

# Sexual difference in Africa: Resistance and compassion

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SEXUAL DIFFERENCE IN AFRICA:  
RESISTANCE AND COMPASSION

**A Thesis  
Submitted in Partial Fulfillment  
of the Requirements for the S.T.L. Degree  
Boston College School of Theology and Ministry**

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## DEDICATION

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To the oppressed

## EPIGRAPH

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“His incarnation witnesses to a divine destiny seeded in our very flesh.”<sup>1</sup>

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<sup>1</sup> M. Shawn Copeland, *Enfleshing Freedom: body, race and being* (Minneapolis, MN: Fortress Press, 2010), 65.

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## **INTRODUCTION:**

### **EVERY LIFE IS WORTH CARING**

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“God gives us our sexuality to expand our human spirit, to draw us out of ourselves and into relationship with others.”<sup>2</sup> This beautiful promise, as Richard Gula formulates it, can present a challenge: what if I am gay or lesbian and willing to live fully my Christian life? Can sexuality still be the promise of human flourishing for me? The African Christian gays or lesbians who entered the Cathedral of Saints Peter and Paul of the Archdiocese of Douala (Cameroon) during the Lenten season of 2013 heard the response of their question in the “Prayer for the respect of life and the human family” that ends with this plea:

Very Merciful God, forgive the sins committed against life: induced abortion, incest, pedophilia and homosexuality. Save from destruction the human family that you created by love. Give to each of us and to our country Cameroon, the grace to respect your plan for the family and human life. Through Jesus Christ our Lord. Amen.<sup>3</sup>

Such a prayer would not surprise them because its terms echo in many ways the surrounding culture that can be inimical to homosexual persons and same-sex relationships. The resistance against homosexuality takes repressive forms that can be legal, political, cultural, and religious which differ from one country to another and even within the same country from urban to rural areas. To survive, defend their rights and their dignity, homosexual persons have developed a network of associations that strive to promote the “homosexual cause”. The confrontation between opponents and supporters of the homosexual reality turns out to be tragic

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<sup>2</sup> Richard Gula, *Just Ministry: Professional Ethics for Pastoral Ministers* (Mahwah, NY: Pauline Press, 2010), 159.

<sup>3</sup> National Episcopal Conference of Cameroon, “Prayer for the Respect of Life and of the Human Family,” *L’Effort Camerounais*, February 2013, <http://www.leffortcamerounais.com/2013/02/national-episcopal-conference-of-cameroon-prayer-for-the-respect-of-life-and-of-the-human-family.html>

when people identified as having sexual attraction for same-sex partners are harassed, raped and murdered.

Disapproval of such attacks and concern for human life are behind the present study. From the perspective of the gospel, how can the Church in Africa call for compassion toward homosexual persons? Such a call is not unprecedented. In many times, many churches have stressed the necessity to care for gays and lesbians despite a disapproval of same-sex relationships.<sup>4</sup> Even more, some religious leaders have asked for forgiveness because of unleashed violence against homosexual persons.<sup>5</sup> Nevertheless, the recurrence of this persecution compels the church to renew the call for compassion and to examine closely the mechanisms and the forms of violence against homosexual persons.

The invitation to be compassionate with homosexual persons is challenging for many reasons. First, homosexuality implies matters related to identity and sexuality that can raise passion. Sexual orientation, as generally understood, is part of what people are and, as such, it is intangible. Anyone who offers a discourse on homosexuality has to respect the privacy of sexual matters and to choose, so to speak, between the camp of the supporters and camp of the opponents of the Lesbian Gay Bisexual Transgender Intersex Queer (LGBTIQ) culture. People

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<sup>4</sup> Congregation for the Doctrine of the Faith (CDF), Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons (October 1, 1986), §10.1, at the Holy See, [www.vatican.va](http://www.vatican.va). Beyond the call not to harm, the Catholic Church articulates a call to care: Homosexual persons “must be accepted with respect, compassion and sensitivity. Every sign of unjust discrimination in their regard should be avoided.” Congregation for the Doctrine of Faith, *Considerations Regarding Proposals To Give Legal Recognition to Unions Between Homosexual Persons* (June 3, 2003), § 4.3. It is interesting to note that local churches relay the call not to harm. An author reports: “The Zambian Episcopal Conference (ZEC) – the body representing the Catholic bishops – also made an official statement through their spokesperson, Fr. Samasumo. This statement, however, did not refer to the legal and political dimension of the issue; it rather stated that while homosexual acts are sinful, people with a homosexual orientation are ‘fellow human beings’ who ‘must not be discriminated against.’” Adriaan S. Van Klinken, “Homosexuality, Politics and Pentecostal Nationalism in Zambia,” *Studies in World Christianity* 20.3 (2014), 6.

<sup>5</sup> For instance The Most Reverend Justin Welby, the Archbishop of Canterbury: Laurie Goodstein and Kimiko De Freytas-Tamura, “For Now, Anglicans Avert Schism Over Gay Marriage,” *New York Times*, January 15, 2016, [http://www.nytimes.com/2016/01/16/world/europe/for-now-anglicans-avert-schism-over-gay-marriage.html?ref=topics&\\_r=2](http://www.nytimes.com/2016/01/16/world/europe/for-now-anglicans-avert-schism-over-gay-marriage.html?ref=topics&_r=2).

who consider homosexuality a practice that violates their religious, cultural and legal ethos can have a negative view on the perspective of compassion let alone the idea of conspiracy against their cultural values.<sup>6</sup> This suspicion is part of the burden that anyone who risks the call for compassion may bear.

On the side of the LGBTIQ community, compassion may not be enough. To be an object of compassion sounds a bit like toleration. And no one wants to be “just” tolerated. Indeed toleration seems to downplay the stigma but does not erase it. However, compassion is not a condescending attitude. Compassion is a virtue that considers the other person as another self and compels the compassionate one to act towards the other not only with sympathy but also with empathy. Compassion is the cornerstone of human societies.

Words are also part of the challenge when it comes to speaking of homosexuality in a specific place like Africa. Concepts of homosexuality, gay, and lesbian have their own historical locus apart from the place of actual consideration. Homosexuality, for example, is not a synonym of same-sex relationships. Mary McIntosh highlights what she calls the “homosexual role” and presents homosexual persons as a social category rather than a medical or a psychological one. Belonging to this group means connection with institutions and representations from both the other members of the group and from the heterosexual.<sup>7</sup> To McIntosh, the categorization of homosexual persons pursues a social purpose:

The labeling serves to segregate the deviants from others and this means that their deviant practices and their self-justifications for these practices are contained within a relatively narrow group. The creation of a specialized, despised, and punished role of homosexual

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<sup>6</sup> The massive support of western countries to the African LGBTIQ looks like a cultural imperialism and a conspiracy against what the majority of Africans hold as values.

<sup>7</sup> “The term role is, of course, a form of shorthand. It refers not only to a cultural conception or set of ideas but also to a complex of institutional arrangements, which depend upon and reinforce these ideas.” Mary McIntosh, “The Homosexual Role,” *Social Problems* 16.2 (1968), 189.

keeps the bulk of society pure in rather the same way that the similar treatment of some kinds of criminals helps keep the rest of society law-abiding.<sup>8</sup>

According to McIntosh, such categorization has not existed always everywhere. Such a categorization appeared for instance in England in the seventeenth century. Following the work of Michel Foucault and others, such labeling and categorizing were recognized as serving to discriminate and control.

Lesbians and gay men have made themselves an effective force in this country over the past several decades largely by giving themselves what civil rights movement had: a public collective identity. Gay and lesbian social movements have built a quasi-ethnicity, complete with its own political and cultural institutions, festivals, neighborhoods, even its own flag. Underlying that ethnicity is typically the notion that what gays and lesbians share – the anchor of minority status and minority rights claims – is the same fixed, natural essence, a self with same-sex desires.<sup>9</sup>

With these distinctions, one should take into account the internal debate within the LGBTIQ communities about identities. Indeed, the category of “queer” questions the notions of lesbian and gay. As Gamson puts it, “Queerness in its most distinctive forms shakes the ground on which gay and lesbian politics has been built, taking apart the ideas of a ‘sexual minority’ and a ‘gay community,’ indeed of ‘gay’ and ‘lesbian’ and even ‘man’ and ‘woman.’”<sup>10</sup>

When we transport the debate to Africa, there is another layer of difficulty. Some homosexual persons resist identifying themselves as members of the global “queer” community or even as gays or lesbians in the sense those terms are apprehended in western countries.

However, the proliferation of a discourse on ‘queer’ or gay movements is not without its problems. One of the major concerns we have is the tendency to essentialise and universalise human experiences by assuming the relevance of ‘western’ categories to the lives of people elsewhere.<sup>11</sup>

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<sup>8</sup> Ibid., 183-184.

<sup>9</sup> Joshua Gamson, “Must Identity Movements Self-Destruct? A Queer Dilemma,” *Social Problems* 42.3 (1995), 391.

<sup>10</sup> Ibid., 390.

<sup>11</sup> Ruth Morgan and Wierenga Saskia, “Present-days Same-Sex Practices in Africa: Conclusions from the African Women’s Life Story Project,” ed. Ruth Morgan and Wierenga Saskia, *Tommy Boys, Lesbian Men, and Ancestral*

The development of concepts like Men who have Sex with Men (MSM) and Women who have Sex with Women (WSW) tries, with a more neutral tone, to fix the problem related to some notions. My use of the terms of homosexuality, gay and lesbian does not take into consideration their historical background. I do think that the way people use the terms today overlaps and develops from their original context. The public that uses broadly the concept of homosexuality includes the Catholic Church, whose documents I will be quoting. In this thesis, it is also fair to mention that more and more homosexual persons claim the gay and lesbian identity as part of a strategy of visibility, and consider sexual orientation as a fundamental right. From this perspective, the analysis of Thabo Msibi is pertinent.

African societies have never historically had a “gay” identity or a pathologized “homosexual” category; however, same-sex sexual attraction and expression were known to occur, but in usually hidden but sometimes even culturally accepted ways. I argue, therefore, that the wave of human rights that has swept through Africa has permitted many to claim a “gay” identity, thus aggravating the already heightened fear of the “anxious” man.<sup>12</sup>

After these epistemological precautions, I would like to explain how I intend to conduct the response of the question behind the concern of this thesis. If the Church has to make a call for compassion for homosexual persons, she may follow three steps that are the three chapters of this work. The first step is a sociological description of different forms of homosexuality in Africa. In this chapter, I observe that same-sex relationships have existed in Africa for a long time. I also stress the fact that on the African continent, I imagine as elsewhere too, there are many forms of

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*Wives: Female Same-Sex Practices in Africa.* (Melville, ZAF: Jacana Media, 2006), 310. The authors present two arguments. The first one is distinctiveness of women economic conditions and the kind of oppressions they face. The second is the fact that some same-sex practices including rituals of healing do not invert considerations of gender. There are nevertheless young and educated lesbians who identify with the global queer community but they remain a minority.

<sup>12</sup> Thabo Msibi, “The Lies We Have Been Told: On (Homo) Sexuality in Africa,” *Africa Today* 58.1 (2011), 55.

homosexuality. This observation challenges any discourse that intends to grasp the phenomenon in an indistinct way.

In the second chapter, I consider disciplines regarding same-sex relationships in some churches. I report the moral teachings of a sample of churches and I observe that there is no consensus among the churches or even within the churches. The presence of dissenting voices and practices as far as concerns homosexuality impels a more compassionate attitude of the churches vis-à-vis homosexual persons.

In the last chapter, I try to articulate a theological reflection with a pastoral concern. I mainly draw conclusions from the preceding chapters and propose an ethics of care that is able to move those who claim discipleship of Jesus to compassion in Africa and elsewhere.

## CHAPTER 1. OVERVIEW ON HOMOSEXUALITY IN AFRICA

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In this chapter I survey types of homosexuality in Africa and show how social actors, including homosexual people, manage them. This review not only underscores the existence of same-sex relations on the continent; it also nuances other stereotypes on the issue, such as African homophobia. It provides background for debate on homosexuality as well as a theology of compassion and an ecclesiology of a “whatsoever Church.”

### I. HOMOSEXUAL PRACTICES

Homosexuality, even if equated to same-sex relations, can be ambiguous. Like heterosexuality, it encompasses different kinds of practices for men and for women as well. The anthropologist Marc Epprecht vividly describes the phenomenon:

First, African men sometimes have sex with other men or boys, today as in the past. They do so in a variety of ways, including anally, between the thighs, and by mouth or hand. They do it for money, for love, or when drunk. They identify as gay, straight, he, she, or some other persona. They do it by rape, out of curiosity, out of shyness or fear of women, and for many other reasons. They do it in their bedrooms, in hotels, prisons, dormitories, nightclubs, cars, in the bushes, and elsewhere. Sometimes they feel ashamed or embarrassed by such behavior, and sometimes they feel just fine.<sup>13</sup>

What this author says for men can be extended also to women. In this section, I will try, without any pretention to be exhaustive, to give an account of these same-sex practices. I sort them into four categories: situational homosexuality, ritualized homosexuality, transactional homosexuality and adult-consensual homosexuality.

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<sup>13</sup> Marc Epprecht, *Heterosexual Africa? : The History of an Idea from the Age of Exploration to the Age of AIDS* (Athens, OH: Ohio University Press, 2008), 6.

## A. Situational Homosexuality

The anthropologist Evans-Pritchard makes the distinction between “situational homosexuality,” that is to say, homosexuality practiced under the constraint of non-favorable conditions for heterosexuality, as in single-sex environments such as prison, and “‘real’ homosexuality,” as motivated by the person’s dispositions and appetites regardless of external conditions.<sup>14</sup> In providing an overview of homosexual practices, it is important not to ignore the variety of homosexual activities. In this section, I give, first, the situations that lead to homosexual practices. Second, I describe these practices.

### 1. *Conditions of inaccessibility to women*

There are reports that, in at least three places in Africa, limited access to women made room for homosexuality. The first concerns the Azande people, who have been living in places that are now South Sudan, the second is from the gold mines in South Africa, and the third involves the Buganda people in Uganda.

In the case of the Azande, the harshness of access to women was twofold. First, princes and wealthy people used to have harems. This behavior raised the value of dowry and prevented poor people from paying the bride price and marrying. The second aspect of the situation is the punishments that men who were caught in adultery had to endure. Penalties were so severe, including expensive compensation or even mutilation of ears, upper lip, genitals and hands,<sup>15</sup> that they usually dissuaded men from courting others’ wives.

The limitation of access to the opposite sex was not only for men. Azande women faced

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<sup>14</sup> Christophe Broqua, “Evans-Pritchard et ‘L’inversion sexuelle’ chez les Azandé,” *Politique Africaine* 126 (2012), 133.

<sup>15</sup> Edward Evans Evans-Pritchard, “Sexual Inversion among the Azande,” *American Anthropologist* 72.6 (1970), 1429.

the same challenge because of the regime of polygamous unions. As with men, the same causes produced the similar effects.

One of the many wives of a prince or of an important commoner in the past might not have shared her husband's bed for a month or two, whereas some of the dozens, even hundreds, of wives of a king must have been almost totally deprived of the sex life normal in smaller homes. Adulterous intercourse was very difficult for a wife in such large polygamous families, for the wives were kept in seclusion and carefully watched; death on discovery, or even on suspicion, would have been the penalty for both the wife and her lover.<sup>16</sup>

In South Africa, migrants who were working in mines experienced the same difficulties as the Azande young men. The mines were located outside the towns, and to satisfy their sexual desire, they contracted “mine marriage.” These relationships were the result of negotiations senior miners undertook with newcomers to the mines and younger miners (up to twenty years old), which set them in a sexual and exclusive partnership. Three main reasons led seniors to boys rather than prostitutes or mistresses in town. First, the senior miners feared venereal disease. Second, some miners were not allowed to go to town as often as they would have liked, and finally, the company of town women was expensive and often ruinous. Those who frequented them stopped sending money back home to support their own families and ended their life miserably.<sup>17</sup> Overall, miners preferred boys to women even if they had also to pay their boy-wives.

As opposed to the Azande model, the “mine marriage” was not institutionalized.

It was an open secret because everyone knew its existence even if senior and junior

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<sup>16</sup> Evans-Pritchard, “Sexual Inversion among the Azande,” 131.

<sup>17</sup>“If a person goes *tshipa* he stops sending money home and simply changes from one mine to the next without ever going home. Nobody knows where he is. Often such people return home eventually very poor, often ill . . . Perhaps he gambles, chases women or drinks. His home fellows try to help but he rejects them, often violently, or he leaves the mine and goes to another... If a wife is left she will not go to town, she may find another man or go back to her own home. The uncles will care for the old *umzi* for her son. If the man now returns he has very little power because his son is the owner of the *umzi*. If he is lucky his wife will come back to him, and they will be looked after by the young boy.” T. Dunbar Moodie et al., “Migrancy and Male Sexuality on the South African Gold Mines,” *Journal of Southern African Studies* 14.2 (1988), 243.

partners preferred meeting in a private place, either underground in an old mine or in barracks when everyone was asleep. Because the relationship was first and foremost a matter of negotiation, it happened that some juniors refused the same-sex partnership or divorced their men.

In both places, the marriage was temporary. When the junior miner had grown up, he found a way to let his “boss boy” know that he could not continue such a service. It used to happen later in his twenties. At that time, the junior found another boy-wife. In the case of the Azande, the relationships ceased as soon as the young men could marry a woman. But before the end of the marital regime, relationships in both cases were similar to heterosexual partnerships.

## 2. *The sexual relationships in situational homosexuality*

Among the Azande people, same-sex relationships should be sorted into two categories. Male same-sexual relations were institutionalized whereas female homosexual practices were kept secret. As far as men were concerned, warriors who were living in barracks around the royal court used to take boy-wives. Evans-Pritchard even detailed that “a youth of position in his company might have more than one boy (*kumba gude*). To these boys their warrior mates were *badiya ngbanga* ‘court lovers.’”<sup>18</sup> The relationships between the young warrior and his boy-wife were under a regime similar to heterosexual marriage. In other words, the warrior had to undertake an official procedure to get his boy-wife from the latter’s family. Once they lived together, the relationships between the boy-wife and his husband were exclusive.

I have pointedly used the terms “wife,” “husband,” and “marriage,” for, as the texts will make clear, the relationship was, for so long as it lasted, a legal union on the model of a normal marriage. The warrior paid bridewealth (some five spears or more) to the parents

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<sup>18</sup> Evans-Pritchard, “Sexual Inversion among the Azande,” 129.

of his boy and performed services for them as he would have done had he married their daughter; if he proved to be a good son-in-law they might later replace the son by a daughter. Also, if another man had relations with his boy he could, I was told, sue him at court for adultery.<sup>19</sup>

Except cooking porridge for their men, the boys used to perform womanly works for their husband like collecting firewood, making fire in the barracks when the warrior came back in the evening and listening to him telling how the day went. These relationships were extended to sex, as the anthropologist testifies: “With regard to the sexual side, at night the boy slept with his lover, who had intercourse with him between his thighs (Azande expressed disgust at the suggestion of anal penetration). The boys got what pleasure they could by friction of their organs on the husband’s belly or groin.”<sup>20</sup> As mentioned above, these relationships were by definition temporary. When the warrior became able to get a woman, he changed partners. By the same token, the boy-wives became warriors and would get in turn boy-wives. This circle led the anthropologist to think that the time the boy-wives spent near their men was also a time of apprenticeship in the arms profession.

The women did not have the privilege of the institution. They had to hide and to keep the relation secret. They used to disguise the relation as a regular friendship and find a favorable time and place for meeting.

Wives would cut a sweet potato or manioc root in the shape of the male organ, or use a banana for the purpose. Two of them would shut themselves in a hut and one would lie on the bed and play the female role while the other, with the artificial organ tied round her stomach, played the male role. They then reversed roles.<sup>21</sup>

As far as the “mine-marriages” were concerned, the boys used to behave as in the Azande model. They were supposed to perform feminine duties for their husbands, including sexual

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<sup>19</sup> Evans-Pritchard, “Sexual Inversion among the Azande,” 1430.

<sup>20</sup> Ibid., 1430.

<sup>21</sup> Ibid., 1431-1432.

relations.<sup>22</sup> Same sex relationships were done between the thighs of the junior. Sodomy, however, is not absolutely excluded. Nevertheless, these relationships were exclusive, and men could fight for the same boy.

