

International Journal of Arts and Humanities (IJAH) Ethiopia

Vol. 8 (1), S/No 28, JANUARY, 2019: 26-32
ISSN: 2225-8590 (Print) ISSN 2227-5452 (Online)
DOI: <http://dx.doi.org/10.4314/ijah.v8i1.3>

Culture, Morality, and the Homosexual Fix in Nigeria

Yeseibo, John Ebimobwei, PhD

Department of Theatre & Film Studies
Faculty of Humanities
University of Port Harcourt, Port Harcourt
Rivers State, Nigeria
Email: johnyeseibo58@gmail.com
Phone: +2348037058079

Abstract

There is ample evidence from historical and anthropological studies that same-sex African partnerships existed long before colonization of the continent. Homosexuality may have been frowned at but it was never criminalized. Homosexuals are due the personal rights identified with human dignity, including the protection of their persons and the freedom to associate. Homosexuality is a right of sexual orientation and morality should not be smuggled into a discussion of sexual orientation. This paper is therefore of the view that the prohibition of homosexuality in Nigeria negates basic human rights, and is in contempt of international agreements in respect of articles 18-20 of United Nations Universal Declaration on Human Rights, which articulates the rights to freedom of thought, conscience, religion, association and assembly. Characterizing homosexuality as putrescent and offending African values and African morality is tortured logic and portrays our culture as pitifully static. There is no such thing as authentic African essence that is inherently inimical to homosexuality. African history will be a skewed one if the voices of minority groups such as homosexuals are not reckoned with.

Key words: Homosexuality, Nigeria, Culture, Morality, Sexual orientation, Human Rights

Introduction

Homosexuality predates modern times. In ancient Athens, pederasty, sex with a child, was a rite of passage: boys were forced to submit to anal sex with older “lovers” (French, 2008, p.215) Studies of homosexuality have been important for revealing the historical and cultural

construction of sexuality and gender. Foucault (1978) demonstrated that definition and regulation of sexuality were means by which power was organized in Western society. According to Foucault, the regulation of sex was designed as the radical feminists had also argued, to sustain heterosexual monogamy as the norm. Following Foucault, most theorists have identified our contemporary sense of the term – referring to types of sexual person and kinds of erotic attraction – as emerging in the late nineteenth century. Bray, cited in Benstock et al (2002) has argued for an earlier origin in the “molly houses” that developed in the seventeenth century. The word itself was introduced by a Swiss doctor, Karoly Maria Benkert, in 1869, but Austrian sexologist Richard von Krafft-Ebing is generally credited with first defining the conditions of “homosexuality” and “heterosexuality” in his controversial “*Psychopathia Sexualis*” (1886, 1892). The term entered the English language with the publication of Havelock Ellis’s works in the 1890s, including “*Sexual Inversion*” (1897), written with poet John Addington Symonds. (Benstock, et al, 2002, p.186)

There is a continuing and dynamic debate about the causes of homosexual preferences, which is interrelated with views about the acceptability of homosexual behavior. Although it has become a less popular view, some individuals continue to classify homosexuality as an illness or a perversion, or both. In “Legislating Hate”, Nancy Xie posits that “... people undergo psychotherapy to change their sexual orientation, while many still believe that homosexuality is a mental, or even physical disease that will contaminate their community.” (qtd in Tamale, 2013, p.38) A more scientific, rather than moralistic, view argued that there is a genetic predisposition to homosexuality, even that one’s sexual preference is “hard-wired,” or determined by some neurological structures in the brain itself. Although there are serious scientific challenges to this view, it remains popular, in part because it makes non-heterosexuality predetermined, rather than an individual’s choice or the result of flawed upbringing. But according to Whitehead and Whitehead as cited in Tamale (2013), “If homosexuality were significantly influenced by genes, it would appear in every culture” (p. 21), but this is not empirically the case. Medical professionals sought explanations for sexual “deviance” in the body, measuring brain size, organ shape and so forth. Psychiatrists and sexologists, from Richard von Kraft-Ebing to Havelock Ellis, classified “perverts” by naming them zoophiles, mixoscopophiles, presbyophiles, zoerasts, gynecomasts and sexoesthetic inverters (Benstock, et al, 2002, p.184)

