

LGBTI Uganda Fights Back

The Case Against Scott Lively

Over the last few years, the lesbian, gay, bisexual, transgender, and intersex (LGBTI) rights movement in Uganda has experienced an escalation of discrimination, threats of violence and persecution. For at least the past ten years, U.S.-based evangelical Scott Lively has participated in a conspiracy to deprive LGBTI Ugandans of their fundamental human rights. Lively has compared the effect of his work there to a "nuclear bomb" that he hopes can be replicated elsewhere. Indeed, Lively has travelled to almost forty countries, such as Russia, Latvia, and Moldova with his antigay agenda.

On March 14, 2012, the Center for Constitutional Rights, representing Sexual Minorities Uganda - a coalition of Ugandan LGBTI organizations - filed a lawsuit against Lively for his role in the persecution of the LGBTI community in Uganda.

What is Sexual Minorities Uganda?

Sexual Minorities Uganda (SMUG) is a non-profit umbrella organization comprising various Ugandan LGBTI organizations that works toward achieving full legal and social equality for LGBTI people. SMUG has repeatedly called attention to U.S. evangelicals' role in worsening the atmosphere of hate towards the Ugandan gay community



SMUG, its member organizations and staff have been subjected to severe forms of discrimination, serious human rights violations, and degrading outing campaigns with calls to violence. One of the most blatant examples occurred when a newspaper published photos, names and contact information of LGBTI persons, including

SMUG Advocacy Officer David Kato and a sympathetic minister, under a banner that said "Hang Them."

U.S. Evangelicals' Attacks on the LGBTI Movement in Uganda

U.S. conservative religious groups have been successful in recruiting a significant number of Ugandan politicians, religious leaders and others to campaign for the restriction of LGBTI rights. Public Research Associates, a Boston-based think tank, has described this phenomenon as "globalizing the U.S. culture wars." One aim is to establish credibility for ideas such as "curing" people of homosexuality through forced conversion therapy, and generally seeking to take away rights from LGBTI persons and eradicating all forms of LGBTI advocacy.

Scott Lively in Uganda

Scott Lively is the President of the conservative evangelical Abiding Truth Ministries, which is classified by the Southern Poverty Law Center as a hate group. Lively has said the gay rights movement is "the most dangerous political movement in the world." Lively has set out a methodology for stripping away the most basic human rights protections, to silence and ultimately disappear LGBTI persons from public life, through eliminating any political space, revoking their fundamental rights, and/or coercing them into conversion "therapy."

Lively has been travelling to Uganda and meeting with influential political figures since 2002. After he began working in Uganda, Lively has described being treated like a celebrity there. He has been interviewed for major daily newspapers and leading television and radio shows, and has met and worked with key government officials, parliamentarians, and religious leaders to craft the anti-gay agenda.

In March 2009 Lively alongside other U.S. evangelicals and Ugandan organizer Stephen Langa led a three-day conference in Uganda entitled *Seminar on Exposing the Homosexual Agenda* - that was billed as the first of its kind on the continent of Africa - with the aim of ramping up the denial of rights to LGBTI people and intensifying the climate of hostility. The conference was attended by high-profile religious and government leaders, police officers, teachers, and concerned parents.

Lively advises in *Redeeming the Rainbow*, his how-to book, that the most effective way of preventing public sympathy for gays is to suggest and emphasize a threat to children of sexual violence and recruitment that he alleges the gay movement poses. During the 2009 conference, Lively amplified this message, telling audiences about purported instances of child rape and equating that with homosexuality: “when [homosexuals] see a child that’s from a broken home, it’s like they have a flashing neon sign over their head.” After the conference, government officials, parliamentarians and other anti-gay leaders carried this message forward and began emphasizing the threat to and recruitment of children as the primary reason for needing tougher legislation.

Ugandan activist Pepe Onziema observed that, “The conference basically introduced the idea that [the homosexual agenda] is to recruit children into homosexuality.” It was this focus on children and the supposed dangers faced by children that went on to be touted by the authors of the Anti-Homosexuality Bill and those drumming up support for the bill.

Upon hearing that a Ugandan commentator stated his campaign “was like a nuclear bomb against the ‘gay’ agenda in Uganda,” Lively wrote that he prayed that was true and later stated, “I’m proud of that, and I hope the nuclear bomb spreads across the whole world, against the gay movement.” As in Uganda, Lively aims to criminalize LGBTI advocacy elsewhere and, towards this end, has worked with religious and political leaders in Russia, Moldova and Latvia. He states he has spoken on the topic of homosexuality in almost forty countries.

What is the “Kill the Gays Bill”?

The Uganda Anti-Homosexuality Bill, commonly known as the “Kill the Gays Bill,” enumerates degrees of homosexuality and imposes punishments based on these arbitrary divisions in ways that would carry the death penalty for even consensual sex between adults. For instance, “aggravated homosexuality,” defined as when one of the participants is a minor, HIV-positive, disabled or a “serial offender”, warrants the death penalty. “Serial offender” includes those who have been convicted a second time of consensual sex between adults; those that “promote homosexuality” can be imprisoned for up to seven years; LGBTI Ugandans living abroad can be extradited and persecuted. The bill also criminalizes failing to report someone’s homosexual orientation, even if that person is a family member, child, neighbor, or close friend.

The bill was first introduced to Parliament in 2009 and

was reintroduced in February 2012. The person who introduced the bill is David Bahati, a Member of Parliament in Uganda who is affiliated with The Family, a right-wing U.S. religious organization that provides a conservative fellowship forum for political decision-makers. Bahati attended the 2009 Uganda anti-gay conference and consulted at length with Lively about the contents of the bill. Approximately one month after the conference, Bahati first introduced the bill. Specific provisions in the Kill the Gays Bill bear Lively’s mark. He has contributed the portions of the bill intended to criminalize advocacy around LGBTI rights as well as to deprive gay activists of the rights of freedom of assembly, association and the right to be free from discrimination.

Ugandan activists have said that no matter what happens with the bill, its mere introduction and reintroduction have increased the climate of hatred and persecution.

The Case against Scott Lively

On March 14, 2012, the Center for Constitutional Rights sued Scott Lively in Massachusetts, where he lives, using the Alien Tort Statute (ATS), a legal tool that allows foreign victims of human rights abuse – in this case SMUG – to seek civil remedies in U.S. courts. SMUG is suing Scott Lively for the persecution they have faced as a result of his involvement in a conspiracy to deprive them of their rights based on their sexual orientation and/or gender identity. Persecution is defined in international law as the “intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity.” The complaint outlines Lively’s work in Uganda since 2002.

On August 14, 2013 Judge Posner ruled that the case can move forward over Scott Lively’s request to dismiss the lawsuit. In his historic decision, Posner was the first federal judge to recognize that, “widespread, systematic persecution of LGBTI people constitutes a crime against humanity that unquestionably violates international norms.” The case is now in pre-trial proceedings.

Get Involved

- ⇒ Read and share this factsheet and CCR’s other materials about the case via social media and blogs.
- ⇒ Sign up on CCR’s website for email alerts so you can take action as needed.
- ⇒ Write a letter to the editor of your local paper about the role U.S. evangelicals are playing in spreading hate in Uganda and elsewhere.

For More Information:

www.ccrjustice.org/LGBTuganda