In conclusion situational homosexuality is characterized by scarcity of resources. Men or women who engaged in same-sex relationships accommodated the circumstances in order to satisfy sexual desire and carry out their work as miners. Cases examined here are historically and geographically situated. It does not mean, nonetheless, that they do not occur at present in other contingencies and other places. The next type of homosexuality is radically different because sexual desire is subordinated to another end.

### **B. Ritualized Homosexuality**

The expression “ritualized homosexuality” comes from the anthropologist G. Herdt who applied the concept to some male sexual practices in Papua New Guinea during rites of masculinity.<sup>23</sup> In this section, I designate as ritualized homosexuality same-sex practices produced as a means to get access to mystic resources. These practices are a component or a condition of a performance that involves invisible forces and from which some mystic benefits are expected. I will substantiate this point with reports from South Africa and from Central Africa.

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<sup>22</sup> “An *inkotshane*’s duty appears to be to fetch water, cook food and do any odd work or run messages for his master and at night time to be available as bedfellow. In return for these services the *inkotshane* is well fed and paid, presents and luxuries are lavished upon him...” Moodie et al., “Migrancy and Male Sexuality on the South African Gold Mines,” 234.

<sup>23</sup> Gilbert H. Herdt, “Introduction to the Paperback Edition,” in *Ritualized Homosexuality in Melanesia*, ed. Gilbert H. Herdt (Berkeley: University of California Press, 1984), vii.

### 1. *Ancestral wives in the sangomas*

The *sangomas* are prestigious traditional healers in South Africa, including both men and women.<sup>24</sup> A senior *sangoma* teaches the techniques or the art of healing to the novice during a period of initiation. Being a *sangoma* is not an ordinary profession but rather a vocation one receives from the ancestors. These ancestors, who are the holy spirits of the dead, choose this person, who can be one of their descendants or not. Their calling is both gratuitous and irresistible.<sup>25</sup> The one who is called receives, after a period of apprenticeship, favors and assistance from the ancestors that enables the recipient to heal and to predict the future. In this sphere, the visible world and the invisible world are not separated from one another. The *sangoma* becomes the medium through which ancestors perform their healing ministry.

In this work of curing and caring, a woman that the ancestors elect usually assists the *sangoma*. The helper is called ancestral wife because of the election and because when she helps the *sangoma* and dresses him or her, the ancestral woman is helping the ancestor, since the *sangoma* performs *in personam antecessoris*, in the person of the ancestor. The mediation becomes explicit when during the ceremonies of healing the *sangoma* dances and enters into trances. These convulsions are the manifestations of the ancestor's true presence.

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<sup>24</sup> "Same-sex sangomas are powerful people at the centre of African culture. They therefore occupy a special position in society as they are respected and feared. Sangomas who are involved in same-sex relationships don't have the problem of being harassed by the community. Lesbian rape is a punishment and seen as necessary by thugs in order to teach visible lesbians a lesson. However same-sex sangomas are not raped as people are afraid of the sangomas because of the power that they believe sangomas have." in *Tommy Boys, Lesbian Men And Ancestral Wives: Female Same-Sex Practices In Africa*, ed. Ruth Morgan and Saskia Wieringa (Johannesburg: Jacana Media, 2005), 232.

<sup>25</sup> "The calling to become a sangoma is not a choice for the person concerned. It is something that is chosen by the ancestors. The ancestral spirit awakens within the chosen person who then becomes sick or mentally disturbed or gets visions or dreams. Some hear voices in their ears but they don't see the person they are talking to. Some experience dizziness." Nkunzi Nkabinde and Ruth Morgan, " 'This has happened since ancient times...it's something that you are born with': ancestral wives amongst same-sex sangomas in South Africa," *ibid.*, 234.

These ancestors step into the “real” world and can have sexual intercourses with their wives (ancestral wives) through the person of the healer. The actual sex relationships can be homosexual but they are really heterosexual if the ancestor who possesses the sangoma is male.

Nkunzi Nkabinde and Ruth Morgan report such a case:

No, I didn't influence myself to be a man, it is only *Muzi* [the name of the ancestor] who influences me, but he influences me when he is around. But when it's time for *Muzi* to come, I become a man, like when I dance or when I'm at my consulting room [emsamo]. My voice changes and my body becomes tough – that's when I become a man. *Muzi* loves sex. I will tell you everything. After dancing I don't have to stay at that place. I have to take Nomsa [the name of her ancestor woman] and we come straight home. Then we do it until he is fine, and my dear I'll be like a man.<sup>26</sup>

In this case, the homosexuality is the extension of the ceremony of healing. The *sangoma* who performs the same-sex relationships lends, so to speak, her body to her ancestor, Muzi, who satisfies mystically his own desires. This occasional sexual intercourse does not prevent the sangoma, who identifies herself as lesbian, to have her own female partner. Eventually, lesbian sangomas think that ancestors accept same sex relationships and that probably some of them were homosexual persons.<sup>27</sup> The account of the *sangoma* continues today. Another account of ritualized homosexuality occurs also in Central African mainly in Cameroon and Gabon.

## 2. *Homosexuality and secret societies in Gabon*

In an article on homosexuality, rumors and political leadership in Gabon, Alice Aterianus-Owanga conducted some interviews and reports that homosexuality in the country is connected to rituals that aim to capture forces, not unlike the sangoma:

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<sup>26</sup> Nkabinde and Morgan, “This has happened since ancient time,” 249.

<sup>27</sup> “N: So do you think that the ancestors allow [same-sexuality]? Z: Yes, they do agree because some of the sangomas took wives. You find that a person is a female and she takes another female to be her wife. This has happened from ancient times; it's something that you are born with. If it wasn't allowed there wouldn't be so many sangomas like you (pointing at Nkunzi who is an out lesbian sangoma).” Nkabinde and Morgan, “This has happened since ancient times,” 240.

According to the gossip, homosexuality, in Gabon, relates to symbolic and ritualistic forces and would be one of the manifestations of the perversion of powerful men (politicians, businessmen, military ranks) soliciting sexual services from other individuals often through rituals involving capture of energy. Assimilated to Masonic and Rosicrucian circles, these lodges would be the privileged places of rituals designated as evil (homosexuality, sodomy, organ trafficking, consumption of human blood, orgies) where rappers and other local artists sell their bodies to powerful men.<sup>28</sup>

Because rumors are not a credible source of information, what comes through rumors can be unconvincing. The author takes distance with what she reports and prudently uses the conditional tense to incite the readership to take this news with a grain of salt. Nevertheless, this information is worthy of consideration for three reasons. We could reject the argument, stating that there is no smoke without fire. But it must also be considered that, in the field of sexuality, representations matter. Rumors shape opinions and beliefs, and these may very well eventually shape behaviors.

Second, we should not dismiss rumors as opposed to reality. As Debora Amory substantiates, rumors, humor and gossip can be part of the construction of sexuality in some cultures. Because of the taboo that surrounds the issue, people can use indirect routes to speak about the unspeakable.

This, in part, was my argument, described above, that Swahili-speakers' gossip about two women's failed "marriage" was part of a broader sex-gender system, where gender is crafted and constructed through sexual joking of all varieties. Cross-cultural research has demonstrated that there is tremendous variability in the way different groups of people conceive of, talk about, and practice their sexualities.<sup>29</sup>

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<sup>28</sup> "Selon les ragots, l'homosexualité touche aussi au Gabon à des forces symboliques et rituelles, et serait l'une des manifestations de la perversion d'hommes puissants (politiciens, hommes d'affaires, grades militaires) sollicitant les services sexuels d'autres individus, souvent dans le cadre de rituels mettant en jeu des dispositifs de captation de la force (...) Assimilées aux obédiences maçonniques et rosicruciennes, ces loges seraient le lieu privilégié de rituels désignés comme maléfiques (l'homosexualité, la sodomie, le trafic d'organes, la consommation de sang humain, les orgies) où les rappers et d'autres artistes locaux vendraient leurs corps à des hommes puissants. Alice Aterianus-Owanga, "L'Emergence N'aime Pas Les Femmes!" Hétérosexisme, Rumeurs Et Imaginaires du Pouvoir dans le Rap Gabonais," *Politique Africaine* 126 (2012), 62.

<sup>29</sup> Deborah P. Amory, "'Homosexuality' in Africa: Issues and Debates," *A Journal of Opinion* 25.1 (1997), 8.

Lastly, the case of Gabon is not unique in Central Africa. In neighboring Cameroon, more than rumors, we have the warnings and protests of religious leaders against the abuse that powerful people inflict upon some young men. Patrick Awondo and others report the public statement of the Archbishop of Yaoundé, Tonye Bakot, which correlates what rumors murmur in Gabon. In their reports, the authors mention also the political scientist, Achille Mbembe, who worked on the same material as the Catholic leader.

Overall, what is particularly striking in the Cameroonian case is the quite specific image of the homosexual that was at the basis of the uproar. Both the lists and the attacks by the Yaoundé archbishop and others targeted mainly *les Grands*, who are supposed to subject young men to humiliating same-sex rituals. In this vision the link of homosexuality to witchcraft, as well as other forms of occult power and secret associations like Freemasonry and the Rosicrucians, is heavily emphasized. It is this version of the homosexual that is powerfully evoked by Achille Mbembe as the ultimate *phallocrate*: anal penetration as a sublime form of subjection.<sup>30</sup>

These same-sex relationships can seem to be marginal. Accordingly they are not broadly taken into account in the analysis of homosexuality in Africa. But in an attempt to offer an overview of homosexuality on the continent, it is impossible to dismiss this point. Even more, there is a connection between ritualized homosexuality and the next kind of same-sex practices: transactional homosexuality. The young men who consent to these ritualized homosexual practices exchange their favors for money or other privileges. There is here a kind of economy of homosexuality where powerful men get symbolic power in exchange for the material resources of jobless young people.

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<sup>30</sup> Patrick Awondo, Peter Geschiere, Graeme Reid, "Homophobic Africa?: Toward A More Nuanced View," *African Studies* 55.3 (2012), 152. The same authors recall that in 1970s and in 1980s, free-mason was a common name for homosexual.

### C. Transactional Homosexuality

I have reported in my introductory notes that Marc Epprecht mentions a wide range of motivations for African men, more than he mentions for African women, to have same-sex relationships. Money can be one of these reasons. Transactional homosexuality designates same-sex relationships motivated not by love but first and foremost by access to some resources. These resources can be money, a job or advancement in a career, production of music for musicians or opportunities in sport for athletes. Even if these transactions are kept secret, they sparked homophobia.

#### *1. Same-sex relations for money*

Same sex transactions for money can take many kinds of forms. It can be the homosexual counterpart of heterosexual prostitution. In some big African cities where same-sex relations are not a criminal offense, a direct observer can see men soliciting men. This form may relate to what Morgan and Wieringa call a “hit and run.”<sup>31</sup>

Besides, there is a more regular “market” of same-sex practices where young people become sexual partners of powerful men able to pay in cash or in other forms of compensation. The first cause of this transaction seems to be rampant poverty and permanent corruptions in societies where merit is not enough to move up the social ladder. Gabonese rappers give in their songs a glimpse of the phenomenon.

The old and young citizens are buggered  
For a question of money  
Some aspire to very high causes,  
Others want to be clothed in the ready-to-wear the most stylish,  
To be told, "oh, yeah, yeah it is he who is fresh".

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<sup>31</sup> This is what happens in mere fickle encounters. Morgan and Wieringa, “Present-Day Same-Sex Practices In Africa: Conclusions From The African Women’s Life Story Project,” in *Tommy Boys*, ed. Morgan and Wieringa, 310.

*Matouki* [flea market]! What do you do with? Endure penury!  
 Oh brother! What are you doing with your thing?  
 The rectal route is not a path,  
 Especially when it is masculine.  
 It's crazy! The scourge comes from above.  
 Here, many could not endure hardship.  
 To make cash, they ended the legs in the air [...]  
 Respect your body. Pull yourself together.  
 As a man, multiply your efforts.<sup>32</sup>

The singer disapproves homosexuality but even more the cause that stirs up the young people to consent. He stigmatizes the desire of many to live beyond their own means and the easy gain that homosexuality offers. Therefore he invites the young partners to live as true men, that is to say, people who work hard and earn their life with dignity. These transactions and the regime of corruption that goes with them fuel the public's anger against same-sex relationships.

## 2. *Backlash of sexual transaction*

The connection between the “big men” and the solicitation of homosexual favors leads to an identification between homosexuality and wealthy people. This identification causes homosexuality to be rejected not only as unnatural but also to be associated with disastrous political and economic African leadership.

When globalization in general and neoliberalism in particular began to spark negative reactions in developing countries by the early 1990s, resistance to the West therefore took on a homophobic cast: open markets and homosexuality became inextricably linked. “Global resistance to neo-liberalism” tends to cast gay men especially as “the winners or even the agents of capital's globalization, of the precarization of labor,” and the leading edge of “Western societies' immoralism” (Woltersdorff 2007) and attendant “corrosion of character” (Sennett 1998). In parts of Africa, it has been a short step from such judgments for homosexuality to become perceived as the province of corrupt, exploitative

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<sup>32</sup> « Les vieux et jeunes citoyens d'à présent se font enfileur par-derrière/Pour une question de monnaie/Certains aspirent à des causes très élevées./ D'autres veulent se faire vêtir dans les prêt-à-porter les plus chics./Afin qu'on dise « ah, ouais, ouais c'est lui qui est frais »/ *Matouki* [marché aux puces], y a quoi ? Même c'est pour être fauché/Eh frangin! Que fais-tu de ton engin?/ La voie rectale n'est pas un chemin./Surtout quand celle-ci est au masculin./ C'est dingue, le fléau vient d'en haut./ Ici, beaucoup n'ont pas pu supporter la galère./ Pour se faire des tunes, ils ont fini les jambes en l'air [...]/ Revois ton corps, reprends ton coté fort./ Comme un homme multiply tes efforts (Banz Mudji, *A 4 Pattes*, Album, Autoproduction, 2007). Alice Aterianus-Owanga, “‘L'Emergence N'aime Pas Les Femmes!’,” *Politique Africaine* 126 (2012), 55.

political elites in league with the alien and the modern (Gueboguo & Mimche 2006), an “un-African” import or imposition (Epprecht 2008).<sup>33</sup>

Because of the growing public support in the West to LGBTIQ movement, there is another cliché that attributes to people who work against homophobia and for homosexual persons a hidden agenda. This agenda can be access to financial resources or asylum in Europe or in the United States of America. A reorientation of foreign policy of these countries seems to underscore these suspicions. First the US integrated homophobia as a valid ground to ask and to be given asylum.<sup>34</sup> Second, some organizations for the defense of homosexuals’ rights receive important foreign financial support.<sup>35</sup>

Overall, transactions in same-sex relationships trivialize the issue of homosexuality and fuel local homophobia. Connection between a privileged class and same sex intercourse pervades public opinion and causes all actors of same sex intercourse to be stigmatized as a category of profit-makers. This tendency overshadows the existence of an adult-consensual homosexuality.

#### **D. Adult-consensual Homosexuality**

The preceding types of homosexuality were not necessarily perpetrated under violence. But by emphasizing in this section the consent of partners, I want to focus on same-sex relationships shaped in a long, lasting way with free partners, who will these relations for nothing but love for their partner. I will analyze the issue in both traditional and contemporary African societies.

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<sup>33</sup> Patrick R. Ireland, “A Macro-Level Analysis of the Scope, Causes, and Consequences of Homophobia in Africa,” *African Studies Review* 56.2 (2013), 54.

<sup>34</sup> Lucy Heenan Ewins, “Gross Violation”: Why Uganda’s Anti-Homosexuality Act Threatens its Trade Benefits With the United States,” *Boston College International and Comparative Law Review* 34 (2011), 164.

<sup>35</sup> Patrick Awondo and others report: “Since 2005 Alice Nkom has been one of the few lawyers defending people accused of homosexual acts. Her expert defense strategy - base on the statutory provision that a defendant cannot be condemned on account of a general suspicion of “homosexuality” but only for same-sex acts, which are often hard to prove - has resulted in acquittals in an important number of cases. In 2011 the European Union accorded her and her organization an important subvention for creating more openness about homosexuality.”Awondo et al., “Homophobic Africa?,” 152.

### 1. *In traditional Africa*

Saskia Wieringa presents cases in traditional Africa of women forming marriages with other women. These cases are different, but all involve women who were wealthy and strong enough to challenge the hetero-normativity of society. A first case may be an infertile woman who marries another woman so that the latter may give children for the husband of the barren woman.<sup>36</sup> In this case, “the female-husband could thus be wife to her husband, and mother to their children, and husband to her wife and father to the children of that wife.”<sup>37</sup> Close to this situation is the ghost marriage. A woman paid a bride price for a woman in the name of a deceased male. Besides these cases that come out of necessity, there were women who chose to marry other women because of conditions incumbent upon their nobility or to preserve their autonomy.

There were/are also forms of women marriages in which a woman paid the bride-price for another woman because she wanted to found a compound of her own. This practice has been recorded for many societies such as the Fon, the Nuer, the Nandi and the Igbo. Shilluk princesses and the Lovedu queens should also be categorized here. Lovedu queens were barred from marrying a man. The Shilluk princes were not so strictly limited, but if they married a man of lower status, they would lose their royal title. If they married a woman on the other hand they could keep their title and privileges. These independent or ‘autonomous’ women marriages involved female-husbands of some wealth and prestige. Among the Lovedu for instance the traditional healers had such prestige and could accumulate wealth accordingly.<sup>38</sup>

The critical question regarding this type of marriage concerns whether or not partners performed same-sex intercourse. The anthropologists who studied the practices do not agree on this aspect of the relation. Saskia’s investigations underscore some sexual practices that testify a degree of affection going over simple legal arrangements.

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<sup>36</sup> This case is reminiscent of the case depicted in the book of Genesis where Sarah gives to Abram her slave in order to make it possible that Abraham may have a descendant. The child born is legally the child of Sarah and Abraham.

<sup>37</sup> Wieringa Saskia, “Women marriages and other same-sex practices: historical reflections on African women’s same-sex relations,” in *Tommy Boys*, ed. Morgan and Wieringa, 300.

<sup>38</sup> Saskia, “Women marriages,” 300.

While Evans-Pritchard in an explicit way, and Herskovits more implicitly, allow for women's expressions of love and sexuality towards each other, authors such as Krige, Oboler, O'Brien and Tietmeyer denied women marriages had anything to do with sex between the partners. Kendall on the other hand, recorded such practices as deep kissing, rubbing, fondling, tribalism and cunnilingus, with or without digital penetration, for the Basotho women engaged in bond friendships (199:166). This set of activities corresponds with what the researchers working in our project found.<sup>39</sup>

The cases that Saskia reports do not completely belong to the past. Rather, these institutions still exist. This aspect of the argument and the extension of my survey lead me to scrutinize if nowadays we have stable homosexual unions in Africa.

## 2. *In contemporary African societies*

The evolution of the racial and legal history in South Africa makes it possible that homosexual couples can marry on the same terms as heterosexual couples. Besides the South African exception, in other African countries, there are some homosexual couples facing the same challenges as heterosexual unions, for example, extended family concerns.

South African's Constitution of 1996 outlawed all kinds of discrimination, including discrimination based on sexual orientation. Nine years later, two women, a lesbian couple, Fourie and Bonthuys, got the modification of South African law on marriage to include same-sex marriage on the ground of the constitutional disposition of 1996. If there is no room for discrimination on sexual orientation, the institution of marriage can no longer be defined as "a union of one man with one woman, to the exclusion, while it lasts, of all others."<sup>40</sup> The couple brought the case before the Constitutional court and made of the country of Nelson Mandela the first African nation that legalized same-sex marriages. This shift creates conditions for the

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<sup>39</sup> Saskia, "Women marriages," 307.

<sup>40</sup> Beth Goldblatt, "Case note: Same-Sex Marriage in South Africa-The Constitutional Court's Judgment," *Feminist Legal Studies* 14.2 (2006), 261.

existence of homosexual couples through institutions guaranteeing the reality of the consent. This statement is not a mere hypothesis. Another ruling in 2000, that grants the right to a foreigner who is a “partner in a permanent same-sex life partnership” with a South African to apply for permanent residency in South Africa, supports my argument.<sup>41</sup>

In many other countries, homosexual people do not have the support of the law. Nevertheless, there are some couples that seem to have reached some stability. The attribution of roles among these couple is evidence that partners have a communal life and may also have a long life project, similar to the exigencies of heterosexual marriage.