People may change their sexual views, behaviours, and even their identities throughout their lifetimes. Some scholars of sexuality maintain that sexual preference is not a fixed characteristic, but is a product of social experiences and can be influenced by changing circumstances. For example, prisoners may be committed to same-sex partners while incarcerated, but revert to heterosexual relationships on return to the outside world. (Kramer, 2005, pp.62-3) Emotional attachment to an individual at a particular point in one’s life may make that person a sexually attractive object, even if he or she is of the sex one has typically not seen as sexually interesting. This view strongly supports Faderman’s (1981) definition of lesbianism as:

A relation in which two women’s strongest emotions and affections are directed toward each other. Sexual contact may be part of the relationship to a greater or lesser degree, or it may be entirely absent. By preference the two women spend most of their time together and share most aspects of their lives with each other (pp.17- 8)

Although it is well supported by research, this more fluid view of sexual preference is less popular than biological and essentialist models. African societies, like all world contemporary societies, are evolving. Interpretations of gender and sexuality are shifting too, calling into question age old assumptions of binary sexual orientations, gendered roles, relationships and identities (Azodo & Eke, 2007, p. xiii). As current debates on gay rights and same-sex marriage rage at all levels of many contemporary societies, discourse on the diversity of gender and sexual identities can no longer remain a tabooed topic in African creative arts.

This paper studied homosexuality as a right of sexual orientation that should not be viewed from the lenses of African values and morality.

Culture, Homosexuality and the morality question in Nigeria

Homosexual activity in Nigeria has been legally prohibited, with sanctions of up to 14 years imprisonment. In addition to criminalizing homosexuality, Nigeria has enacted legislation that would make it illegal for heterosexual family members, allies and friends of the Lesbian, Gay, Bisexual and Transgender (LGBT) to be supportive. According to Nigerian law, a heterosexual ally “who administers, witnesses, abets or aids” any form of gender non-conforming and homosexual activity could receive a 10-year joint sentence.

The question is, is the legislation not a gross abuse of basic human rights, especially the right of sexual orientation? The legislation is a contempt of international agreements, especially in respect of articles 18-20 of the United Nations Universal Declaration on Human Rights, which articulates the rights to freedom of thought, conscience, religion, association and assembly. By western standards, the sanction of imprisonment for an adjudged crime as homosexuality, is severe and a violation of civil liberty. The place of homosexual identity within the sphere of human rights needs to be recognized. Homosexual persons are members of a “particular social group” whose treatment is regulated by international standards of human rights. The moral complicity in abuse of individual rights, on the part of the legislators is evident. The cultural status of homosexuals in Nigeria itself equates with abuse. The issues of legal rights for gay people and culture and moral issues with respect to the state on this topic are complex, and certainly far from consensually resolved at this point in the West as much as anywhere. The failure to address the character of homosexual ‘rights’ in this light, carefully and deliberately, is therefore itself a moral failure of the first order. Homosexuality threatens the beliefs that justify patriarchy hence the homophobic response of men in society. In the thinking of Lesbian separatists, “heterosexuality was a means of patriarchal domination, a denial of female pleasure and the sexual enslavement of women. Rich (1979), argued that “heterosexuality was not natural, but an institution that enforced ‘woman’s total emotional, erotic loyalty and subservience to men.” (p.110) According to her, woman’s natural desire is for other women, and only societal forces “wrench(ed) women’s emotional energies away from themselves and other women and from women-identified values. (p. 35)

Sedgwick as cited in Benstock et al (2002), argued that patriarchal structures make heterosexuality obligatory and reveal a fundamental resistance to homosexuality. The consequences of this situation are clear, according to Rubin (2003), “The suppression of the homosexual component of human sexuality, is ... a product of the same system whose rules and relations oppress women” (p.180).

There are two contrasting theoretical approaches to understanding the endurance of patriarchal ideology. One view emphasizes culture’s power and its resistance to change. The other view of

patriarchy's endurance emphasizes the influence of social structural arrangements on the content of culture (Kramer, 2005, p. 49). Men have created, promoted and maintained a worldview to support the existing distribution of power. Hegemony includes maintaining the aspects of the culture that serve powerful interests. It also involves changing the cultural aspects that challenge prevailing interests. If the interests of the dominant group change, therefore cultural change is likely to follow. The slow rate of cultural change is indicative of the resistance of powerful groups to structural change than some inherent resistance to change in culture itself. Culture and social structure are interdependent. Change in one, influences change in another; the initiation of social change is not restricted to one or the other (Kramer, 2005, p. 49).

