

Sworn on behalf of: Plaintiff
Name of deponent: Judith Felecia Aidoo-Saltus
No. of affidavit: 1st
Exhibit: "JFAS-1"
Sworn on: 11 April 2018



**IN THE SUPREME COURT OF BERMUDA
CIVIL JURISDICTION
2018: No. 99**

**IN THE MATTER OF AN APPLICATION UNDER
THE BERMUDA CONSTITUTION 1968**

AND IN THE MATTER OF THE DOMESTIC PARTNERSHIP ACT 2018

BETWEEN:

OUTBERMUDA

First Plaintiff

-and-

MARYELLEN CLAUDIA LOUISE JACKSON

Second Plaintiff

-v-

THE ATTORNEY GENERAL

Defendant

AFFIDAVIT OF JUDITH FELECIA AIDOO-SALTUS

I, Judith Felecia Aidoo-Saltus, of 9 Beach Road, Sandys SB01, Bermuda, MAKE OATH and SAY as follows:

1. I make this affidavit on behalf of the Plaintiffs. The facts set out herein are true. Where information was provided to me by others, the facts are true to the best of my information and belief.
2. True copies of certain documents are now shown to me marked Exhibit "JFAS-1". References made to tab numbers are to the tabs in that exhibit.

3. I live with my Bermudian wife, Julia Jane Lily Aidoo-Saltus, in Bermuda. I hold two passports: one American and one Ghanaian. I was born in Washington, DC on December 9, 1962, but my heart and soul belong to Africa, and I have lived there for much of the last 43 years.
4. I am the second of four children born to an African-American mother from Charleston, South Carolina and her husband, a surgeon from the Ashanti kingdom in Kumasi, Ghana in West Africa. Both were Howard University graduates; church going, accomplished entrepreneurs, and recognized pillars in our community. Largely due to their influence, I am a Harvard trained lawyer; a former investment banker; a photographer, poet, and producer; and a dedicated philanthropist.
5. In 1975, my family moved to my late father's homeland of Ghana, a former British Colony that gained independence in 1957, the first in Africa. I attended the oldest and most prestigious girls school in the country, one founded by Methodist missionaries in 1836 in the city of Cape Coast, the former seat of the British colonial administration. I attended scripture service daily and was schooled in both academics and cultural mores. I excelled there, and this period remains one of the cornerstones of my life. Indeed, I deliberately maintain close ties with many members of my high school class and regularly attend our meetings and reunions; actively participate in our group social media; and contribute financially and otherwise to ensure our collective development. The school's credo to "Live Pure. Speak True. Right Wrong. Follow the King" informs my personal decisions, including this humble submission.
6. I started in Form 3 in 1976 as a confident, energetic, inquisitive student, and a bit of a tomboy. If one were to casually glance at pictures of me from that time, one would observe that my natural bearing, choice of dress, and energy (often evidenced by my vigorous defense during basketball practice) would warrant this appellation.
7. While at school, I became aware of a well known and accepted cultural practice at girls schools, called supi in our local language. This term refers to the special relationship, often romantic if not always sexual, that is entered into formally between two girls in many all girl schools in Ghana. Supi is considered in Ghanaian culture as a somewhat amusing fact of life, an understandable practice among pubescent girls in all female environments. However, it is a practice that girls are expected to relinquish as they age and prepare for traditional marriage to men. Although I never had a supi, I was intrigued by the concept and, but for my

uncharacteristic timidity in affairs of the heart, I would certainly have been a supi myself.

8. In Ghana, as in many cultures, we place great importance on the name that we bestow on children and things. Indeed, among the Ashanti in Ghana, of which I am a proud member, when a child is born into our family, we conduct a formal naming ceremony in front of the entire community to introduce our newest member. It is the first of many of our formal rites of passage, perhaps only matched in importance by marriage and death. During a traditional Ashanti naming ceremony, normally performed a week after birth because of high infant mortality, an elder in the family will place a drop of water, nsu, on the newly named child's tongue and say, in the presence of the entire community: this is water; when you taste it, you must call it water. He will then bring a drop of a clear alcohol, traditionally imported Schnapps, a product of our colonial influence, and say to the child: this is Schnapps; when you taste it, you must call it Schnapps. Even though the two liquids may look identical, the very day an Ashanti child is named and introduced to our society we teach it to have the wisdom (and, if required, the courage) to distinguish between two things that look alike, and, most important, to speak true by calling each by its rightful name.
9. The fact that the word supi itself exists in my Ghanaian culture, the fact that it is our tradition to train our children at very young ages to learn and follow the precise rituals required to become spouses, the fact that one is considered to be a failure if one does not marry, all form evidence of the understanding and importance that we place on deep, emotional love connections. Indeed, we believe that marriage itself strengthens all our families, and, by implication, the nation itself.
10. These above stated facts about African culture in general, and Ashanti culture in particular, may run contrary to public perception. However, let the record show that neither marriage, nor homosexuality (nor bigotry for that matter), are foreign concepts to Africa or Africans. Both practices preceded the arrival of the first Europeans in Africa, namely the Portuguese, who, coincidentally, landed in 1471 in a coastal town they came to call Elmina. It is in what is today Ghana, and is literally a stone's throw from my old high school. Moreover, both practices have been well evidenced in our histories, indigenous languages, customs, and traditional laws and religions, before the advent of colonialism. Fortunately, this is well documented in both the academy and the arts from all over the world, including, importantly, by African scholars and creators themselves. One has to have the will to look and the

courage to see and, most important, once seen, to speak true. See, for example, a list of literature on African homosexuality compiled by the Rainbow Alliance [TAB 1], and a sampling of articles from that list [TABS 2 and 3].

11. It is customary in many societies, including those African, to give acknowledgement, support, and respect to homosexual and lesbian relationships and marriages. Perhaps the case of the new South Africa, led by global leaders and Nobel laureates such as the late, great Nelson Mandela and Archbishop Desmond Tutu, is of particular note. At the advent of creating a new multi-racial, multi-ethnic, free society, founded on its post-apartheid constitution, South Africa made recognition of its gay citizens' right to marry essential and unequivocal, even in the face of religious and cultural opposition. After years of political and personal struggle, they understood clearly that no one can be free unless all are free.
12. It is for these reasons that I humbly submit these comments which can be simply summarized in this way: while marriage and domestic partnerships may look identical, conferring similar rights, serving essentially the same purpose, they are not the same thing. We know this by the very names that we give one, as distinct from the other. I must, those of us who can must, speak true.
13. My prayer is that every human, let alone every Bermudian, will have the right to freely choose their beloved, in the loving company of family and friends, without shame or a sense of second class citizenship, and speak true, giving rightful name to their lawfully wedded spouse. It is a naming that I, Judith Aidoo, now Judith Aidoo-Saltus, hold dear, as should we all.

SWORN by the said
JUDITH FELECIA AIDOO-SALTUS
In the City of ~~Hamilton~~ Charleston
In ~~Bermuda~~ South Carolina
On the 11th day of April 2018



Before me:



Notary Public (Commission expires 07-26-2027)



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RSAS/1760-001

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These are the documents referred to in the affidavit of Judith Felecia Aidoo-Saltus affirmed before me this 11th day of April 2018.



Notary Public

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