Various complex issues surrounding adult gender identification emerge from the interviews. Male-identification is common in both East and southern Africa, where many women are in relationships where roles are prescribed. There is frequently a male-identified or female-identified partner in same-sex relationships with associated roles. The male role includes masculine dress codes, financial responsibilities, decision-making powers and the division of labor in the home.<sup>42</sup>

Homosexual practices in Africa are diverse and diversely motivated. This diversity is not surprising because it entails human sexuality and human sexual desire. However, same-sex relationships are mainly characterized by a culture of secrecy and generally come with more hardship for women than for men. The complexity of same-sex relationships reflects the diversity of responses different people give the phenomenon.

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<sup>41</sup> Beth Goldblatt, “Case note,” 261.

<sup>42</sup> Saskia, “Women marriages,” 317. In Namibia and Uganda, this identification goes with abuse of alcohol and domestic violence perpetrated by lesbians who endorse the male role.

## II. RESPONSES TO AFRICAN HOMOSEXUALY

Reactions to homosexuality on the continent come from many spheres, public and private, inside the continent and outside. Some responses stigmatize homosexuals and others are supportive. They complete the overview on African same-sex relationships. In this section, I present state actors' ripostes, media treatment of the issue, religious leaders' positions and finally the ways homosexuals stand before the mixture of support and homophobia.

### A. State Sponsored Ripostes

Analysis of official responses is interesting because those who argue for or against homosexuality make it usually *ex officio*. It does not necessarily mean that these actors are homosexuals or would argue likewise in private circles. Their positions meet their political agenda, the way they want to shape the world and the interests they are willing to protect. The state actors whose positions are examined here are African and non-African.

#### 1. African state sponsored response

Contrary to some clichés, all African states do not sponsor homophobia. There are some heads of state that promote aggressive responses to homosexuality whereas others have been accused of even soliciting the support of the homosexual lobbies.<sup>43</sup> In the first category of states, Uganda is an emblematic case with its proposed law against homosexuality of 2009, still not enacted as a law. The aspect of the law that sparked the uproar of the international community was the death penalty for aggravated homosexuality.

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<sup>43</sup> Macky Sall, the president of Senegal, is one of these accused leaders. Christophe Broqua, "L'émergence des minorités sexuelles dans l'espace public en Afrique," *Politique Africaine* 126 (2012), 14.

The bill draft listed seven cases of aggravated homosexuality. First (1), there is aggravated homosexuality when the victim of an adult homosexual offender is under the age of eighteen. Second (2), there is aggravated homosexuality when the offender is HIV positive. Third (3), the offender commits aggravated homosexuality when he or she is the parent or guardian of the victim or fourth (4), a person of authority over the victim. Fifth (5), there is aggravated homosexuality when the victim has a disability or sixth (6) when the offender forces the consent of the victim. Finally (7) when the offender is a serial offender, that is to say a person who has previous convictions of the offense of homosexuality or related offenses, there is also aggravated homosexuality.

This bill is the toughest response to homosexuality even if it is not a unique case where the death penalty punishes offenders. In Nigeria, Somalia and Sudan same sex relationships are criminal offenses punishable with the death penalty. In some other countries, like Zimbabwe and Namibia, there is no death penalty but the political discourse against homosexuality is cruel enough to inspire fear and expose the gay community to insecurity. Usually the arguments of these heads of state follow one of the three violations: against African cultures, African religions and African laws.<sup>44</sup>

The political response to homosexuality is somewhat different in Senegal. Even if the motivation of the political leaders is also based on African authenticity, there is no capital punishment in the country. The Senegalese legislation punishes homosexual practices with imprisonment. When Barack Obama visited Senegal in June 2013 and asked Macky Sall, Senegal's president, to decriminalize homosexuality, the latter responded in these terms:

Senegal is a tolerant country that does not discriminate in terms of treatment on

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<sup>44</sup> Thabo Msibi, "The Lies We Have Been Told: On (Homo) Sexuality in Africa," *Africa Today* 58 (2011), 58.

fundamental rights... But we are not ready to decriminalize homosexuality. It is Senegal's option at the moment. This does not mean that we are anti-gay. But our society must absorb, take the time to address these issues without pressure... It's like the death penalty, an issue that each country treats [in its own way]. We have abolished this punishment long ago. In other countries, it is necessary because the situation demands. We respect the choice of each State.<sup>45</sup>

On the ground, Patrick Awondo and others observe that the State in Senegal has sometimes sponsored toleration and protection for homosexuals against the religious based homophobia. Senegal's position reflects the ambiguity of many African countries that manage to be respectful of the majority of their public opinion without trampling on the fundamental rights of homosexuals.

It is true that the law criminalizing homosexuality was initiated by the postcolonial state. But in a country in which religious-political leaders have succeeded in mobilizing considerable "cultural anger" against people suspected of homosexual acts, the government has attempted to play the role of negotiator, arbitrating between the demands of a rising tide of religious orthodoxy and the responsibility to protect a minority that is particularly affected by HIV/AIDs and is the target of often violent discrimination.<sup>46</sup>

Besides the case of Senegal that tries to sponsor toleration through a political mechanism of checks and balances, there are some African countries where there is no legislation on same-sex relationships. Countries like Cote d'Ivoire, Mali and Burkina Faso have chosen to "ignore" the phenomenon even if the public opinion remains highly opposed to these practices. In these "mute" countries, western states strive to maintain the *status quo* while discouraging attempts to aggravate the penalty against homosexuality where it is a criminal offense.

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<sup>45</sup> "Le Sénégal est un pays tolérant qui ne fait pas de discrimination en termes de traitement sur les droits. Mais on n'est pas prêt à dépénaliser l'homosexualité (...) C'est l'option du Sénégal pour le moment. Ce qui ne veut pas dire que nous sommes homophobes. Mais il faut que la société absorbe, que'elle prenne le temps de traiter ces questions sans qu'il y ait pression. (...) C'est comme la peine de mort, une question que chaque pays traite [à sa façon]. Nous l'avons abolie depuis longtemps. Dans d'autres pays, elle s'impose parce que la situation l'exige. Nous respectons le choix de chaque Etat." Philippe Bernard, "A Dakar, choc de cultures entre Barack Obama et Macky Sall sur l'homosexualité," *Le Monde*, June 23, 2013, [http://www.lemonde.fr/afrique/article/2013/06/27/a-dakar-choc-des-cultures-entre-barack-obama-et-macky-sall-sur-l-homosexualite\\_3438210\\_3212.html#D0E7jKDXUqMdJix9.99](http://www.lemonde.fr/afrique/article/2013/06/27/a-dakar-choc-des-cultures-entre-barack-obama-et-macky-sall-sur-l-homosexualite_3438210_3212.html#D0E7jKDXUqMdJix9.99)

<sup>46</sup> Awondo et al. "Homophobic Africa?," 157.

## 2. *Western state sponsored pressure*

One of the main characteristics of the African political scene is the continuing intervention of western countries to support, blame or put pressure on some issues. This involvement affects almost all the public policies from the politics of reproduction and demography to human rights and democracy. African leaders usually listen to western warnings because of the economic dependency of the African states. Without the support of the Institutions of Bretton Woods, for example, many African states would collapse. This fragility raises doubts about independence from colonial powers as well as the true weight of the sovereignty of African states. Many western countries disapprove of the bill draft in Uganda punishing aggravated homosexuality with the death penalty. Accordingly, they threatened to withdraw their economic support.

Within the United States, Senator Wyden was an early vocal opponent of the proposed Act and has suggested that its passage would make Uganda ineligible for trade preferences under AGOA. In a letter to U.S. Secretary of State Hillary Clinton and U.S. trade Representative Ron Kirk, Wyden wrote: "I strongly urge you to communicate immediately to the Ugandan government, and President Yoweri Museveni directly, that Uganda's beneficiary status under AGOA will be revoked should the proposed legislation be enacted."<sup>47</sup>

Other countries like Ghana have faced similar threats. Unfortunately the politics of the carrot has some limitations and some counterproductive effects. It underscores the convictions of many Africans that homosexuality is a western sin that foreign powers try to impose on Africa. The result is denunciation of gay imperialism and a more virulent homophobia. In the case of

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<sup>47</sup> Ewins, "Gross Violation," 152. African Growth and Opportunity Act (AGOA) is preferential regime of trade with the USA enacted in 2000 for some African countries under some conditions, which include the respect of human rights.

Ghana, “Pentecostal spokesmen in particular insisted that the government should not sell out its principles in order to safeguard development money.”<sup>48</sup>

The analysis of the positions of state actors reveals the absence of consensus even if there are visible trends. Except in the case of South Africa examined above, there are three categories of African states. For instance, in Nigeria some states punish homosexuality with the death penalty while others punish the same practice with imprisonment. Ghana also sponsors homophobia while Cote d’Ivoire is mute on same-sex relationships and shelters discrete gay communities. The same complexity affects the treatment of the information related to homosexuality.

## **B. Media Stigmatizations**

The way media collect and process information about homosexuality can be indicative of swings in the public opinion on the issue. However the media is not a neutral actor. Sometimes, they handle information in a context of competition with other media and go beyond the limits of ethics and laws.

### *1. Mediating hatred*

In Africa homosexuals are somehow easy prey because for many same-sex relationships are considered as unnatural or at least un-African. In this context, newspapers fuel homophobia by publishing names and photographs of homosexuals. Newspapers in Cameroon and in Uganda went so far as to violate people’s privacy.

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<sup>48</sup> Awondo et al. “Homophobic Africa?,” 147-148.

In Cameroon, at least two newspapers published lists of people who were presumed to be homosexuals. These people now stigmatized enjoy high social positions, in politics, public service, business and even the Catholic Church.

On January 11, 2006, a minor Yaoundé newspaper, *La Meteo*, published a lead article on the subject of homosexuality in higher circles, followed by a list of eleven persons. On January 24 another minor newspaper, *L'Anecdote*, attracted even more attention when it printed a list of fifty "prominent homosexuals." Both lists contained familiar names: a former prime minister, some MPs, renowned journalists, and other well-known figures, mostly men but some women as well. The exact accusations were not clear.<sup>49</sup>

This invasion of privacy of the political leadership has been interpreted as a popular protest of that leadership. Whatever the motivation is, it is indubitable that such publication violates the victims' privacy as well as the ethics of journalism. Some of the victims sued the newspapers in reparation for defamation whereas others stayed quiet to avoid nurturing the importance of the scandal that some judicial procedures would entail. In Uganda, a newspaper abused the same the freedom of the press. It was in the context of the anti-homosexual bill.

In 2010, the Ugandan newspaper *Rolling Stone* published the names, photographs, and addresses of one hundred homosexuals under the headline "Hang Them"; unlike the people named in Cameroon, the individuals were all gay activists, and the scourge of homosexuality was not looked for in the heart of government, but rather in a new generation of young activists seen to be undermining Ugandan cultural values. But the journalists were sued in court and lost, and the decision set an important precedent upholding the right to privacy.<sup>50</sup>

These publications in both Central Africa and Eastern Africa reveal at least that the editors felt free to jeopardize individuals' privacy. The judicial procedures launched against them and the sanctions they endured should nuance the perception of Africa as a homophobic continent. To capture well these nuances, it is important to provide some details regarding these cases.

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<sup>49</sup> Ibid., 152.

<sup>50</sup> Ibid., 154-155.

## 2. *Contested positions*

Fairly clear, as elsewhere, the majority in Africa is heterosexual and Africans are uncomfortable with of homosexuality.<sup>51</sup> It is also fair to mention the existence of opinions favorable to homosexuality and to uncover the hidden agenda behind the way some newspapers process information. In the case of Cameroon, Patrick Awondo explains that the publication of the list of homosexual people was primarily a strategy of marketing for newspapers, which could hardly sell 5,000 copies per issue. The “scoop” allowed *L’Anecdote* to sell 20,000 copies at once.<sup>52</sup> Overall, there is in this case an exploitation of a sensible issue for ends that are extraneous to homosexuality.

Besides, in the case of the Cameroon, it is fair to underline the support other newspapers provided to the victims of these publications: “Heterosexual, free and proud, I express my solidarity with these homosexual victims of the violation of their individual freedoms in the name of the triumph of freedom. These homosexuals are our compatriots [...] nobody has the right to violate the sexual freedom of anyone.”<sup>53</sup> These supportive voices tell another story about the so-called African homophobia.

In Burkina Faso, we can hear a similar motion of support before the proposal of an anti-homosexual law (2014). In a context where an anti-gay feeling is prevalent, supporters of same-

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<sup>51</sup> “A Pew Research Center poll conducted in 2007 measured global opinion about contemporary social issues among forty-seven thousand people in forty-seven countries, including eleven in North and sub-Saharan Africa. In general, African and Asian countries displayed the least tolerance toward homosexuality. In nine of those eleven African publics, less than 5 percent felt that society should accept it. Only in South Africa (28 percent) and Cote d’Ivoire (11 percent) was that low barrier surpassed (Kohut et al. 2007:35).” Patrick R. Ireland, “A Macro-Level Analysis of the Scope, Causes, and Consequences of Homophobia in Africa,” *African Studies Review* 56.2 (2013), 47-66.

<sup>52</sup> Patrick Awondo, “Medias, Politiques et Homosexualité au Cameroun,” *Politique Africaine* 126 (2012): 75.

<sup>53</sup> “Hétérosexuel, libre et fier de l’être, j’exprime ma solidarité envers ces homosexuels victimes de la violation de leurs libertés individuelles, au nom du triomphe de la liberté. Ces homosexuels sont nos compatriotes [...] personne n’a le droit d’attenter à la liberté sexuelle de quiconque.” Awondo, “Medias, Politiques et Homosexualité au Cameroun,” 80.

sex relationships get opportunities to express their views in the public space.<sup>54</sup> The author of the article, despite many threats, received some favorable feedback based on toleration, respect of privacy and even religious convictions. The diversity of these opinions should compel, in the words of Patrick Awondo, an “effort to overcome a simplistic opposition between homophobic Africa and a tolerant (or depraved) West.”<sup>55</sup>

It is important to note that it is certainly not only African traditionalists who create such an opposition. As stated, reports in the international press and other media outlets also tend to reinforce this simplistic contrast by focusing on homophobic utterances from Africa, especially the more sensationalist ones—thus ignoring the considerable variation and debate inside the continent.<sup>56</sup>

In conclusion, the media reflects popular tendencies but they have some interests and different agenda that can affect the professionalism of some editors. The reader is constantly invited to discernment. If in general, the media are able to shape public opinion, religions are not less powerful. Their importance, particularly in the African context, makes it worthwhile to examine their influence on opinions about homosexuality.

### **C. Religious leaders’ positions**

Religious leaders have an important influence on peoples’ opinions because of their connection with the sacred. In Africa, popular piety strengthens this influence. For Leo Igwe, the founder of the Nigerian Humanist Movement, “what we are witnessing in Africa is essentially a religion-based homophobia.”<sup>57</sup> In this section, I do not explain the theological foundations on which religions base their positions. I simply make explicit their influence in both Islam and Christianity on homosexuality.

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<sup>54</sup> O. Zanga, “Loi anti homosexualité du PAREN: Pour être heureux, faut-il donc vivre cachés ?,” Lefaso.net, November 23, 2015, accessed January 5, 2016, <http://lefaso.net/spip.php?article68197>.

<sup>55</sup> Patrick Awondo et al. “Homophobic Africa?,” 149.

<sup>56</sup> Ibid.

<sup>57</sup> Patrick R. Ireland, “A Macro-Level Analysis of the Scope, Causes, and Consequences of Homophobia in Africa,” *African Studies Review* 56.2 (2013), 53.

## 1. *Islamic positions*

Even if “The Qur’an contains only one passage (4:15-16) [Surah An-Nisa, on unlawful sexual relationships between two women] that can be interpreted as laying down a legal position toward homosexuality, (...) Islam has been strongly associated with antigay views in Africa as elsewhere. Practicing Muslims differ only in degree and not in kind on the issue.”<sup>58</sup> In Senegal where homosexuality is already a criminal offense punished with imprisonment, there is a strong commitment of Muslims to aggravate the penalty. For instance, the Islamic Front for the Defense of Ethical Values has called for the death penalty for whoever is convicted of homosexuality. Such an explicit invitation fuels intolerance without restrictions.

The Front’s fatwa had a broad impact on public opinion. In different parts of the country, for example, it was reported that young men had exhumed the body of a *Goor-gigen* (a term for “man-woman” that has a long history throughout Senegal) that was seen as decorating the cemetery. In a village near Kaolack a group of young people disturbed the burial of a well-known *Goor-gigen* in August 2008 and then exhumed the body in November. A similar event was reported in June 2009 from Ties, where Muslims dug up the corpses of two presumed homosexuals.<sup>59</sup>

The fate of homosexual people is not better in other predominant Islamic countries. In the Federal Republic of Nigeria, domestic laws vary according to the states. “In the twelve states of the Islamic North that practice Sharia law, engagement in same-sex activity is punishable by death, while in the rest of the country the punishment is fourteen years of imprisonment (Aken’Ova 2010).”<sup>60</sup> The same penalty punishes homosexuality in Sudan and Mauritania as in most other important Muslim countries in the world such as Saudi Arabia and Afghanistan. To

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<sup>58</sup> Ireland, “A Macro-Level Analysis of the Scope, Causes, and Consequences of Homophobia in Africa,” 53.

<sup>59</sup> Patrick Awondo et al. “Homophobic Africa?,” 156.

<sup>60</sup> Thabo Msibi, “The Lies We Have Been Told,” 59.

express his determination to eradicate same-sex relationships in Gambia, the president refers to Iran, promising to make stricter laws.<sup>61</sup>

The consensus in Muslim public opinion against same-sex relationships is important. The excessive reactions that happened in Senegal or the death penalty that punishes this kind of sexuality are not surprising. It underscores the excess that religiously based belief can inspire. On the side of Christianity, the consensus is hardly less important.

## 2. *Christian condemnation*

For the overwhelming majority of African Christians, homosexuality is a sin and an abomination. One of the biblical passages that support this opinion is found in the book of the Leviticus (18:22): “You shall not lie with a male as with a woman; such a thing is an abomination.” To ward off the fate of homosexuality that threatens their country, Cameroon Christians implore God to forgive this big sin and to protect life and family. They do not pray only. They also demonstrate to show their dissent against possibly ambiguous positions on homosexuality.

The Catholic Church was also a powerful actor in the mobilizing of popular indignation about homosexuality. In 2009 Cardinal Tumi, a critic of the regime with great moral prestige, initiated a protest movement against the government for signing the 2003 Maputo Declaration on Human and People’s Rights in Africa (focused on women’s rights) with the claim that such continent wide agreements might lead eventually to the decriminalization of homosexuality.<sup>62</sup>

In Uganda, many observers report that the evangelical organizations mainly from the American religious right inspired the proposed law against homosexuality.<sup>63</sup> This influence

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<sup>61</sup> Ireland, “A Macro-Level Analysis of the Scope, Causes, and Consequences of Homophobia in Africa,” 56.

<sup>62</sup> Awondo, *et al.*, “Homophobic Africa?,” 152.

<sup>63</sup> “In Uganda, evangelical organizations, which are thriving throughout Uganda, have been instrumental, not only in initiating homophobic sentiments, but also in spreading them (Evans 2009; Ewins 2011; Xie 2010).” Msibi, “The Lies We Have Been Told,” 59.

seems to be twofold. First there is a long tradition of support that evangelists provide to Ugandan populations' basic needs, supplying the incapacity of the state, which does not have resources to intervene efficiently. The social support is the extension of religious commitment. This connection between the improvement of social living conditions and evangelization is not only consistent with Christian tradition in Uganda, but it has been also experienced in many other places on the continent. Second there is the affiliation of more and more political leaders to Pentecostalism. The first lady of Uganda Janet Museveni, who is also Member of the Parliament, is one of these important figures. The connection of religion to a social agenda and to political leaders has allowed the development of a discourse based upon a Christian ethics in the public arena that promotes the suppression if not eradication of homosexuality.<sup>64</sup>

From villagers and government members being "born again" to asking "international religious organizations to carry out development work alongside evangelism" (Jones 2005:51), the impact of Pentecostalism is glaring. The effect of this is evident in the way in which American evangelical ministers have influenced Ugandan leaders by pushing for the silencing of individuals engaging in same-sex relations.<sup>65</sup>

In this context, Desmond Tutu, the former Anglican Archbishop of Cape Town, Nobel Prize winner for peace, activist against apartheid and head of the South African Commission for Truth and Reconciliation is a dissident voice. He proclaims that he does not believe in a homophobic God and would rather go to hell rather than go to an anti-gay heaven.<sup>66</sup> His successor Njongonkulu Ndungane has taken the same position along with another Anglican

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<sup>64</sup> In 2009 the American author-pastor Scott Lively and his cohorts from the U.S. religious right descended on Kampala for meetings with Members of Parliament, lawyers, religious leaders, and representatives from universities and secondary schools to warn against the "gay agenda." Awondo et al. "Homophobic Africa?," 153.