The three major monotheistic religions – Christianity, Judaism and Islam- have traditionally been deeply patriarchal in their teachings. The formerly powerful doctrine of separate spheres had its religious teachings. Religion continues to influence and reflect cultural beliefs and practices. Rejection of homosexuality is common among those religions that are most patriarchal in their doctrine. Denominations with congregations ranging widely along a theologically conservative liberal continuum are currently experiencing internal strife, as openly lesbian (e.g., the United Methodist Church in 2004 and gay (e.g., the Episcopal Church) religious leaders are acknowledged and accepted by their church hierarchies.

The Anglican Primates at Dromantine (2005) aver that the intrinsic dignity of each person must always be respected in word, in action and in law: “the victimization or diminishment of human beings whose affections happen to be ordered towards people of the same sex is anathema to us.” (Radner & Goddard, 2014, p. 5)

The Nigerian Church's claim is that homosexual sex is inherently immoral, something known on the basis of the Bible. Homosexual practice is therefore evil:

The Church affirms our commitment to the total rejection of the evil of homosexuality which is a perversion of human dignity and encourages the National Assembly to ratify the Bill prohibiting the legality of homosexuality since it is incongruent with the teachings of the Bible, Quran and the basic African traditional values. (Radner & Goddard, 2014, p. 6)

The Christian Church seeks to maintain public order and moral cohesion. In the view of Radner & Goddard (2014):

At the human and physical level, there is much moral decadence, encouragement of violence and lasciviousness by the screens, eroded family value and shameless immorality actively supported and promoted outside our shores by some government laws in the name of human rights and even encouraged by some religious groups in the corrupted name of love (p. 7).

It is against this backdrop that they ask for concrete legal defenses against the inroads of these corrosive influences. The arguments for maintaining legal limits and even punitive responses to drug use (even among “consenting adults”) are analogous to Nigerian justifications for anti-gay legislation: it protects people from the deleterious effects of their own immoral behavior, protects others from it, and serves as a restraint upon the spread of such behavior within the body politic. Epprecht (2008), however, noted that sexual encounters cannot be treated as a “controlled substance.” All of these rights are implicated in the question of legal limitations on homosexual practice. These rights are also articulated within the framework of a principle of

the common good. This provides regulatory constraints upon individual action on the basis of mutual “duties” (p. 9).

The unquestioning belief in what is characterized as “African values” and “African morality” is appallingly lazy and exemplifies the infantilization of our continent. The underlying assumptions behind claims of an “African culture” (in regard to sexuality, or anything else for that matter) that are usually left unexamined are based on the mistaken assumptions that (1) there exists a monolithic African culture, (2) that culture is static; and (3) that there are no conflicting cultures even within a single African community (Tamale, 2013, p. 38). There is no such thing as authentic African essence. Culture, be it African or Western is not in stasis. It is malleable. Culture is a patriarchal construct that can be reconstructed. The fact that reality can be constructed and reconstructed suffices here. During the second wave of feminist activities, responding to pressure from women’s liberation and gay liberation activists, the American Psychiatric Association conceded that there is no evidence that homosexuality in itself is a disorder and removed this “sexual deviation” from its official manual of psychiatric diagnoses in 1973. This was how homosexuality ceased to be seen as a form of pathology. (Malin, 2004, p. 259). In the view of Azodo & Eke (2007):

Homosexuality is traditional and indigenous to Africa ... although cross-cultural and cross-racial patterns may have influenced groups of Africans and non-Africans. African culture inhibits formations of subcultures of homosexuality, stigmatization, and identity construction as homosexual, simply because such identities could lead to different kinds of illicit sexuality, including prostitution and commercial and non-commercial homosexuality (p.11)

Many African leaders claim that homosexuality was brought into the continent from other parts of the world. For instance, in 1995, then President Mugabe of Zimbabwe denounced homosexuals as “worse than dogs and pigs” (qtd in Tamale, 2013, p.38) and suggested that homosexuality was part of Western imperialism. Nevertheless, most scholarships and researches demonstrate that it has long been a part of various African cultures. This view is supported by Murray and Roscoe and cited in Azodo & Eke (2007) “... the West is not responsible for homosexuality in Africa, for same-sex activities appear indigenous and natural to Africa, despite the lack of subcultures, public identities, roles, and social acceptance that could compare to Western gay and lesbian lives ...” (p.12)

Historical and anthropological studies show that same-sex African partnerships existed long before foreigners set foot on the continent. The point is that while homosexuality may have been frowned upon in pre-colonial Africa, it was not criminalized. According to Tamale (2013):

When the colonialists arrived on the continent during the nineteenth century in search of economic opportunities and political-religious security, they certainly shifted the shape and contours of the handprint of African sexualities – particularly its formal aspects. Through an elaborate “othering” process, African sexualities were depicted as primitive, deviant, and excessive (p. 36).

