealth of evidence of same-sex love and desire in our histories and cultures. It is a matter of fact that same-sex love in our cultures, and in parts of Africa including Uganda, was accepted, and in some contexts, celebrated until the advent of the colonial experience. It is a claim that, moreover, is contradicted by the fact that Section 377 of the Indian Penal Code, 1860, represents the most aggressive institutionalisation of the criminalisation of homosexuality in the history of the Indian subcontinent. It is this legislative initiative of an unrepresentative colonial state that was then replicated in only slightly modified forms in other colonies of the British state, including Uganda. It is homophobia, rather than homosexuality that is a colonial legacy. Today, we are engaged, along with our counterparts in other ex-British colonies, in an ongoing struggle against this legacy of colonialism, a struggle in which we have relied primarily on the activist labours of our people and on the moral and legal commitments of laws and Constitutions that we have given unto ourselves.

As a post-colonial state that is proud of its hard-won independence, we understand, share and support Uganda's commitment to realising and maintaining democratic decision making processes, in line with your Constitution and in the exercise of your sovereignty, unimpeded by the external world.

In this context, we are concerned by numerous analyses and critical commentaries that have shown the Anti-Homosexuality Act, 2014 is itself an externally sponsored initiative, drafted with considerable encouragement and advice from US-based evangelicals whose moral, theological and political agendas do not prioritise, or rather undermine the welfare of the entirety of Uganda's people. In this context it is important to emphasise that the Act disregards and devalues the lives of Uganda's own people. We urge you to listen to those brave Ugandan voices in every walk of life who have stood up for basic human rights and fundamental freedoms of all people in Uganda without regard to considerations of tribe, region, religion, sex, nationality, disability, or sexuality.

We reach out in solidarity against attempts at imperialist control over our political, moral, ethical and cultural lives. The irony of history is that the Anti-Homosexuality Act, 2014, which is an instance of such attempts at control, is being hailed as evidence of the expression of sovereignty. To recognise the rights of all Ugandans to lives of dignity, equality and freedom of expression and assembly, by immediately repealing the Anti-Homosexuality Act, 2014 would be the true assertion of sovereignty.

Signed:

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