<sup>65</sup> Msibi, "The Lies We Have Been Told," 59. On the same topic see, Elise Demange, "De l'Abstinence A L'homosexualité: La Moralisation de la Société Ougandaise, une Ressource Politique Entre Ouganda et Etats Unis," *Politique Africaine* 126 (2012), 25-47.

<sup>66</sup> "I would not worship a God who is homophobic, and that is how deep I feel about this," Tutu said at a United Nations' gay rights campaign function in Cape Town, South Africa. "I would refuse to go to a homophobic heaven. 'No,' I would say. 'Sorry. I mean, I would much rather go to the other place.'" Shawn A. Akers, "I'd Pick Hell Over an Anti-Gay Heaven," *Charisma News*, November 23, 2015, <http://www.charismanews.com/world/40416-desmond-tutu-i-d-pick-hell-over-an-anti-gay-heaven>

bishop in Uganda, Canon Gideon Byamugisha.<sup>67</sup>

The analysis of religious leaders' attitude vis-à-vis same-sex relationships in Africa shows clearly that assistance for homosexual people will not come from religions. This is one of the reasons they prefer to speak for themselves only.

#### ***D. Gay and Lesbians' Strategies of Survival.***

It is worthwhile to examine the reactions of homosexuals in Africa along with the responses of other actors. These reactions make explicit how a sexual minority manages to preserve its fundamental rights and promote its agenda of visibility and privacy. These strategies concern mainly the construction of identity as well as networking.

##### *1. Quest for identity*

The issue of identity for African homosexuals is connected to the use of the concept of "homosexuality" in the African context. This aspect of the question engages the methodological precautions treated in the introduction of this thesis. However, it is important to examine homosexuals' self-perception as a component of their response to the usual homophobic atmosphere surrounding them.

Some Africans practicing same-sex relationships and facing possible rejection from family choose either to rationalize their sexual identity or to affiliate in a kind of "double membership." The rationalization comes usually through the conviction that homosexuality is not a sin; it is rather something you have in your blood.<sup>68</sup> Another kind of "essentialization" is

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<sup>67</sup> Ireland, "A Macro-Level Analysis of the Scope, Causes, and Consequences of Homophobia in Africa," 53.

<sup>68</sup> "The *Ovambo* respondents accept who they are but need to keep their sexuality a secret. They have mostly found strategies which enable them not to feel like sinners. The *Damara* lesbian men have accepted themselves as men and feel that homosexuality is 'in the blood'. They seem to take pride in their male identities and roles. Hans would have liked to have surgery and become a man saying: 'I would have liked to change the way I am created'." Morgan and

the attribution of same-sex desires to the ancestors. If there is a predetermination of homosexuality, change is not possible and attempts to change it are vain. To survive, homosexuals sometimes try to adopt a strategy of invisibility through “double membership”

I use the appellation “double membership” in two ways. As far as sex relationships are concerned, some African homosexuals have heterosexual partners also. The reasons are diverse and, sometimes, regard the desire to comply with social standards.

In southern Africa there is a high rate of heterosexual involvement as a result of the pressure to be heterosexual and bear children. The majority of women who had engaged in heterosexual practices did so in a causal way. Sometimes they were using men in an attempt to ignore their same-sex desires, and sometimes they slept with men in order to get pregnant. The majority of the respondents in this project were involved with another woman at the time they were interviewed, and had decided to raise their children within these same-sex committed relationships. The biological fathers of their children are not involved in their upbringing.<sup>69</sup>

Another kind of “double membership” concerns beliefs and faith. Facing the condemnation of well established churches, some African homosexuals choose to leave the Christian circle and abide with their traditional religions. However, others persist in the double membership, faithful to their ancestors who allow same-sex relationships and faithful to the Church where they enjoy some positions. In this case, they choose an indigenous church or one of the Metropolitan Community Churches. For example, Stallion who is a South African *sangoma*, healer, and is able to predict the future practices of same-sex relationships also attends the Hope and Unity Metropolitan Community Church. She explains her double affiliation: “I’m still attending church; as I have told you I’m a prophet, I do pray a lot. What happened is because of what all these powers are doing. In that way you cannot choose only one, they can both work

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Wieringa, “Present-Day “Same-Sex Practices In Africa: Conclusions From The African Women’s Life Story Project,” in *Tommy boys*, ed. Morgan and Saskia, 323.

<sup>69</sup> Morgan and Saskia, “Present-Day Same-Sex Practices In Africa,” 316.

at the same time.”<sup>70</sup> These different strategies of identification are extended in making networks at the local and international levels.

## 2. *Local and international network*

In many African countries, even where homophobia is particularly strong, there is an organization related to sexual minorities. The constitution of these organizations stems from a double agenda: to assure mutual support but also to connect with a more important network in the fight to get visibility, protect rights and to acquire resources.

In Africa, local movements and networks of self-identified lesbian women develop in relation to global movements, creating new visions and spaces for living non-normative social and sexual practices. But they do not arise in a vacuum. Communities of women having sex with women, who identify differently, exist side-by-side and predate these new emerging lesbian groups.<sup>71</sup>

Despite important financial support and visibility that can come through international networks, challenges are also growing. Many activists and observers disapprove financial and international pressures that come from western countries to their African counterparts. These sanctions are counterproductive. It is time, many argue, that African sexual minorities may educate their own people and discard the argument of gay imperialism.<sup>72</sup>

The constitution of networks extends also in the collection of information and in the academy. In the first aspect of data collection, the work of the Gay and Lesbian Archives (GALA), founded in South Africa in 1997, aims to collect testimonies concerning the lives and stories of homosexual people.<sup>73</sup> A book I have widely quoted in this chapter is the outcome of this association: *Tommy Boys, Lesbian Men, and Ancestral Wives: Female Same-Sex Practices in*

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<sup>70</sup> Nkabinde and Morgan, “This has happened since ancient times,” 234.

<sup>71</sup> Morgan and Saskia, “Present-Day “Same-Sex Practices In Africa,” 310.

<sup>72</sup> Broqua, “L’émérgence des minorités sexuelles dans l’espace public en Afrique,” 22.

<sup>73</sup> Anthony Manion and Ruth Morgan, “The Gay and Lesbian Archives: documenting same-sexuality in an African context,” *Agenda* 67.2-3 (2006), 30.

*Africa*. The book has been dedicated to “to the memory of FannyAnn Eddy, the chair of the Sierra Leone Lesbian and Gay Association (SLLAGA), Free Town, Sierra Leone, who was murdered in her office on 24 September 2004, and to all the other African lesbians who have been victims of hate crimes.”<sup>74</sup>

On the side of academy, the African Studies Association, the Gays and Lesbians in African Studies (GLAS) seem to be a milestone in the history of African Studies. GLAS is the outcome of the international network and its agenda entails the protection and assistance of the activists of homosexuals’ rights in Africa. A participant of the process of creation of this section of African Studies reports the circumstances and the objectives of the foundation.

An important sign of these new times in African Studies, includes the fact that the organization GLAS, Gays and Lesbians in African Studies, was approved as an ASA [African Studies Association]-sponsored organization in April of 1996. The history of the organization dates back approximately two years, to the 1994 ASA meetings in Toronto. At those meetings, eight people gathered in response to announcements and adopted a preliminary mission statement and the name, GLAS. The group serves two purposes: one, to share information, contacts, and resources ‘related to and action concerning homosexuality in Africa.’ Second, the group was founded as a way to support lesbian, gay, and bisexual colleagues in African Studies.<sup>75</sup>

I have offered throughout this chapter an overview of same-sex practices in Africa as well as responses to these relationships. Same-sex relations for men or for women are diverse and diversely motivated. Therefore, it is more appropriate to speak of *homosexualities* rather than homosexuality. Some same-sex relationships are abusive whereas others are expressions of something deeper and just. Like these practices, reactions are also different from one social sphere to another. However, an examination of these responses tends to nuance the cliché of African homophobia even if homosexual people have more persecutors than supporters on the

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<sup>74</sup> Morgan and Saskia, ed., *Tommy Boys, Lesbian Men, and Ancestral Wives: Female Same-Sex Practices in Africa*. Auckland: Jacana, 2006), 4.

<sup>75</sup> Amory, “Homosexuality in Africa: Issues and Debates,” 5.

continent. In the next chapter, I examine the theological foundations in Catholic social ethics of homosexuality. In a spirit of ecumenism, I extend the examination to theological thoughts from other churches represented in Africa.

## **CHAPTER 2. THEOLOGY AND HOMOSEXUALITY: A DISPUTED REALITY**

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In this chapter, I report teachings from different churches, mainly, those active in Africa, on homosexuality. Such a report is purposeful: beyond the presentation of what churches teach, there is something to learn from their different positions as well as from the dissenting voices and practices within them.

I examine first the Catholic moral teaching on homosexuality. Second, I consider the arguments from other churches, including the Metropolitan Community Church. Finally I will show how African religio-cultural and anthropological concepts resist same-sex relationships.

### **I. Catholic Moral Teaching on Homosexuality**

The Catholic Church's position on same-sex relationships is, to the best of my knowledge, the more elaborated and the more detailed of all the churches here examined. It deserves special attention because of the constant growth of Catholics in Africa and also because of the potential influence of the catholic position on other churches. In this section, I do not present the historical development of the Catholic Church's moral teaching of sexuality. I limit my review to the contemporary teaching of the Catholic Church on homosexuality mainly based on the documents of the Congregation for the Doctrine of the Faith (CDF).

#### **A. An Intrinsic Evil**

At first glance, there is no ambiguity in the Catholic Church's position vis-à-vis same-sex relationships. Homosexuality is an "intrinsic moral evil."<sup>76</sup> To apprehend the meaning of this qualification, one should remember the criteria through which Catholic moral theology considers moral acts. The object of the act, circumstances in which the act is done and free will of the

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<sup>76</sup> Congregation for the Doctrine of the Faith (CDF), Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons (October 1, 1986), § 3.2, at the Holy See, [www.vatican.va](http://www.vatican.va).

agent are the three criteria for evaluation of the morality of human acts. Nonetheless, there are some acts whose moral value is determined only by their object regardless of the circumstances and the will of the one who performs them. By their very nature, the Church holds, they are evil. When the Church says that homosexuality is an intrinsic moral evil, it is to state that same-sex relationships belong as well to this category of irremediably evil acts.

Reason attests that there are objects of the human act which are by their nature "incapable of being ordered" to God, because they radically contradict the good of the person made in his image. These are the acts which, in the Church's moral tradition, have been termed "intrinsically evil" (*intrinsece malum*): they are such always and *per se*, in other words, on account of their very object, and quite apart from the ulterior intentions of the one acting and the circumstances. Consequently, without in the least denying the influence on morality exercised by circumstances and especially by intentions, the Church teaches that "there exist acts which *per se* and in themselves, independently of circumstances, are always seriously wrong by reason of their object"<sup>77</sup>

The Catholic Church makes at least three distinctions about homosexuality. There is first a distinction between people who are "transitional" homosexuals and those who are "definitively" homosexuals.<sup>78</sup> Whether homosexuality is transitional or definitive, it is immoral. The second distinction is between those who have a homosexual orientation and those who actively live their same-sex relationships. "Although the particular inclination of the homosexual person is not a sin, it is a more or less strong tendency ordered toward an intrinsic moral evil; and thus the inclination itself must be seen as an objective disorder."<sup>79</sup> Finally, there are the *de facto*

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<sup>77</sup> John Paul II, *Veritatis Splendor*, Encyclical Letter on the Splendor of the Truth (August 6, 1993), § 80 (Washington, DC: United States Catholic Conference, 1993), 122.

<sup>78</sup> "A distinction is drawn, and it seems with some reason, between homosexuals whose tendency comes from a false education, from a lack of normal sexual development, from habit, from bad example, or from other similar causes, and is transitory or at least not incurable; and homosexuals who are definitively such because of some kind of innate instinct or a pathological constitution judged to be incurable." Congregation for the Doctrine of the Faith, Declaration on Certain Questions Concerning Sexual Ethics *Persona Humana* (December 29, 1975), § VIII.2, at the Holy See, [www.vatican.va](http://www.vatican.va).

<sup>79</sup> CDF, *Care of Homosexual Persons*, § 3.2, at the Holy See, [www.vatican.va](http://www.vatican.va). The concept of disorder needs to be explained. "Disordered" expresses an action, desire, or inclination to something or someone that is contrary to a proper orientation of the will. This term, used with increasing frequency by the magisterium, denotes something intrinsically contrary to human flourishing (i.e., *contra naturam*) or something that is disproportionate to a choice founded in right reason. For example bestiality would always be *contra naturam* to a proper human sexual expression, whereas excessive mortification could be disordered to the legitimate spiritual practices of penance and

homosexual unions, that is to say, homosexual people living together without any kind of legal framework and homosexual couples *de jure*, that is to say, those couples whose union is legally recognized. As we will see in the developments regarding legal unions of homosexual peoples, the Catholic Church estimates that the recognition at an official level of those unions damages public morality.

It fits in these general considerations to mention that the Catholic Church rejects the distinction or reduction of people on the basis of their sexual orientation, that is to say between homosexual persons and heterosexual persons. Such a categorization of people is too simplistic and does not do justice to the complexity of human sexuality. Human beings are not only either heterosexuals or homosexuals. Besides, such a classification overshadows the very important fact that human beings are first and above all children of God and not sexual machines.

The human person, made in the image and likeness of God, can hardly be adequately described by a reductionist reference to his or her sexual orientation. Every one living on the face of the earth has personal problems and difficulties, but challenges to growth, strengths, talents and gifts as well. Today, the Church provides a badly needed context for the care of the human person when she refuses to consider the person as a "heterosexual" or a "homosexual" and insists that every person has a fundamental Identity: the creature of God, and by grace, his child and heir to eternal life.<sup>80</sup>

The Catholic Church has made a shift at least in the way she describes homosexuality. In *Persona Humana*, the Magisterium used a medical and a pathological lexicon to refer to homosexuality.<sup>81</sup> This option was certainly connected to the general scientific approach of the

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asceticism even though penitential acts of themselves can be quite legitimate under the proper circumstances.” James T. Bretzke, SJ, *Handbook of Roman Catholic Moral Terms* (Washington, DC: Georgetown University Press, 2013), 67.

<sup>80</sup> CDF, *Care of Homosexual Persons*, §16.2. This powerful statement should never lead to the trivialization of the specific situation of sexual minorities.

<sup>81</sup> See note 3.

issue of the time.<sup>82</sup> In the more recent documents, the medical vocabulary has disappeared. At the theological level, however, Catholic teaching remains constant.

The Catholic Church's teaching on sexuality is a theology of life. Before exposing her teaching, she warns against two shortcomings. The first one is the temptation to think that the Bible is a by-product of ancient civilizations and has become irrelevant for the contemporaneous world.<sup>83</sup> The second warning is a hermeneutical precaution. Catholic moral theology finds support first from a global reading of the Bible. This approach is what *Dei Verbum* calls canonical unity stating that the Bible cannot contradict itself and should be interpreted as a whole. Besides, the Magisterium, which is, ultimately, the guardian of the interpretation, draws Catholic teaching from both the Bible and the Tradition.<sup>84</sup>

The bedrock of the Catholic Church's teaching on sexuality is the account of creation in the book of Genesis. God created human beings in God's image and likeness, as man and woman (Gn 1:27). In union with one another, they have received the mission to expand life through procreation by mutual assistance. In Catholic moral teaching, sexual life draws its meaning from this calling and should not find expression outside heterosexual unions, consecrated in marriage<sup>85</sup> (otherwise it is fornication or adultery) and open to life<sup>86</sup> (because children are the

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<sup>82</sup> Declassification of homosexuality as a disease begins in the 70's. For instance, the American Psychiatric Association (APA) removed homosexuality from its official catalogue of psychiatric diagnoses on December 15, 1973. The World Health Organization of the United Nations proceeded to the declassification in 1990.

<sup>83</sup> "An essential dimension of authentic pastoral care is the identification of causes of confusion regarding the Church's teaching. One is a new exegesis of Sacred Scripture which claims variously that Scripture has nothing to say on the subject of homosexuality, or that it somehow tacitly approves of it, or that all of its moral injunctions are so culture-bound that they are no longer applicable to contemporary life. These views are gravely erroneous and call for particular attention here." CDF, *Care of Homosexual Persons*, §4.1.

<sup>84</sup> "The Vatican Council II in *Dei Verbum* 10, put it this way: 'It is clear, therefore, that in the supremely wise arrangement of God, sacred Tradition, sacred Scripture, and the Magisterium of the Church are so connected and associated that one of them cannot stand without the others. Working together, each in its own way under the action of the one Holy Spirit, they all contribute effectively to the salvation of souls.'" CDF, *Care of Homosexual Persons*, §5.3.

<sup>85</sup> Pope Pius XI, Encyclical on Christian Marriage *Casti Connubi* (December 31, 1930), § 10, at the Holy See, [www.vatican.va](http://www.vatican.va).

most excellent gift of marriage). Because it does not fulfill these conditions, same-sex relationships are seen as an abuse and a misuse of sexuality.

To choose someone of the same sex for one's sexual activity is to annul the rich symbolism and meaning, not to mention the goals, of the Creator's sexual design. Homosexual activity is not a complementary union, able to transmit life; and so it thwarts the call to a life of that form of self-giving which the Gospel says is the essence of Christian living.<sup>87</sup>

From this point, the Magisterium reads the Bible and interprets accordingly passages related to homosexuality. After the fall of the first parents, sin entered the world, multiplied disorder and found one of its expressions in the account of the men of Sodom determined to have sex with men (Genesis 19: 1-11). The history of the chosen people confirmed the status of the disorder of homosexuality when the sacred author excluded the doers of such acts as possible members of the People of God (Leviticus 18:22 and 20:13).

In the New Testament, the Church argues that revelation remains constant on its determinations of the same issue. The Church argues that Paul points to homosexuality as a sin, in Rm 1:18-32,<sup>88</sup> a clear example of “the blindness which has overcome humankind.”<sup>89</sup> In his

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<sup>86</sup> Ibid. § 55. See also, Pope Paul VI, Encyclical Letter on the Regulation of Birth *Humanae Vitae*, July 25, 1968, § 9.5, at the Holy See, [www.vatican.va](http://www.vatican.va). The pope recommends natural regulation of birth. The reception of this Encyclical has been difficult. Its interpretation makes room for couples free choice by conscience.

<sup>87</sup> Congregation for the Doctrine of Faith, *Considerations Regarding Proposals To Give Legal Recognition to Unions Between Homosexual Persons* (June 3, 2003), § 7.2, at the Holy See, [www.vatican.va](http://www.vatican.va).