Sexual alternatives have evolved in the presence of the evolution of history, economy, and culture, individuals engage in new sexual acts, all along latent in them, which surface as they search for their identities in the obsessive and harsh present. Homosexuality should be seen as

an alternative and valid life in a contemporary African society. Labeling a person as homosexual has been used to punish people who deviate from the dominant gender rules.

Conclusion

Africa's relatively incipient social movement for the rights of sexual minorities will doubtlessly achieve results in due course. Anti-homosexual legislation should not be defended on the basis that it is supported by a culture shared in common with Muslims and traditional mores. The Nigerian legislation against gay people is acute and utterly merciless and cannot but be judged dangerous and the Church's support of such legislation, deeply misguided. There is no such thing as an authentic African essence that is inherently inimical to homosexuality. The history of Africa cannot be narrated fully unless the voices of minority groups such as women and homosexuals are brought to the surface. The so-called African Renaissance cannot be realized without the full liberation of all marginalized groups.

Homosexual persons are members of a "particular social group" (Radner & Goddard, 2014, p. 7) whose treatment is regulated by international standards of human rights. On this basis, being a homosexual, whose rights are denied in certain contexts is a justification for the granting of protected refugee status. Defining homosexuals as an identifiable "group" is not an argument about metaphysical, genetic, or created being. It is rather an historical description of what identities others have constructed for certain persons in their mistreatment of them.

The parameters of legal rights for homosexuals will be influenced by the moral adjudication of homosexual sex within the larger society, a society in which the church both lives and whose life it nurtures. In the Nigerian society, there is a general consensus regarding the nature of sexual morality. Homosexuals, however negatively one views their sexual practice are due the "personal rights" identified with human "dignity", including the protection of their persons and the freedom to associate? Fundamental rights are themselves defined by local demands for things like "public order" and the common good". The failure to address the character of homosexual rights carefully and deliberately is itself a moral failure of the first order.

References

- Azodo, A. U. & Eke, N. (Eds.) (2007). *Gender and sexuality in African literature and film*. Trenton, NJ: Africa World Press Inc.
- Benstock, S., Ferriss, S. & Woods, S. (2002). *A handbook of literary feminisms*. Oxford: Oxford University Press.
- Bunch, C. (2003). Lesbians in revolt. In Carole R. M. & Seung-Kyung, K. (Eds.) *Feminist theory reader: Local and Global Perspectives*. London: Routledge.
- Epprecht, M. (2008). *Unspoken facts: A history of homosexualities in Africa*. Harare: GALZ
- Faderman, L. (1981). *Surpassing the love of men: Romantic friendship and love between women from the renaissance to the present*. New York: William Morrow.
- Foucault, M. (1978). *The history of sexuality*. Volume 1: *The will of knowledge*. London: Penguin.
- French, M. (2008). *From eve to dawn: A history of women in the world*. Vol. 2: *The feminine mystique*. City University of New York: The Feminist Press.

- Kramer, L. (2005). *The sociology of gender: A brief introduction*. Oxford: Oxford University Press.
- Malin, B. (2004). "Gender, culture, power: Three theoretical views" In Backlund, P. & Williams M. *Readings in gender communication*. Belmont, CA: Wadsworth.
- Radner, E. & Goddard, A. (2014). Human rights, homosexuality and the Anglican communion: Reflections in light of Nigeria. *African Study Monographs*, 30 (2) 1- 27
- Rich, A. (1979). When we dead awaken: Writing as re-vision" In Rich, A (ed.) *On lies, secrets and silence*. New York: W.W. Norton.
- Rubin, G. (2003). The traffic in women: Notes on the political economy of sex In Carole, R. M. & Seung-kyung, K. (eds.) *Feminist theory reader: Local and global perspectives*. London: Routledge.
- Tamale, S. (2013). Confronting the politics of nonconforming sexualities in Africa. *African Studies Review*, Vol. 56, No. 2: 31-45