<sup>88</sup> Harrington and Keenan think that Paul is influenced by his own Jewish culture. Therefore, what the apostle teaches cannot be defended seriously today. For example, connection between homosexuality and idolatry is not always relevant nowadays. Daniel J. Harrington, SJ and James F. Keenan, *Paul and Virtue Ethics: Building Bridges Between New Testament Studies and Moral Theology* (New York: Rowman and Littlefield Publishers, 2010), 200 and Daniel J. Harrington, SJ and James F. Keenan, *Jesus and Virtue Ethics: Building Bridges Between New Testament Studies and Moral Theology* (New York: Rowman and Littlefield Publishers, 2002), 172. Tom Wright would disagree: “ Paul’s point, then, is not simply ‘we Jews don’t approve of this’, or, ‘relationships like this are always unequal and exploitative’. His point is, ‘this is not what males and females were made for’. Nor is he suggesting that everyone who feels sexually attracted to members of their own sex, or everyone who engages in actual same-sex relations, has got to that point through committing specific acts of idolatry. Nor again, does he suppose that all those who find themselves in that situation have arrived there by a deliberate choice to give up heterosexual possibilities. Reading the text like that reflects a modern individualism rather than Paul’s larger, all-embracing perspective. Rather, he is talking about the human race as a whole. He sees the practice of same-sex relations as a sign that the human world in general is out of joint.” Tom Wright, *Paul for Everyone. Romans: Part one, Chapters 1-8* (Louisville, KY: Westminster John Knox Press, 2004), 22-23.

first letter to Timothy, the apostle of the nations explicitly names as sinners those who engage in homosexual acts (1 Tim. 1:10). Finally in an eschatological perspective, Paul declares that homosexual persons shall not enter the Kingdom of God (I Co 6:9).<sup>90</sup> The firmness of tone condemning homosexuality is somehow tempered by considerations of the moral responsibility of homosexual persons.

### B. A Limited Responsibility

The Biblical hermeneutics of the Catholic Church is not fundamentalist. Faithful to the Scriptures, the Catholic Church recognizes that same-sex relationships are sinful and that homosexual orientation is a disorder. However, she does not draw from that reading a general and indistinct moral responsibility of homosexual people. In this regard, the Congregation for the Doctrine of Faith states explicitly: “This judgment of Scripture does not of course permit us to conclude that all those who suffer from this anomaly are personally responsible for it, but it does attest to the fact that homosexual acts are intrinsically disordered and can in no case be approved of.”<sup>91</sup>

This prudence may come from the difficulty to identify unambiguously the root cause of homosexuality. If for instance, the orientation refers to genetic arrangement, the person’s individual liberty is seriously questioned. At the same time, the Catholic Church does not accept the idea of general irresponsibility. For the Magisterium, homosexual people cannot be excused

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<sup>89</sup> CDF, *Care of Homosexual Persons*, §6.4.

<sup>90</sup> Robert Gnuse analyzes the Greek translated as homosexual people and draws the conclusion that what Paul condemns is rather sexual abuse of minors and slaves: “When we put both words together, *arsenokoitai* and *malakoi*, we have the two words that describe the homosexual relationships that would have been observed most frequently by Paul. These were the master, old man, abusive sexual partner, or pederast on the one hand, and the slave, young boy, or victim on the other hand. That is why Paul pairs them in this sentence; they may be euphemisms for the active and the passive participants in a sexual relationship...Ultimately, I believe both words describe abusive sexual relationships, not loving relationships between two adult, free males.” Robert K. Gnuse, “Seven Gay Texts: Biblical Passages Used to Condemn Homosexuality,” *Biblical Theology Bulletin* 45.2 (2015), 80.

<sup>91</sup> CDF, *Persona Humana*, § VIII.4.

if they follow an inner tendency toward same-sex relationships. As human beings, endowed with freedom, gays and lesbians, like heterosexuals are able to refrain from having sexual intercourse according to their natural inclination.

There is on this point some ambiguity. If there is not individual responsibility, is there sin? If there is not individual responsibility, is it fair to prohibit homosexual people from living actively their sexuality? The ultimate purpose of this teaching attempts to distinguish between cases and avoid generalization.

Here, the Church's wise moral tradition is necessary since it warns against generalizations in judging individual cases. In fact, circumstances may exist, or may have existed in the past, which would reduce or remove the culpability of the individual in a given instance; or other circumstances may increase it. What is at all costs to be avoided is the unfounded and demeaning assumption that the sexual behavior of homosexual persons is always and totally compulsive and therefore inculpable.<sup>92</sup>

Unfortunately, the Magisterium does not provide guidelines to discern why some cases are acceptable and other cases are not.<sup>93</sup> Without such principles of judgment, each one is tempted to consider his or her case as exceptional.

For the rest, the Catholic Church takes provisions to protect homosexual people's dignity and she denounces as unacceptable any kind of violence against them. Even if this call is not always understood and even if homosexual people need a more explicit recognition, this statement, if appropriately extended, can help to deter honor or hate crimes.

It is deplorable that homosexual persons have been and are the object of violent malice in speech or in action. Such treatment deserves condemnation from the Church's pastors wherever it occurs. It reveals a kind of disregard for others which endangers the most

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<sup>92</sup> CDF, *Care of Homosexual Persons*, §11.2.

<sup>93</sup> The only possible criterion, to the best of my knowledge, is unintentional ignorance as Saint Thomas Aquinas teaches: ST I-II, q. 19, a. 5. The way the *Catechism of the Catholic Church* formulates the same excuse seems to include the case of homosexuality: "Unintentional ignorance can diminish or even remove the imputability of a grave offense. But no one is deemed to be ignorant of the principles of the moral law, which are written in the conscience of every man. The promptings of feelings and passions can also diminish the voluntary and free character of the offense, as can external pressures or pathological disorders." *Catechism of the Catholic Church* (Washington, DC: United States Catholic Conference, 2000), 1860.

fundamental principles of a healthy society. The intrinsic dignity of each person must always be respected in word, in action and in law.<sup>94</sup>

Responsibility is nuanced in same-sex relationships because it makes room for exemption of responsibility. On the contrary, the Catholic Church disapproves same-sex marriage without any ambiguity.

### C. No Access to Marriage and Adoption

The latest document from the Congregation for the Doctrine of Faith, June 3, 2003, issued on same-sex relationships is about the legal unions of homosexual persons. The disapproval of these unions is total. The position of the Catholic Church lies in her moral theology on sexuality and marriage. After I review this theology, I will make explicit two points. The first is the Catholic Church's recommendation for sexual abstinence by homosexual persons; the second is the attitude that Catholic politicians should observe before a bill proposing a legal form for homosexual unions.

In Catholic moral theology, sexual pleasure is not its own finality. It is placed under the design of God who created human beings as male and female so that through their natural and intimate cooperation they could expand life. Therefore, sexual relationships are not licit outside a heterosexual union blessed as marriage and even in these conditions sexual relationships should be open to life. This last condition means that heterosexual couples should not use artificial

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<sup>94</sup> CDF, *Care of Homosexual Persons*, §10.1. Beyond the call not to harm, the Catholic Church articulates a call to care: Homosexual persons "must be accepted with respect, compassion and sensitivity. Every sign of unjust discrimination in their regard should be avoided." Congregation for the Doctrine of Faith, *Considerations Regarding Proposals To Give Legal Recognition to Unions Between Homosexual Persons* (June 3, 2003), § 4.3. It is interesting to note that local churches relay the call not to harm. An author reports: "The Zambian Episcopal Conference (ZEC) – the body representing the Catholic bishops – also made an official statement through their spokesperson, Fr. Samasumo. This statement, however, did not refer to the legal and political dimension of the issue; it rather stated that while homosexual acts are sinful, people with a homosexual orientation are 'fellow human beings' who 'must not be discriminated against.'" Adriaan S. Van Klinken, "Homosexuality, Politics and Pentecostal Nationalism in Zambia," *Studies in World Christianity* 20.3 (2014), 6.

means to prevent fecund sexual acts. Same-sex relationships, because they do not fit into this framework of the procreation of life, are nothing but immoral commerce between moral agents. The Magisterium continues: “This does not mean that homosexual persons are not often generous and giving of themselves; but when they engage in homosexual activity they confirm within themselves a disordered sexual inclination which is essentially self-indulgent.”<sup>95</sup>

This disorder is the theological background of the Catholic Church’s disapproval of same-sex unions. The Church offers more arguments that should dissuade even non-Catholic people from accepting the status of marriage for homosexual unions. The Catholic Church lists five kinds of arguments. First, on the level of right reason, it is not fair to give the same legal guarantees of marriage, “an institution of the common good,” to homosexual unions. Second, on the biological aspect, same-sex unions have an intrinsic deficiency because they are not procreative. Third, anthropologically, homosexual unions cannot realize the complementary union of people involved in the relationship. Fourth, at the social level, legal recognition of homosexual unions would lead to redefine the notion of marriage. Fifth, legally, homosexual unions do not need legal attention because they do not promote the common good. Overall, the concern of the Catholic Church is the social effect of the legal recognition of homosexual unions. Since law legitimizes and works as a public endorsement, legal recognition raises homosexual unions to the status of heterosexual marriage and makes it an equal alternative to marriage. The church argues that this recognition, everywhere it happens, harms the whole society and specifically the youth.

In this area, one needs first to reflect on the difference between homosexual behavior as a private phenomenon and the same behavior as a relationship in society, foreseen and approved by the law, to the point where it becomes one of the institutions in the legal

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<sup>95</sup>CDF, *Considerations Regarding Proposals To Give Legal Recognition to Unions Between Homosexual Persons*, §7.2.

structure. This second phenomenon is not only more serious, but also assumes a more wide-reaching and profound influence, and would result in changes to the entire organization of society, contrary to the common good.<sup>96</sup>

The fundamental deficiency of homosexual unions implies that gay or lesbian couples are also unable to assume responsibility as parents and therefore to adopt a child. In the case of adoption, the Church argues, the child would not enjoy the fulfilling experience of having a father and a mother, which children need to grow emotionally well.

In her “war” against homosexual unions, the Catholic Church recommends to Catholic politicians two kinds of action in the face of legal measures susceptible of accepting or reinforcing these unions. First, when there is a bill proposed for the legal recognition of same-sex unions, Catholic politicians should oppose the project and declare publicly their opposition. “To vote in favor of a law so harmful to the common good is gravely immoral.”<sup>97</sup> In cases where these unions legally exist already, the Catholic politician should strive to limit the advantages that can be extended to those couples.

If homosexual people cannot marry and if sexual relationships are not permitted to them, the only possibility left to them is perpetual abstinence and celibacy. The Catholic Church is aware of the cost of that discipline and knows that it could even expose gays and lesbians to ridicule. However, she asks them to bear faithfully this cross as a way of redemption.

What, then, are homosexual persons to do who seek to follow the Lord? Fundamentally, they are called to enact the will of God in their life by joining whatever sufferings and difficulties they experience in virtue of their condition to the sacrifice of the Lord's Cross. That Cross, for the believer, is a fruitful sacrifice since from that death come life and redemption. While any call to carry the cross or to understand a Christian's suffering in this way will predictably be met with bitter ridicule by some, it should be remembered that this is the way to eternal life for all who follow Christ.<sup>98</sup>

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<sup>96</sup> Ibid., § 6.3.

<sup>97</sup> Ibid., §10.2.

<sup>98</sup> *Care of Homosexual Persons*, §12.1.

The Catholic Church considers a same-sex relationship as a sinful relationship and thereby an intrinsic evil. She perceives homosexual orientation as a self-indulgent moral disorder and disapproves strongly of the legal recognition of homosexual couples. The importance of the issue compels the Catholic Church to call her members who are engaged in public life to remain vigilant and resist these recognitions. She draws her theological foundation from the Bible and the Tradition as the Magisterium interprets them. Theologians and exegetes contest the Church's hermeneutics and her conclusions, suggesting that homosexuality is neither a disorder nor sin.<sup>99</sup> The absence of consensus between the Church and some theologians becomes important when one considers the position of the other churches.

## **II. POSITIONS FROM OTHER CHURCHES**

There is no consensus among other churches on the issue of homosexuality. The range of positions varies from a total disapproval to a total acceptance. I present in this section some samples of each opinion. Whether they accept or refuse same-sex relationships, the issue shakes churches.

### **A. The United Methodist Church**

According to Tiffany Steinwert, homosexuality has been an issue of debate in the United Methodist Church since 1968. The treatment of the issue has been constantly and gradually oppressive for homosexual persons.

Since 1968, The United Methodist Church has publicly debated the status and role of homosexual persons in the life of Church. While some in the denomination advocate for the full inclusion of gay, lesbian, bisexual and transgender persons, the General Conference and the Judicial Council have increasingly restricted the participation of homosexual persons in the life of Church. From the initial proclamation that homosexuality is incompatible with Christian teaching (1972) to restrictions on the

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<sup>99</sup> Antony Kosnik et al., *Human Sexuality: New Directions in American Catholic Thought* (New York: Paulist Press, 1977), 7-16.

funding for homosexual caucuses (1976), the ordination of homosexual persons (1984), the celebration of same-sex unions (1996) and the reception into membership of unrepentant homosexual persons (2005), the official polity of the Church has increasingly excluded gay and lesbian people from full participation.<sup>100</sup>

The last act of 2005 is a ruling of the United Methodist Church Judicial Council that recognized the right of a pastor in Virginia to refuse membership to a gay member on the basis that practicing homosexuality is a refusal to repent from one's sins. This decision is, on the one hand, the highest stage of the previous developments marginalizing homosexual persons, and, on the other hand, it lays a legal basis for their complete exclusion. The question, in the United Methodist Church, is not whether homosexuality is a sin or not or if it is possible to bless homosexual unions or not. The question is posed in stricter terms: can a gay or a lesbian be a member of the United Methodist Church?

I cannot expose in this section all the moral theology of the United Methodist Church. In an article entitled "Methodists: Since the Nineteenth Century," Charles H. Lippy and Peter W. Williams give a glimpse of that theology.<sup>101</sup> It is however important to mention the quadrilateral of John Wesley - Scripture, tradition, reason, and experience - as the most important sources of the Methodist theology. The Church used this framework to discern if it should accept homosexual persons or not.

The debate in the Methodist Church and the interpretation that supporters and opponents of same-sex relationships made of Scripture, tradition, reason, and experience are representative of what happens in other churches. Generally, "those more conservative interpret their sources as transcendent, objective and eternal, while those more liberal interpret their sources as contextual,

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<sup>100</sup> Tiffany L. Steinwert, "Homosexuality and The United Methodist Church: An Ecclesiological Dilemma" (PhD diss. Boston University, 2009), 1-2.

<sup>101</sup> Charles H. Lippy and Peter W. Williams, "Methodists: Since the Nineteenth Century," in *Encyclopedia of Religion in America*, <http://dx.doi.org/10.4135/9781608712427.n220>

experiential, and dynamic.”<sup>102</sup> For the conservatives, the Bible, as Word of God does not need to be interpreted. For the liberals, the Bible should be adapted to the time of the reader and interpreted adequately in order to avoid using the sacred text to justify abuses such as slavery, racism and sexism.

In this debate, the Bible becomes a source of contention. In the table below (that Steinwert made), one can see that Conservatives and Liberals use the Bible equally in terms of number of arguments. The liberals appeal more to experience as an argument for adaption of Methodist faith to time. In the statistics, conservatives plead with more traditional arguments. They understand tradition as the backbone of the Church and fidelity to the common background of Christian churches. For the liberal, what really matters is inclusion of homosexual people. The question becomes an issue of identity and ecclesiology, an “issue of hospitality rather than of hostility.”

Overall, as Steinwert shows, both Conservatives (MC) and Liberal (ML) argue with the authoritative sources of the church faith.

A point that has been decisive in the discernment was probably the decline of the number of the faithful in the Church with its financial consequences.<sup>103</sup> But each side thinks that the adoption of its argument will save the denomination and preserve loss of membership.<sup>104</sup> The Anglican Communion is deeply immersed in the crisis of homosexuality.

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<sup>102</sup> Steinwert, “Homosexuality and The United Methodist Church,” 255.

<sup>103</sup> “The UMC in America has witnessed a steady decline in membership since its creation in 1968. Between 1970 and 2007, for example, membership decreased by an average rate of 7.3 percent per decade, from 10.6 million members to 7.8 million. In contrast, the number of Methodist constituents—those persons who are not church members but who participate in the life of a particular congregation—increased by nearly 7 percent between 2001 and 2007, from 1.4 million to 1.5 million.” Lippy and Williams, “Methodists: Since the Nineteenth Century.”

<sup>104</sup> Steinwert, “Homosexuality and The United Methodist Church,” 276-300.

## B. The Anglican Communion

The issue of homosexuality has been shaking the Anglican Communion in the recent decades. The Conference of the Communion at Lambeth in 1998 that was to make a decision on the question began with a memorable scene of Emmanuel Chukwuma, an Anglican bishop from Nigeria, trying to exorcise Richard Kirker, a British homosexual: “God did not create you as a homosexual. That is our stand. That is why your church is dying in Europe— because it is condoning immorality. You are killing the church. This is the voice of God talking.”<sup>105</sup>

This symbolical confrontation led some authors to consider the issue of homosexuality as a battle line in the Anglican Communion, between the south, which is black and brown and the north, which is white.<sup>106</sup> The reality is more complex because even in the north there are some conservative Anglicans who plead for limiting the access of the homosexuals to the sacramental life of the church (such as marriage and holy orders). These conservative Anglican Christians are not mainly in the church leadership. In the USA, entire parishes have chosen to withdraw their affiliation from some liberal bishops and place themselves under the jurisdiction of African or Asian Anglican bishops.<sup>107</sup> But one can also note the opposite movement: liberal Anglicans send

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<sup>105</sup> Miranda Katherine Hassett, *Anglican Communion in Crisis: How Episcopal Dissidents and Their African Allies Are Reshaping Anglicanism* (Princeton, NJ: Princeton University Press, 2007), 72.

<sup>106</sup> Carrette and Keller for instance interpreted the scene in this sense and proposed an article where they define religion as orientation and mainly a power relationship. Unfortunately, such an approach empties the spiritual meaning that the faithful look for in religion. “Orientations occur within systems of power relations and signal negotiations with systems of power, not submission to power nor facades for power struggles. Within this second principle we are acknowledging that religions (and the study of religions) do not exist outside of the discourses of race/class/gender/sexuality, but rather that people orient themselves in their religious practices in relation to these axes of power. Power is here understood, following Foucault, as a ‘network of force relations’ through which we ‘orientate’ ourselves.” Jeremy Carrette and Mary Keller, “Religions, Orientation and Critical Theory: Race, Gender and Sexuality at the 1998 Lambeth Conference,” *Theology and Sexuality* 11 (1999), 28.

<sup>107</sup> “In mid-2000 the leadership of St. Timothy’s decided to separate the parish from the Episcopal Church in the United States of America (ECUSA) and formally join the Anglican Church in the African country of Rwanda. In so doing, St. Timothy’s became one of approximately fifty churches making up a new church organization called Anglican Mission in America (AMiA). AMiA’s head bishops are themselves Americans and former Episcopal priests, who were consecrated as bishops in January 2000 by the archbishops of the Anglican provinces of Rwanda and South East Asia in order to lead and serve conservative Episcopal dissidents in the United States.” Hassett, *Anglican Communion in Crisis*, 1-2.

“missionaries” to Africa to assist African Anglican homosexuals who feel excluded *de facto* from “regular” churches.<sup>108</sup> The truth is that, even if African and Asian bishops in the Anglican Communion had the majority during the Conference of Lambeth in 1998,<sup>109</sup> a mixed alliance<sup>110</sup> voted against the blessing of same-sex marriages in the Anglican Communion.<sup>111</sup>

The position of the Anglican Communion is close to Catholic moral teaching. The Communion, “in view of the teaching of Scripture, upholds faithfulness in marriage between a man and a woman in lifelong union, and believes that abstinence is right for those who are not called to marriage.”<sup>112</sup> But if recognition is restricted only to heterosexual marriage, as in the Catholic Church, the Anglican Communion expresses the desire to provide pastoral care to its homosexual faithful:

(c) [The Anglican Communion] recognizes that there are among us persons who experience themselves as having a homosexual orientation. Many of these are members of the Church and are seeking the pastoral care, moral direction of the Church and God’s transforming power for the living of their lives and the ordering of relationships, and we commend ourselves to listen to the experience of homosexual people. We wish to assure them that they are loved by God and that all baptized, believing and faithful persons, regardless of sexual orientation, are full members of the Body of Christ.<sup>113</sup>

In the Anglican debate, the martyrs of Uganda were mentioned “as icons of African resistance to homosexuality.”<sup>114</sup> Between 1885 and 1886, some servants of a local king, Kabaka

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<sup>108</sup> Hassett reports: “While in Uganda, my husband and I had the opportunity to get to know one such newly formed community: the small Anglican gay rights group, Integrity-Uganda. This group was formed in 2001, with some help from the American Episcopal Integrity group, in order to reach out to and advocate for Ugandan gays and lesbians.” Hassett, *Anglican Communion in Crisis*, 91.

<sup>109</sup> “Lambeth 1998 was attended by nearly 750 bishops, including 224 from Africa, 177 from the United States and Canada, 139 from the United Kingdom and Europe, 95 from Asia, 56 from Australia, 41 from Central and South America, and 4 from the Middle East.” Hassett, *Anglican Communion in Crisis*, 71.

<sup>110</sup> “The Christians of the south are at a loss to understand how their northern brethren can accord the wisdom of the world the same stature, more or less, that they accord the pronouncements of the Lord God Almighty. Plenty of northern Anglicans wonder, too... What they have lacked are allies. At the 13<sup>th</sup> Lambeth Conference, allies they found.” William Murchison, “The Lambeth Squawk: The Bible Tells Us *No*,” *Human Life Review* 24.4 (1998), 10.

<sup>111</sup> Murchison witnesses: “The resolution passed: 526 to 70, with 45 abstentions. And-what was more-with the Archbishop of Canterbury urging a yea vote,” Murchison, “The Lambeth Squawk,” 11.

<sup>112</sup> Hassett, *Anglican Communion in Crisis*, 78.

<sup>113</sup> *Ibid.*, 78.

<sup>114</sup> *Ibid.*, 82.

Mwanga, refused the king's demand for same-sex relationships because of their recent affiliation to Christianity. Some of these servants were young and others already adults. Some were Catholic and others Anglican. The West African delegation at Lambeth suggested a text motivating their disapproval of same-sex relationships:

This conference noting that... (iv) Some African Christians in Uganda were martyred in the 19th century for refusing to have homosexual relations with the king because of their faith in the Lord Jesus and their commitment to stand by the Word of God as expressed in the Bible on the subject; stands on the Biblical authority and accepts that homosexuality is a sin.<sup>115</sup>

The final resolution did not include the West African delegation's remark but the proposition is worth noting because it signals a perception of the issue by a portion of people in this Communion.<sup>116</sup>

Despite the important consensus, the resolution taken at Lambeth in 1998 did not take long to crumble. One of the observers perceived the fragility of the decision and made a prophecy of doom: "The Episcopal Church would throw such a resolution directly out the window (though a significant minority of U.S. bishops voted enthusiastically for it). Lambeth forthrightly called the Anglican Communion's attention to what Christians of all sorts are supposed to stand for in the sexual realm."<sup>117</sup> Less than five years after the Conference, the Episcopal Church and members of the Anglican Communion elected Gene Robinson, an openly gay priest, as bishop of the diocese of New Hampshire in 2003. During the summer of 2015, the Episcopal Church recognized same-sex marriages. This difference of discipline becomes a

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<sup>115</sup> Ibid., 88.

<sup>116</sup> In Uganda, the debate on homosexuality meant that opponents of the same-sex relationships argue more and more from the martyrdom of the King's pages. But the consensus on the martyrs is disputed. Some recall that Pope Paul VI did not mention the reason for the martyrdom in the papal act recognizing the martyrs. There is a political aspect on the issue. Some people argue that same-sex relationships were only a minor reason for the execution of the servants. What was really at stake was the loyalty they started paying to the foreign missionaries to the detriment of their king. On this basis, some Ugandans did not hesitate to treat the martyrs as pure betrayers. See for instance, Hassett, *Anglican Communion in Crisis*, 82-83; Ward, "Same-Sex Relations in Africa," 89; Msibi, "The Lies We Have Been Told," 66.

<sup>117</sup> Murchison, "The Lambeth Squawk," 11.

thorny issue because, even if the Churches are autonomous in the Anglican Communion, they are interdependent in terms of doctrine and discipline.<sup>118</sup>

As a consequence of this shift, the primates of the Anglican Communion took, on January 14, 2016, a sanction against the American branch of the Communion. For three years, say the primates, the Episcopal Church members “no longer represent us on ecumenical and interfaith bodies, should not be appointed or elected to an internal standing committee and that while participating in the internal bodies of the Anglican Communion, they will not take part in decision making on any issues pertaining to doctrine or polity.”<sup>119</sup>

Even if the sanctions do not involve a specific threat, the schism seems to be unavoidable since the Episcopal Church is unwilling to change the step she undertook to bless same-sex marriages.<sup>120</sup> Contrary to these stances, the Pentecostal churches are strongly opposed to homosexuality.

### **C. The Pentecostal Church**

The group of the churches under the Pentecostal banner is important and it can be challenging to find a common definition. However, they share some characteristics that can help to identify them and their theology.

There is considerable debate about how to define Renewalist Christianity and related traditions. Prominent religion scholars such as Freston (2001) and Ranger (2008) suggest using a “working definition” that highlights the centrality of four broad characteristics:

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<sup>118</sup> There is a precedent in the Canadian Anglican diocese of New Westminster, which voted in 2002 to admit blessing of same-sex unions. Charles H. Lippy and Peter W. Williams, “Anglican Tradition and Heritage,” in *Encyclopedia of Religion in America*, ed. Charles H. Lippy and Peter W. Williams, <http://dx.doi.org/10.4135/9781608712427.n22>.

<sup>119</sup> Matthew Davies, “Majority of Primates Call for Temporary Episcopal Church Sanctions,” *Episcopal New Service*, January 14, 2016, <http://episcopaldigitalnetwork.com/ens/2016/01/14/majority-of-primates-call-for-temporary-episcopal-church-sanctions>. The primates decided with a vote of 27 for, 3 against and 6 abstentions.

<sup>120</sup> Laurie Goodstein and Kimiko De Freytas-Tamura, “For Now, Anglicans Avert Schism Over Gay Marriage,” *New York Times*, January 15, 2016, [http://www.nytimes.com/2016/01/16/world/europe/for-now-anglicans-avert-schism-over-gay-marriage.html?ref=topics&\\_r=2](http://www.nytimes.com/2016/01/16/world/europe/for-now-anglicans-avert-schism-over-gay-marriage.html?ref=topics&_r=2).

conversion (emphasis on the need to change one's life), activism (emphasis on missionary efforts), biblicism (the special importance attached to the Bible), and crucicentrism (the centrality of Christ's sacrifice on the cross).<sup>121</sup>

Technically, these distinctions can be applied to other churches. To catch the real picture of the Pentecostal Church one should add the continual fervor, the performance of miracles as the sign of the active presence of the Spirit in the church and awareness of the end of times. By that token, a high sense of eschatology marks the Pentecostal churches. Therefore, some of the faithful of these churches equate the abomination of desolation foreseen as the end-time (Mt 24:15) to homosexuality. The visit of the United Nations' Secretary General to Zambia in 2012 (where he pleaded for the liberation of people imprisoned for same-sex relationships) has been interpreted as an eschatological sign. They perceive homosexuality as abnormal, monstrous and similar to those things that are supposed to arrive at the end of time. Van Klinken reports two opinions related to this perception:

1. Nobody will do anything to stop the UN from achieving their goal. Development comes with its consequences, Jesus is about to return and the prophecy must be fulfilled before he returns.

2. What we should have come to understand by now is that the world is coming to an end. Whether we like it or not homo rights will one day be accepted and practiced openly. Lets just work on our salvation and stop wasting time on things we cannot prevent from happening.<sup>122</sup>

Before the reality of the evil affecting the world, Pentecostal Christians engage in a spiritual battle. In the name of Jesus, they fast to counter the invasion of evil or to limit its

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<sup>121</sup> Guy Grossman, "Renewalist Christianity and the Political Saliency of LGBTs: Theory and Evidence from Sub-Saharan Africa," *The Journal of Politics* 77. 2 (2015), 342. The same authors bring more details: "Other widespread characteristics of Renewalism are belief in the prosperity gospel, exorcism and the existence of demons, spiritual warfare against representatives of the devil in everyday life, and syncretic blending with traditional indigenous practices (Kay 2011, 64–67). These definitions tend to emphasize spiritual experience and congregational participation rather than adherence to a formal codified doctrine."

<sup>122</sup> Adriaan S. Van Klinken, "Gay Rights, The Devil And The End Times: Public Religion And The Enchantment Of The Homosexuality Debate In Zambia," *Religion* 43.4 (2013), 529.

effects. The case of Zambia provides once again an interesting example. If at a human level Christians feel powerless, they stay confident in the spiritual field.

With regard to the specific purpose of this fasting, one commenter suggests to fast for the sake of Ban Ki-moon, in order for him to be delivered from his demonization, while another commenter calls to fast against Ban Ki-moon in order for him not to find a hearing in Zambia. Yet other commenters mention fasting either as a demonstration of repentance for the nation (quoting from the Bible, Joel 2:12), as a weapon so that all governments who want to promote gay rights will fall in Jesus' name, or as an intense instrument of prayer to God that his hand will continue to protect Zambia.<sup>123</sup>

Even if examples provided concern only Africa, the Pentecostal movement, with its characteristics, is not only active on this continent. Some authors argue that Western Evangelical churches, namely the American religious ring, export in Africa, the “culture war” of their countries.<sup>124</sup>

Pentecostal Churches are opposed to same-sex relationships. This position finds support from reading of the Bible and is nourished by an eschatological fervor. In such a church, there is no room for homosexual persons. As a result of this discipline, a defrocked Pentecostal homosexual pastor founded another Church open to all.

#### **D. The Metropolitan Community Church**

Troy Perry who, because of his homosexuality, had been defrocked as pastor of the Pentecostal Church, created the denomination of the Metropolitan Community Church (MCC) in 1968. If he was willing to bring spiritual support to some of his friends, he decided to found a

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<sup>123</sup> Van Klinken, “Gay rights, the devil and the end times,” 529.

<sup>124</sup> See for example, Elise Demange, “De l’Abstinence à l’Homophobie: La ‘Moralisation’ de la Société Ougandaise, une Ressource Politique entre Ouganda et États-Unis,” *Politique Africaine* 126 (2012), 25-46; Grossman, “Renewalist Christianity and the Political Saliency of LGBTs” 344; Msibi, “The Lies We Have Been Told,” 59. For a nuanced view on this issue: Van Klinken, “Homosexuality, Politics and Pentecostal Nationalism in Zambia,” 259-281.

church by God's calling. However, the church is not a gay church. It is rather an ecumenical church open to everyone.<sup>125</sup>

I said the church was organized to serve the religious, spiritual and social needs of the homosexual community of greater Los Angeles, but I expected to grow to reach homosexuals wherever they might be. I made it clear that we were not a gay church — we were a Christian church, and I said that in my first sermon. I also told them that we would be a general Protestant church to be all-inclusive.<sup>126</sup>

In 2004, “there [were] almost 300 MCC congregations in 22 countries around the world. More than 43,000 people consider themselves members or adherents of Metropolitan Community churches.”<sup>127</sup> Some are in Africa. Even if the founder does not identify his denomination as a gay church, the identification of the Metropolitan Community Church with the homosexual community is strong and *de facto*, it is considered a “gay church.”<sup>128</sup>

To reach its objectives, this church had to make a theology that fits its ambition but also to respond to the general view of homosexuality as an orientation opposite to Christian values. Without any pretention to be exhaustive, I offer three major theological articulations that support the Church.

The first theological argument is the very project of an inclusive church. For the faithful of the Metropolitan Church Community, what is at stake in the foundation of their church is not the apparition of another Christian branch marked by some specific options. Instead, it is a return

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<sup>125</sup> “Our church provided a feeling of freedom to worship, to walk with God. We knew that we were on God's side because God loved us, too. We excluded no one. We welcomed everyone. We still do. Heterosexuals came to our first services. They do today. At least 20% of our congregation is heterosexual. Their involvement is as great as anyone's.” Rev. Elder Troy Perry, “History of MCC,” <http://mccchurch.org/overview/history-of-mcc>.

<sup>126</sup> Perry, “History of MCC.” During the very first service of the denomination, the founder made a powerful statement: “I pointed out that we must be humble, spiritual human beings first, homosexuals second. We must love and build, free ourselves, and free others from their feelings against us. I closed my sermon with a quote from the Epistle of St. Paul, the Apostle to the Philippians, fourth chapter, thirteenth verse, which says, “I can do all things through Christ, which strengtheneth me!” After I finished preaching, I closed my Bible, and I knew that God was in the place.” Perry, “History of MCC.”

<sup>127</sup> Perry, “History of MCC.”

<sup>128</sup> The title of the book, *The Gay Church*, can be offensive to the members of the denomination. While quoting this book, I do not intend sharing any contempt associated to the book or its authors.

to the root of Christianity and to its fundamental message: love of God and love of neighbors. In this perspective, God was using the founder to re-ignite the fire of the Spirit on earth.<sup>129</sup>

The second theological position comes from what is understood as the origin of sexual orientation. Because one does not choose his or her sexual orientation, everyone has to accept it as a gift of God. Therefore one should not distinguish between a wrong and a right sexual orientation. Instead the diversity of these orientations should be apprehended as a reflection of God's infinite profusion.<sup>130</sup>

The third theological argument draws from the theology of liberation as African Americans made claim to social justice and empower their struggle. God who is by the side of the oppressed stands also with the homosexual persons and even more God identifies God's self to a gay and a lesbian. For Rev. Howard Wells,

If we call on God to deliver us from our bondage, if we willingly and unequivocally place our lives in his hands, we can expect to be liberated and to be free to develop our full potential as human beings. It says that God has chosen to make the gay condition, his condition; he is not neutral in this struggle but rather, is on our side... To say that God is gay means that he understands us and approves of the way he made us.<sup>131</sup>

It can be interesting to mention a word concerning the interpretation of the Bible. Thus for example, the MCC rejects the references of the Old Testament as being consumed and assumed by the dispositions of the New Testament. Besides, some followers argue that traditional churches do not apply literally the teachings of the Bible. If some dispositions are

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<sup>129</sup> Ronald M. Enroth and Gerald E. Jamison, *The Gay Church* (Grand Rapids, MI: William B. Eerdmans, 1974), 60.

<sup>130</sup> The Church develops a theology of acceptance and finds in the Bible passages that impel one's sexual acceptance. The teaching opens a three-step initiation where the homosexual person learns that sexual orientation is not strange to God. Indeed, Jesus recognizes fundamental procreative differences between people: "Some are incapable of marriage because they were born so; some, because they were made so by others; some, because they have renounced marriage for the sake of the kingdom of heaven. Whoever can accept this ought to accept it." (Matt 19:12). The second step is acceptance of one's sexual orientation and live it as Paul urged Corinthians "Brothers, everyone should continue before God in the state in which he was called" (1 Co 7: 24). Finally, this attitude of reception is justified because "For everything created by God is good, and nothing is to be rejected when received with thanksgiving" (1 Tim 4:4). Enroth and Jamison, *The Gay Church*, 44.

<sup>131</sup> Enroth and Jamison, *The Gay Church*, 45.

disregarded as out of date, why should there be doggedness on homosexual persons?

Why women are allowed to speak in church (contrary to I Cor. 14:34-35); why long-haired men are not dismissed (despite I Cor. 11:14); why women are not forbidden to wear jewelry (as is stated in I Tim 2:9-10); and why divorcees may remarry (against the requirement of I Cor 7:10-11). If these texts are not maintained literally, how can the specific passages regarding homosexuality demand adherence? Such discrimination, gay theology argues, is nothing less than oppression.<sup>132</sup>

With the theology of the Metropolitan Church Community, we cover a large range of diverse Christian positions vis-à-vis same-sex relationships. My interest with this review is not to judge or to choose one of them. Instead, the presentation aims to provide awareness of the presence of multiple teachings. The African anthropology on sexuality does not temper the debate because it makes some radical contention. It is why John Mbiti, in his book *African Religions and Philosophy*, pleads “with people of other cultures and backgrounds...to be patient in passing harsh judgments on our traditional marriage customs and ideas.”<sup>133</sup>

### **III. African Concepts on Sexuality**

Mercy Amba Oduyoye makes a point worthy of consideration: “There is hardly any form of marriage in Africa that is not governed by African religio-cultural provisions, be that marriage Christian, Islamic or Western.”<sup>134</sup> African religions and African cultures depict diverse forms of unions and, so to speak, own them. Therefore, it is fair to consider the anthropology and “spirituality” that guides African unions in order to understand resistance to same-sex relationships.

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<sup>132</sup> Ibid., 44.

<sup>133</sup> John S. Mbiti, *African Religions and Philosophy* (Chicago: Heinemann, 1969), 131.

<sup>134</sup> Mercy A. Oduyoye, “A Critique of Mbiti’s view on Love and Marriage in Africa,” in *Religious Plurality in Africa: Essays in honour of John S. Mbiti*, ed. J. K. Olupona and S. S. Nyang (New York: Mouton de Gruyter 1993), 346.

## A. African Anthropology of Life

The concept of vital force is central in African anthropology. Vital force is energy conducive to life and is at stake in relationships, in rituals and in symbols that govern individual and social life. When things are done properly, there is an increase of vital force. Otherwise vital force decreases. Life becomes a criterion of moral discernment: if there is life, it is good. This importance of life orients marriage naturally to procreation.

We must note also that marriage and procreation in African communities are a unity: without procreation marriage is incomplete. This is a unity which attempts to recapture, at least in part, the lost gift of immortality...It is a religious obligation by means of which the individual contributes the seeds of life towards man's struggle against the loss of original immortality. Biologically both husband and wife are reproduced in their children, thus perpetuating the chain of humanity. In some societies it is believed that the living-dead are reincarnated in part, so that aspects of their personalities or physical characteristics are 're-born' in their descendants. A person who, therefore, has no descendants in effect quenches the fire of life, and becomes forever dead since his line of physical continuation is blocked if he does not get married and bear children. This is a sacred understanding and obligation which must neither be abused nor despised.<sup>135</sup>

Such an emphasis on procreation implies that barrenness as well as male sexual impotence is among the worse curses someone can endure. This emphasis on life is not simple willingness for reproduction. There is the belief that a complete human being is not the single man or woman but their development in community. Man gains completeness by taking a wife and both are made whole by the child they get. Self-achievement is fully reached in family understood as a micro-society. This is an anthropological point: "When the man accepts his double dimension, he reaches love, creativity, fertility. It becomes a set of three, Father-Mother-Child. It is in this triad that the man realizes himself as a person. He plunges his roots into the society: he is itself humanity in miniature, carrying the totality of the history and the totality of

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<sup>135</sup> Mbiti, *African Religions and Philosophy*, 130.

the human species."<sup>136</sup> From this perspective, religious celibacy is not attractive. Even in urban areas and in countries where people have largely embraced Christianity, some families still resist letting their sons and daughters take vows.

This is why same-sex relationships have remained marginal in African traditional societies. They cannot extend life and therefore cannot be proposed and promoted as a viable social model.

Active homosexuality is morally intolerable because it frustrates the whole purpose of sexual pleasure and that of a human person's existence in the sight of the ancestors and God. Thus, homosexual or lesbian orientations cannot be allowed to surface, let alone be expressed actively. It is clear how such an expression would be directly antagonistic to what the ancestors and the preservation and transmission of life stand for.<sup>137</sup>

Besides this argument, one should consider also the strong association that sex and gender has contributed to stigmatize homosexuality. In the division of labor as well as in other spheres of social life, male and female are strongly identified with tasks and behaviors. Crossing the boundary becomes abnormal and shameful except when the crossing is made for ritual purposes. This state of things has been strengthened by African theology even when it promotes liberation.

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<sup>136</sup>Engelbert Mveng, « Essai d'anthropologie négro-africaine : la personne humaine », in Institut Catholique de l'Afrique de l'Ouest, *L'expérience religieuse africaine et les relations interpersonnelles, Actes du Colloque International d'Abidjan, 16-20 septembre 1980* (Abidjan, Ivory Coast: Savanes-Forêts, 1982), 266. According to Benezet Bujo, "south of the Sahara, the fundamental anthropological conception in Africa is both bipolar and tripolar. One is a human being only in the duality of man and woman, and this bipolarity generates the triad man-woman-child, which leads to full community. Against this background, a man-man or woman-woman relationship would not only be looked on as an egoistic isolationism which dares not take the step of full human existence; it also leads to a sexist discrimination against part of the human race and shows an unwillingness to accept the enrichment that comes from heterogeneity." Adrian S. Van Kinken and Masiwa Ragies Gunda, "Taking Up the Cudgels Against Gay Rights?: Trends and Trajectories in African Theologies on Homosexuality," *Journal of Homosexuality*, 59.1 (2012), 125.

<sup>137</sup> Laurenti Magesa, *African Religion: The Moral Traditions of Abundant Life* (Maryknoll, NY: Orbis Books, 1997), 146. On the same page, Magesa continues as a matter of paradox: "In some places clandestine homosexual acts may be imposed as a condition to acquire wealth."

## B. African Religious Concepts

I understand African religious concepts, usually called African theology, as the quest for understanding Christian revelation in a way that makes sense for Africans. African theology in fundamental theology and in systematic theology uses African concepts and myths. This theology tries to capture African reality and place it under the light of Christian tradition including the Bible. Today we have mainly three well-established branches in African theology: the theology of inculturation, the theology of liberation, and the theology of reconstruction.

In the field of inculturation, African theologians draw directly from African cultures to express Christian faith. In African Christology for example, the figure of Christ has been made explicit by concepts like Christ-Ancestor, Christ Proto Ancestor, Christ brother, Christ healer. All these appellations are related to the ministry of Jesus who has come to give life in abundance. It is also worth noting that the concept chosen by African Catholic Church leaders as the framework for their pastoral strategy comes from the African culture, *mater alma* of the Christians of the continent: family.

Not only did the Synod speak of inculturation, but it also made use of it, taking the *Church as God's Family* as its guiding idea for the evangelization of Africa. The Synod Fathers acknowledged it as an expression of the Church's nature particularly appropriate for Africa. For this image emphasizes care for others, solidarity, warmth in human relationships, acceptance, dialogue and trust. The new evangelization will thus aim at building up the *Church as Family*, avoiding all ethnocentrism and excessive particularism, trying instead to encourage reconciliation and true communion between different ethnic groups, favouring solidarity and the sharing of personnel and resources among the particular Churches, without undue ethnic considerations. "It is earnestly to be hoped that theologians in Africa will work out the theology of the *Church as Family* with all the riches contained in this concept, showing its complementarity with other images of the Church."<sup>138</sup>

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<sup>138</sup> John Paul II, Post-Synodal Apostolic Exhortation *Ecclesia in Africa* (15 September 1995) § 65, at the Holy See, [www.vatican.va](http://www.vatican.va). More recently, the African Bishops have underlined again the importance of the family for the continent and the church in Africa: "Studies of cultural anthropology from several African nations have proved that Africans attach great importance to the family. They reaffirm what many Africans today already embrace, that the family is a social and divine institution which expresses deep human relationship and intimate encounters, constitutive of both the identity of the individual and the community. The awareness of the significant value of community and its intrinsic relation to the identity and the fulfillment of the individual, is particularly of capital

On the side of the theology of liberation, one could have expected that African theologians of liberation had committed for the defense of sexual minorities' rights. Resources might be available to formulate such an agenda and push the Church to be the voice of these voiceless. African liberation did not engage in this way. This absence of interest may be explained by the fact that homosexuality is not a major preoccupation in Africa. This statement may surprise the western observer whose opinion is mainly shaped by the media. Some of those who stay in some parts of the continent have the same point of view. Miranda Katherine Hassett makes the same observation: "Contrary to the impressions of many Northerners, and despite its salience in international contexts, homosexuality is not a driving concern of Ugandan and other African Christians on a daily basis."<sup>139</sup>

Compared to same-sex relationships, Africans find that issues like social justice, political and democratic government, reconciliation, peace are issues more urgent and more affecting their lives. Before so many challenges, some African theologians present the disapproval of homosexuality as a duty of resistance and Christian witness. Besides theology made by professional theologians, there is a popular theology that gives an important role to the Bible.

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importance to a given group or family. Thus, crises within the family have adverse effects on the Church and society in African, as well as on individual identity and commitment to achieving one's vocation and mission in life." Symposium of Episcopal Conferences of Africa and Madagascar, *The Future of the Family, Our Mission: Contribution to the 14<sup>th</sup> General Ordinary Assembly of the Synod of Bishops on Family* (Accra, Ghana: SECAM-SCEAM Publications, 2015) § 3.

<sup>139</sup> Hassett, *Anglican Communion in Crisis*, 93. Even those who critique any form of homophobia recognize that the issue is not major on the continent: "The minimum community is clearly 'a couple' and by current norms, heterosexual, between whom there is love. In some parts of the world there is pressure to recognize homosexual couples. Their arguments shift the emphasis on marriage from gender to relationships. This we may say is not the problem of contemporary Africa. We, nevertheless, cannot avoid being involved in the issues. We share this one planet with others." Oduyoye, "A Critique of Mbiti's view," 346.

### C. Public Use of the Bible

There are three ways through which the Bible has become a familiar book among African Christians. The first one is a physical proximity: the Bible is the book that is most at hand. Usually traditional Protestants as well as Pentecostal Christians attend Sunday services, each one carrying the Bible. Catholics have also been encouraged to read the Bible, especially with the participation of the Catholic Church in the Biblical Alliance, an ecumenical service that translates and publishes entirely or in part books of the Bible in local languages. Therefore what Masiwa Ragies Gunda says for Zimbabwean Christians can be applied without need of correction to Christians in many other countries on the continent.

At face value, Christianity in Zimbabwe is seen as synonymous with the Bible. 'It is the book. It is read in times of joy and in times of sorrow. It is read to instruct children in moral issues.' Not only is the Bible the most widely read book in Zimbabwe, it is also in many cases the only piece of literature in many households. The book that many first came into contact with and in many other cases the last book that many see before they die.<sup>140</sup>

The second point related to the Bible is a cultural affinity between the Africans and the Chosen People. Partially this proximity comes from the assimilation of the biblical narratives as a consequence of evangelization and the faith. This affective connection comes also from an identity with the social and economic world depicted in the two Testaments. The agro-pastoral activities present in the life of the Chosen People as well as in the parables of Jesus, the proverbs and the respect for elders, to mention just few, are cultural features deeply enrooted in the African culture. Therefore, this identification that Gunda mentions is not merely abstract.

This pragmatic and selective use of the Bible appears to be based on the perception that most 'Africans hear and see a confirmation of their own cultural, social and religious life in the life and history of the Jewish people as portrayed and recorded in the pages of the Bible' This self-identification of African readers with ancient Israelites has given the

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<sup>140</sup> Masiwa Ragies Gunda, *The Bible and Homosexuality in Zimbabwe: A Socio-historical analysis of the political, cultural and Christian arguments in the homosexual public debate with special reference to the Use of the Bible*, (Bamberg: University of Bamberg Press, 2010), 71.

Bible its authority as it is seen as relating the story of Africans on top of that of the Israelites.<sup>141</sup>

This point deserves more attention and more development. Connection between Africa and the Bible is not only based on the experience of contemporaneous Africans. There is a long tradition in Africa that claims that Africa is home for the Bible and that African Black people are not strangers in the Bible. From hermeneutics and historical research, the Jesuit historian and theologian from Cameroon, Engelbert Mveng, draws the conclusion that African People are People of the Bible. At the opening ceremony of the Jerusalem Congress on Black Africa and the Bible, in 1972, he made these remarks:

We have come from afar, from the depths of Africa, and you can read our names on our faces ... We are the people of believers of Africa, the people of the Bible, that the prophet Isaiah speaks about, and who, beyond the rivers of Kush will bring his offering to Yahweh on Mount Zion, where His name is worshiped ... We have come to learn Scripture, the message of the Bible, which is our message because we are the people of the Bible, because Africa is the Land of the Bible and the second river of the Paradise called Geon and surrounds the land of Kush, that is to say Black Africa. From Genesis, Africa and black Africans are present in the Bible; the message of the Bible is our message and the People of the Bible are our people. We too are heirs of the Bible and accountable for its message yesterday, today, and tomorrow. We have come to learn how to decipher this message that is our message as it is yours.<sup>142</sup>

Claiming the paternity of the Scripture as well as its legacy entails an important consequence for Africans today. The Bible can be apprehended as bridging, somehow, the past and the present of the continent. Therefore, Africans do not betray their traditions when they embrace Christianity and the Bible. On the issue of same-sex relationships, this connection with

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<sup>141</sup> Ibid., 70.

<sup>142</sup> “Nous sommes venus de loin, du fond de l'Afrique, et vous pouvez lire nos noms sur nos visages... Nous sommes le peuple des croyants d'Afrique, le peuple de la Bible, celui-là dont parle le prophète Isaïe et qui par-delà les fleuves de Kush apportera à Yahvé son offrande sur le Mont Sion, là où est adoré son Nom... Nous sommes venus apprendre l'Écriture Sainte, le message de la Bible, qui est notre message, parce que nous sommes le peuple de la Bible, parce que l'Afrique est la Terre de la Bible et que le second fleuve du Paradis s'appelle Géon et qu'il entoure le pays de Kush, c'est-à-dire l'Afrique Noire. Depuis la Genèse, l'Afrique et les Africains noirs sont présents dans la Bible; le message de la Bible est notre message et le Peuple de la Bible est notre Peuple. Nous aussi, nous sommes les héritiers de la Bible et responsables de son message hier, aujourd'hui et demain. Nous sommes venus apprendre à déchiffrer ce message qui est notre message comme il est le vôtre.” Paulin Poucota, “Engelbert Mveng: Une Lecture Africaine de la Bible,” *Nouvelle Revue Théologique* 120.1 (1998), 33.

the Bible can, if combined with other elements, justify why in general, churches, theologians and ordinary Christians tend to adhere to the Bible and read it to find solutions for every kind of problem and guidance for their daily life.

If we listen to all the voices or even some of them, the inescapable conclusion to which we arrive is that homosexuality is a concern of contention in theology. Between different churches as well as within the same churches, sources of revelation, like Scripture and tradition are interpreted differently. The variety of hermeneutics of the Bible on this issue is particularly striking: arguments on each side seem equal in pertinence and abundance. Beyond the difficulties of interpretation, there is a more iconoclastic question: can the Bible whose writers did not know what a sexual orientation mean still provide guidance for our life today? The African anthropology and theology are also challenged because of the legal recognition of homosexual unions in South African and the attendance of some Africans in the Metropolitan Church Communities. The treatment of the issue exposes already the Anglican Communion to a schism. What kind of exhortation can Church leaders make to Christians today on such a contentious issue?

## CHAPTER 3. CALL TO JUSTICE AND COMPASSION

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This chapter intends to be pastoral. In other words, it is directly ordered to address concrete issues that affect peoples and nations. While I am sketching some responses to some practices related to homosexuality, I do not pretend to be able to provide definitive views on all the concerns that gays and lesbians, their supporters and promoters of same-sex union raise in the Roman Catholic Church. I will consider two main points in this section, both connected to the overview of homosexual practices that I made in the first chapter. The first point concerns homosexuality and relationships of power. The second point concerns the care of homosexual persons.

### I. HOMOSEXUALITY AND RELATIONS OF POWER

The issue of homosexuality involves relationships of power either between individuals or between states. In this perspective, homosexuality can become a bargaining chip in a game of power for interests that ignore the dignity of gays and lesbians. These relationships turn out to be abusive and as such should be denounced.

#### A. Abuse of Persons in Same-Sex Relationships

Richard Gula captures the complexity of sexuality when he writes: “Sex can be tenderly healing and violently abusive. It can be the sacrament of our deepest desire to be in communion with God and delight us with a taste of divine ecstasy, and it can be a commercial transaction without any emotional investment.”<sup>143</sup> Sexuality entails a promise but also a threat. The difference may be in the way we use it. Unfortunately, there are some practices that are

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<sup>143</sup> Gula, *Just Ministry*, 159.

condemnable because they are nothing but human trafficking. The commercialization comes from a culture that trivializes sexuality.

### 1. *The trivialization of sexuality*

There are some opinions that argue that people of our time give more importance than previously to sexuality: “According to contemporary scientific research, the human person is so profoundly affected by sexuality that it must be considered as one of the factors which give to each individual's life the principal traits that distinguish it.”<sup>144</sup> This importance, so to speak, has helped to trivialize matters related to sexuality and increased the volume of transactions connected to the sex industry.

Pornography has been one of the illustrations of these new trends related to sexuality.<sup>145</sup> The United States Conference of Catholic Bishops has come to consider the matter so serious that they issued a document to address it and provide pastoral help to their people. In the introductory notes of their pastoral address, the bishops state their worries and awareness of how pornography is affecting so many lives:

While the production and use of pornography has always been a problem, in recent years its impact has grown exponentially, in large part due to the Internet and mobile technology. Some have even described it as a public health crisis. Everyone, in some way, is affected by increased pornography use in society. We all suffer negative consequences from its distorted view of the human person and sexuality.<sup>146</sup>

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<sup>144</sup> Sacred Congregation for the Doctrine of the Faith, Declaration on Certain Questions Concerning Sexual Ethics *Persona Humana*, December 29, 1975, § I, at the Holy See, [www.vatican.va](http://www.vatican.va).

<sup>145</sup> “Pornography consists in removing real or simulated sexual acts from the intimacy of the partners, in order to display them deliberately to third parties. It offends against chastity because it perverts the conjugal act, the intimate giving of spouses to each other. It does grave injury to the dignity of its participants (actors, vendors, the public), since each one becomes an object of base pleasure and illicit profit for others. It immerses all who are involved in the illusion of a fantasy world.” *Catechism of the Catholic Church*, 2<sup>nd</sup> ed. (Washington, DC: United States Conference, 2000), 2354.

<sup>146</sup> United States Conference of Catholic Bishops, “Create in Me a Clean Heart: A Pastoral Response to Pornography,” November 2015, <http://www.usccb.org/issues-and-action/human-life-and-dignity/pornography/upload/Create-in-Me-a-Clean-Heart-Statement-on-Pornography.pdf>.

This trivialization of sex is not limited to the West. In the global village, images move as freely as capital, goods and persons. Under the influence of television and the Internet, young people in African urban areas have access to sexually explicit images. These channels affect young peoples' representations of sexuality, its meaning and its purposes. In many places, the discretion with which traditionally Africans speak of sex and sexuality has disappeared. The prevention of the pandemic of HIV has also challenged African representations of sexuality but overall the commercialization of sex and erotic advertisements have contributed to the trivialization of sexuality.

As a result of this social change combined with rampant poverty, sexuality has become merchandise that can be sold and bought in networks of prostitution, pornography and other forms of human trafficking. The African continent shares the challenge of the rest of the world as far as concerns the deterioration of integral "human ecology." But the plight of the African continent is heavier. Armed conflicts that wound the continent also tear the social fabric and compromise traditional values. Many camps of refugees have been the theater of rapes and sometimes those who are sent to bring the support of the international community have become sexual predators proposing to young boys or girls to exchange sex for food.

Between May and June 2014, a Human Rights Officer ("HRO") working for the UN mission in CAR, together with local UNICEF staff, interviewed six young boys. The children reported that they had been subjected to sexual abuse by international peacekeeping troops or that they had witnessed other children being abused. In most cases, the alleged perpetrators were from the French Sangaris Forces. In exchange, the children received small amounts of food or cash from the soldiers. All of the incidents occurred between December 2013 and June 2014, near the M'Poko Internally Displaced Persons Camp in Bangui. In some cases the children also reported detailed information

about the perpetrators, including names and certain distinguishing features such as tattoos, piercings and facial features.<sup>147</sup>

Even if these challenges are not immediately connected to homosexuality, they are the context where some people perpetrate abuse in same-sex relationships. It is important to be aware of this background when we start analyzing homosexuality on the continent. Homosexual persons who are respectful of their dignity as well as the dignity of others may certainly join the Church to protest against those who take advantage of economic and other social hardships to abuse their fellow human beings.

## *2. Disapproval of human trafficking*

Human trafficking hurts human dignity in at least three ways that are all violent and degrading for the people involved. In the context of sexuality, the perpetrators force the “consent” of the victims with either money or professional positions or other kinds of compelling motivations. Such violence is not acceptable. Besides, even if the victims were willing to engage in these relations, buying sexual favors, whatever the bargaining chip may be, is not acceptable because the sacredness of the human being puts the person beyond the category of merchandise. From the same perspective, the Catholic Church does not accept the practices of those who promote sexual liberalism or who engage in promiscuous or same sex out of curiosity or pleasure outside the bonds of marriage.

Many of the practices described in the first chapter as situational homosexuality or as transactional same-sex relationships are prostitution because one of the partners gets sex for some advantage, including but not limited to money. Prostitution, whether heterosexual or homosexual, is not acceptable because it demeans other people. The beauty and the dignity of

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<sup>147</sup> Marie Deschamps Chair et al. “Taking Action on Sexual Exploitation and Abuse by Peacekeepers: Report of an Independent Review on Sexual Exploitation and Abuse by International Peacekeeping Forces in the Central African Republic,” December 17, 2015, <http://www.un.org/News/dh/infocus/cenafrirep/Independent-Review-Report.pdf>

human sexuality, given by God to “expand our spirituality,” is dishonored in these transactions. Human flourishing cannot result from these practices and, when the partners involved in the relationships are Christians, the church identifies these practices as gravely sinful.

Prostitution does injury to the dignity of the person who engages in it, reducing the person to an instrument of sexual pleasure. The one who pays sins gravely against himself: he violates the chastity to which his Baptism pledged him and defiles his body, the temple of the Holy Spirit. Prostitution is a social scourge.<sup>148</sup>

Other same-sex relationships are connected to some occult and mystic activities. In these cases also, the partners in the relationships use their bodies as mere objects to get occult powers and charm. Saint Paul made it explicit, that partakers of witchcraft will not get into the kingdom of God (1 Co 6:10).

All practices of *magic* or *sorcery*, by which one attempts to tame occult powers, so as to place them at one’s service and have a supernatural power over others – even if this were for the sake of restoring their health – are gravely contrary to the virtue of religion. These practices are even more to be condemned when accompanied by the intention of harming someone...<sup>149</sup>

Overall, the contemporaneous social context is pregnant with a culture that trivializes sexuality and encourages its commercialization. Such a context exposes the poor and makes them easy prey for those who are economically strong. This relationship of power extends abusive relationships that degrade persons and their dignity. This specific African context means that any rhetoric of African homosexuality should take into account these fragilities, otherwise the discourse becomes partial and incomplete. But the issue entails other aspects worth considering.

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<sup>148</sup> CCC, 2355.

<sup>149</sup> CCC, 2117.

## **B. Political Pressures for Homosexuality**

Besides unacceptable economic exploitation, there is a political manipulation of the issue of homosexuality. This kind of abuse is twofold. First, same-sex relationships invade political rhetoric and become so central in the political arena that it hides the governing corruption of some regimes. Second, Western countries have made the issue of homosexuality a matter that affects foreign aid to the poor countries. Both attitudes end up manipulating same-sex relationships in ways that are not respectful of persons.

### *1. Homosexuality as a pretext to cover governing corruption*

Because of the popular disapproval of same-sex relationships, it may be appealing to take the issue to the political market in order get some electoral gains. Such an arrangement should be denounced because it does not respect the dignity of same sex partners nor does it advance the struggle against poverty or development of the people.

It is not right to use the topic of homosexuality to campaign in politics. This politicization of sexual orientation is stigmatizing not only for homosexual persons but also for their family members, their relatives and their friends. Even more, it can legitimize hate crimes, attacks on or murders of people who have done nothing wrong. It should be brought to everyone's attention that human life is sacred and that a minority sexual orientation cannot be a valid ground to hurt anybody.

Besides the consequences of this stigmatization, it is clear that hate discourse alone does not make a public policy in countries where the struggle against poverty must be the priority.

More and more, Africans are lucid and able to recognize the leaders who abuse their sensibility concerning sexual practices.<sup>150</sup>

It is important to insist that the most critical political agenda is the development of the common good.<sup>151</sup> In his recent Encyclical, Pope Francis underlines and extends the scope of the common good in a way that fits the present issue. Because the common good should be a mark of solidarity and a social safety net for the most vulnerable, the first person responsible for the common good should care for those who, by their sexual orientation, constitute a minority and are thereby marginalized:

In the present condition of global society, where injustices abound and growing numbers of people are deprived of basic human rights and considered expendable, the principle of the common good immediately becomes, logically and inevitably, a summons to solidarity and a preferential option for the poorest of our brothers and sisters.<sup>152</sup>

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<sup>150</sup> In Zambia, the outgoing president who was contesting the elections claimed as a flaw of his challenger, his unambiguous position vis-à-vis homosexuality. At the end of the day, this campaign did not bear expected fruits. Adriaan van Klinken recalls the turmoil of the electoral campaign: “during the presidential election campaigns in 2011, [...] the ruling MMD party insinuated that Zambia’s character as a Christian nation would be jeopardized if the main opposition party - the Patriotic Front (PF) - under the leadership of Michael Sata, a Catholic, were to be voted into power. There were rumors that Sata would start promoting homosexuality and gay rights if he was elected as President, and his political opponents used this as an example of how Sata and the PF would not respect Zambia’s status as a Christian nation. After Sata won the elections, he addressed these concerns by publicly stating that his government would rule the country according to the biblical Ten Commandments.” Adriaan Van Klinken, “Homosexuality, Politics and Pentecostal Nationalism in Zambia,” *Studies in World Christianity* 20.3 (2014), 263.

<sup>151</sup> The Dogmatic Constitution of the Second Vatican Council, *Gaudium et Spes* takes the legacy of *Mater et Magistra* into account and defines the common good as “the sum of those conditions of social life which allow social groups and their individual members relatively thorough and ready access to their own fulfillment.” (Paragraph 26) Apprehended as such, the common good generates rights and duties regarding groups’ needs and legitimate aspirations and human persons’ dignity. “For example, food, clothing, housing, the right freely to choose their state of life and set up a family, the right to education, work, to their good name, to respect, to proper knowledge, the right to act according to the dictates of conscience and to safeguard their privacy, and rightful freedom, including freedom of religion.” Second Vatican Council, Pastoral Constitution on the Church in the World of today *Gaudium et Spes* (7 December 1965), § 26 in Decrees of the Ecumenical Councils, Volume II (Trent-Vatican II), ed. Norman P. Tanner, SJ (Washington D.C.: Sheed & Ward and Georgetown University Press, 1990), 1084.

<sup>152</sup> Francis, Encyclical Letter on Care For Our Common Home *Laudato Si* (24 May 2015), § 158 (Vatican City: Libreria Editrice Vaticana, 2015), 76.

The way African public opinion and African heads of state and government deal with the issue of same sex relationships is a test of democracy but also of African humanism. Another challenge of African states is pressure from Western societies.

## 2. *Against cultural and political imperialism*

This section challenges some discourses shaped in the West and addressed to Africa. These discourses flow both in the ecclesial arenas as well as in the political and diplomatic arenas. They do not mirror the reality on the continent and are disrespectful of the good will of the Africans to build communities of equal regard for all sisters and brothers.

There is another injustice connected to the treatment of the issue of homosexuality. The belief is strong, even if it is wrong, that the North is tolerant of sexual diversity and the South is homophobic. Even more, there is the suspicion that African Christians are not really Christians. The comments of an American Anglican Bishop, John Spong, illustrate vividly these biases: “African Christians are ‘superstitious, fundamentalist Christians’ who have ‘moved out of animism into a very superstitious kind of Christianity . . . [and have] yet to face the intellectual revolution of Copernicus and Einstein that we’ve had to face in the developing world; that is just not on their radar screen.”<sup>153</sup>

Such an opinion is unfair and stigmatizing for at least two reasons. First, the gospel challenges all human cultures. There is no culture that fits perfectly the demands of the Gospel so that it may be dispensed from the call of conversion. Second, I should mention that African Christians are neither unwilling nor incapable of challenging their culture for the sake of the Gospel. Indeed, in the very field of sexuality, African Christians have accepted the discipline, at

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<sup>153</sup> Hassett, *Anglican Communion in Crisis*, 72.

least in the Catholic Church, against polygamy. According to what has become a canonical norm,<sup>154</sup> African polygamists painfully separated from their spouses and keep only partner, providing nonetheless for the material needs of the other. This generosity challenges those who would be tempted to underestimate African Christians' capacity to depart from their culture for Jesus Christ.

There is another point relating to the policy of same-sex relationships that is not acceptable for many Africans and compromises local initiatives to enhance toleration. Many Western countries aggressively command African countries to insert in their legislation the recognition of same-sex unions. These demands take the form of conditions to receive foreign aid and of diplomatic pressures. Unfortunately, these trends increase homophobia and contribute to considering the call to toleration as a foreign agenda. Accordingly, some voices from the gay community have been inviting these economic powers to stop such pressures because they are not the appropriate way to enhance the cause of toleration.<sup>155</sup> For their part, African Catholic Bishops recall the right way to care for homosexual persons and protest vigorously against what may look like cultural colonialism.

[In] Majority of African countries the issue of the promotion of civil union between persons of the same sex by the state is not in the agenda. However, the Church in Africa shares the anxieties and hopes of a humanity common to us on the problems of unions between persons of the same sex. For the Church in Africa, the issue of unions between persons of the same sex should be treated with respect and charity without sacrificing the ethical values of the universal being. Humanity is indeed full of a vast treasure of wisdom that we must agree to use to support people in difficult situations and meet the challenges of homosexual unions without having to go to legal shortcuts. The Church in Africa does not condemn people but condemns any system that develops, promotes, spreads across the world through the Internet, television and other means of communication and imposes

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<sup>154</sup> "When he receives baptism in the Catholic Church, a non-baptized man who has several non-baptized wives at the same time can retain one of them after the others have been dismissed, if it is hard for him to remain with the first one. The same is valid for a non-baptized woman who has several non-baptized husbands at the same time." Code of Canon Law, c. 1148 §1, in Code of Canon Law, at the Holy See, [www.vatican.va](http://www.vatican.va).

<sup>155</sup> Christophe Broqua, "L'Emergence des Minorités Sexuelles dans l'Espace Public en Afrique," *Politique Africaine* 126 (2012), 22.

on the poor countries, ideologies and homosexual practices.<sup>156</sup>

The political aspect of same-sex relationships turns the issue into a question of human rights. Such an apprehension is not wrong but requires a close analysis of the inner dynamism of human rights.

### **C. Appropriate Use of Human Rights**

Human rights as norms and ideals of human achievements constitute a compelling body of standards that nations and peoples should strive to respect. However, the concept of human rights is not immune from political manipulations. This section makes explicit the ambivalence of the notion in order to plead for its appropriate use.

#### *1. Basic rights for dignity*

The treatment of homosexual persons is not foreign to the concern of human rights because these persons like others are first and foremost human beings, created in the image and likeness of God. Their dignity as children of God compels the entire society to defend and care for them.

The rallying cry of the modern architecture of human rights has accordingly been formulated by the four freedoms of the US President F.D. Roosevelt and placed in the forefront of the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations, December 10, 1948. They are the freedom from fear, the freedom from want, the freedom of belief and the freedom of speech. This formulation can be regarded as “the common aspiration of human beings” and the foundation of basic rights necessary to safeguard human

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<sup>156</sup> Symposium of Episcopal Conferences of Africa And Madagascar, *The Family Our Future: Contribution to the 3<sup>rd</sup> Extraordinary Synod of Bishops, Rome 04-19 October 2014* (Accra, Ghana: SECAM-SCEAM Publications, 2014), 30.

dignity. Basic rights are fundamental rights. “Basic rights are an attempt to give to the powerless a veto over some of the forces that would otherwise harm them the most. Basic rights specify the line beneath which no one is to be allowed to sink.”<sup>157</sup>

As such, the Catholic Church is supportive of human rights and joins other state actors for their implementation. The Church’s commitment to these rights is not secondary. The demand for human rights is at the core of her mission. Her mandate of evangelization compels her to stand as a soldier for human dignity as it is protected and promoted in the Universal Declaration of the Human Rights. Pope John Paul II finds that the rights, vocabulary and intent make explicit the Church’s obligation to “her religious and moral mission. The Church vigorously defends human rights because she considers them a necessary part of the recognition that must be given to the dignity of the human person created in the image of God and redeemed by Christ.”<sup>158</sup>

This recognition does not mean that the Church in her *modus operandi* is already respectful of the human rights. It rather means that the Church is willing to convert and fulfill the standards of human dignity.<sup>159</sup> Unfortunately, people have sometimes misused human rights and diverted attention an agenda that is not about human dignity.

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<sup>157</sup> Henry Shue, *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy* (Princeton, N.J.: Princeton University Press, 1996), 18.

<sup>158</sup> Address of the Holy Father John Paul II to the European Commission and the European Court of Human Rights, Strasbourg (8 October 1988), § 6.1, at the Holy See, [www.vatican.va](http://www.vatican.va).

<sup>159</sup> L’Eglise « *sait d’expérience que le ministère de la promotion des droits de l’homme dans le monde l’oblige à un constant examen et une incessante purification de sa propre vie, de sa législation, de ses institutions, de ses plans d’action* » Paul VI cité par Cardinal Roger Etchegaray, « Culture chrétienne et droits de l’homme : du rejet à l’engagement » in *Fédération Internationale des Universités Catholiques (FIUC), Culture chrétienne et droits de l’homme* (Bruxelles: Bruylant, 1996), 13.

## 2. *Awareness of a political agenda*

The notion of human rights is not unambiguous. Sometimes, it has been used for imperialist and political purposes. The point here is that the community of believers should be able to challenge any easy cooptation of human rights.

In recent history, the architects of human rights have excluded people under colonial rule as potential claimants of these rights. Indeed, during the “deal for the new world” after the Second World War and the draft of the Universal Declaration of the Human Rights, colonial powers like France and Great Britain were not willing to extend the benefits of the rights to people from their colonies.<sup>160</sup> Later, the European Convention of Human Rights that was adopted in Rome in 1950 was not applicable in the colonies. These arrangements do not honor those who made them or their colonized populations. The victims of yesterday should learn from their experience and resist the temptation to exclude any category of human beings from the enjoyment of fundamental rights. At the same time, these manipulations are a reminder that human rights as a standard of humanity are a process not yet complete and as such are not free from political and ideological biases.

The universality of human rights is worthy of consideration. It is not debatable that all peoples share a common humanity and as such require similar basic protections. The best response to the argument of cultural difference comes from the committee of the United Nations Organization for Education, Science and Culture that supported the drafting committee of the Universal Declaration of Human rights: “Where basic human values are concerned, cultural diversity has been exaggerated.”<sup>161</sup> This consensus does not, however, solve the problem of the

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<sup>160</sup> Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001), 201.

<sup>161</sup> Glendon, *A World Made New*, 222.

universal implementation of the Declaration. For instance, how should the Indians and Chileans fulfill concretely the right to marriage?<sup>162</sup> The drafters of the Declaration found it wise to leave this practical implementation in the hands of each country. For one of the eminent members of the drafting committee, P.C. Chang, the principles of the Declaration could be brought to reality in “legitimate and diverse ways.”<sup>163</sup>

If avenues that comply with peoples’ cultural background are not found, the mere concept of human rights, even when implemented with coercion from the State, will not guarantee the safety of homosexual persons. To be efficient, the discourse of rights needs to be embedded in a social fabric that is ready to accommodate the anthropological substance of what the rights opened. Otherwise, a gap occurs between the State’s policy and peoples’ daily behavior. In South Africa, for example, this kind of gap means that the legal recognition of same-sex relationships does not protect gays and lesbians from current hate crimes. This need of an anthropological ground for rights impels Richard Rorty to think that “the *language* of human rights is not the best way to deal with the very real problems of homophobia, genocide, racism and torture that are too often explained away in a language of cultural and moral differentiation.”<sup>164</sup>

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<sup>162</sup> The Human Rights Committee, the body of experts that monitors the implementation of the International Covenant of Civil and Political Rights (ICCPR) said for example that New Zealand did not violate the ICCPR when it denies a marriage license to a homosexual couple. See the case: Ms. Juliet Joslin et al. v. New Zealand, Communication No. 902/1999, U.N. Doc. A/57/40 at 214 (2002), accessed March 25, 2016, <https://www1.umn.edu/humanrts/undocs/902-1999.html>. This decision did not prevent the Republic of South Africa like some other countries to recognize to the homosexual persons the right to marry as a fundamental right. See for the case of South Africa: Minister of Home Affairs and Another v. Fourie and Another, with Doctors for Life International (first amicus curiae), John Jackson Smyth (second amicus curiae) and Marriage Alliance of South Africa (third amicus curiae), Case C.C.T. 60/04, decided on 1 December 2005 and Lesbian and Gay Equality Project and Eighteen Others v. Minister of Home Affairs and Others, Case C.C.T.10/04, decided on 1 December 2005, accessed March 25, 2016, <http://www.saflii.org/za/cases/ZACC/2005/19.html>.

<sup>163</sup> Ibid., 230.

<sup>164</sup> Richard Rorty quoted by Matthew Engelke, “‘We Wondered what Human Rights He Was Talking About’, Human rights, homosexuality and the Zimbabwe International Book Fair,” *Critique of Anthropology* 19.3 (1999), 292. Martin Luther King Jr. makes a comment that highlights this point. For the complete liberation of the African

This section addressed some global issues related to the question of homosexuality in Africa. Aiming for justice and toleration, I have presented the complexity of any easy response to the phenomenon of same-sex relationships specifically in the African continent whether these reactions come from within or outside of Africa. The traditional responses to the issue do not escape simplification and vilification against homosexual persons or against African Christian communities challenged by homosexuality. Justice as well as toleration requires that actors refrain from manipulation issues that affect persons' dignity of and to embrace an ethics of care.

## **II. AN ETHICS OF CARE**

The call to care for persons is not strange to the teaching of the Church. However some circumstances obscure the message of care. As a result, the Church can end up collaborating materially with the persecution of non-heterosexual persons. The prophetic voice of the Church demands that the Church commit to preserving the life and the dignity of persons who are at risk of discrimination, violence and murder. From this perspective, I would like to argue in this section that the Church should join other social bodies to defend the basic rights of homosexual persons and enhance an ethics of care. I base this ethics in our common membership in the human family. In this perspective, to persecute homosexual persons is to wound humanity. An ethics of care compels the Church to behave like the Good Samaritan (Lk 10:29-37) and invites all our fellow human beings to be compassionate with one another.

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Americans, M. L. King who worked so hard on the battle line of the rights recognized nevertheless that laws and courts can enhance desegregation but not integration because the latter requires the commitment of peoples' heart: We must admit that the ultimate solution to the race problem lies in the willingness of men to obey the unenforceable. Court orders and federal enforcement agencies are of inestimable value in achieving desegregation, but desegregation is only a partial, though necessary step toward the final goal which we seek to realize, genuine intergroup and interpersonal living." King, "The Ethical Demands for Integration," in *A Testament of Hope: The Essential Writings and Speeches of Martin Luther King Jr.*, edited by James M. Washington (New York: Harper One, 1986), 124.

## A. Foundations of an Ethics of Care

I base this ethics of care on our shared humanity, following the insights of feminists thinking in ethics<sup>165</sup>. It is paradoxical that, despite the fact that the world has become a global village, fellow human beings have not grown in communion. Injustices and social inequalities divide nations and individuals more than ever. In fact, one of the biggest crises that humanity faces today is “global indifference.”<sup>166</sup> This cold heartedness reminds us that an ethics of care does not, at least immediately, come with the progress of technology but rather from the audacity to become neighbors, that is to say to challenge the fences that make categories within which we live and define ourselves. There is a need to make more explicit the notion of humanity as the foundation of an ethics of care. I understand humanity mainly as a community of flesh. The prophet Isaiah underscored the existence of such a community and, by his incarnation, the Son of God became a member of this family.

### 1. *A community of flesh*

The prophet Isaiah in his discourse on acceptable fasting speaks of the other as our “own flesh”:

Is it not sharing your bread with the hungry,  
Bringing the afflicted and the homeless into your house;  
Clothing the naked when you see them,  
and not turning your back on your own flesh? (Is 58:7)

The identification of the other and especially of the needy as my “own flesh” underscores first the importance of the body. We are beings-in-the world and this location is central to who we are. There is no possible response to our Christian vocation that does not take our embodiment seriously. As a matter of fact the final judgment is based on the way each of us

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<sup>165</sup> See for example Nel Noddings (1994) and Virginia Held (2006).

<sup>166</sup> Pope Francis, Message for Lent 2015, 4 October 2014, at the Holy See, [www.vatican.va](http://www.vatican.va).

responds to the basic human needs of the most vulnerable: hungry, thirsty, naked, in prison, stranger, sick and mourning (Matt 25: 31-46).

Isaiah's expression "your own flesh" underlines also the actual basis of the human family: we share the same kind of body. While it is not true that all human beings have the same degree of capacities, each remains in the family of human beings because each has this human body and shares this common flesh. The human body transcends and relativizes all differences. This flesh is also our anchorage in life and the condition of the possibility of our socialization. The body reminds us finally that what unites us is more important than what separates or differentiates us.

As our common inheritance, the human body can become an object of contemplation and awe. Following Isaiah, the body, indeed, is what the other person is, both similar to and distinct from me. In this sense, the human body compels care and a command to respect. It is also a place of resistance against attempts to assimilate or abuse it. When we remember that this body has been given to us,<sup>167</sup> we can apprehend the importance of the body of each individual person as a responsibility entrusted to and for each of us. The incarnation of the Son of God is another justification of the "flesh" as a foundation of an ethics of care.

## 2. *The Word was made flesh*

The mystery of the Incarnation of the second person of the Trinity glorifies our humanity and especially our body. By sharing our human condition, that is to say our embodiment, Jesus Christ infuses the human condition with his divine presence. This infusion affects the Christian

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<sup>167</sup> The narrative of creation reveals the fundamental truth that human beings are creatures. This means that we are not our own cause of existence. It means ultimately that the Creator has desired us, and given us our being. The anonymous author of the letter to the Hebrews says it more explicitly: "Sacrifice and offering you did not desire, but a body you prepared for me." (He 10:5)

conception of humanity and divinity as well. With the historical realization of the Incarnation, God becomes a member of the human family. The author of the letter to the Hebrews has the right words of this membership: “He who consecrates and those who are being consecrated all have one origin. Therefore, he is not ashamed to call them ‘brothers [and sisters]’” (He 2:11). At the same time, this new fundamental relationship restores the relationship brotherhood of Cain and Abel and gives us a new chance to escape from murderous relationships. Therefore, Jesus can identify himself with the most vulnerable and say: “‘whatever you did for one of these least brothers [and sisters] of mine, you did for me.’” (Matt 25:40).

Through his ministry, Jesus showed a special concern for the body. He cured the sick and, against the law, he touched lepers and healed them. He delivered many persons possessed by demons. Jesus’ miracle of the multiplication of loaves and fishes comes from his concern for persons in their bodies: He said: “My heart is moved with pity for the crowd, because they have been with me now for three days and have nothing to eat. If I send them away hungry to their homes, they will collapse on the way, and some of them have come a great distance.” (Mk 18:1-3) In this statement, Jesus phrases his care for their bodies in terms of responsibility. People have been with him and he cannot send them away hungry. Jesus will insist once more on the responsibility to care when he says in similar circumstances to his disciples: “ Give them some food yourselves” (Matt 14:16). In phrasing the ethics of care in terms of responsibility, Jesus means that it is not optional for his followers to care for others. Further, Jesus has the same concern for his disciples when, back from mission, he brought them to a desert place to have rest. “He said: ‘Come away by yourselves to a deserted place and rest a while.’ People were coming and going in great numbers, and they had no opportunity even to eat.” (Mk 6:31) Therefore I can state that an ethics of care is discipleship and vice versa.

Jesus' humanism extends as well to the interpretation of the law. He found, for example, in the case of necessity a legitimate excuse to violate the Sabbath law.

While he was going through a field of grain on a Sabbath, his disciples were picking the heads of grain, rubbing them in their hands, and eating them. Some Pharisees said, "Why are you doing what is unlawful on the Sabbath?" Jesus said to them in reply, "Have you not read what David did when he and those [who were] with him were hungry? [How] he went into the house of God, took the bread of offering, which only the priests could lawfully eat, ate of it, and shared it with his companions." Then he said to them, "The Son of Man is lord of the Sabbath." (Lk 6:1-5)

The usual interpretation of 'Son of Man' applies the title to Jesus. However in this passage, the expression may have a broader sense: any human being is lord of the Sabbath. This extension does not contradict but rather finds confirmation in another passage of the Gospel where Jesus says more explicitly: "The Sabbath was made for man, not man for the Sabbath." (Mk 2:27)

Overall, God, who cares for us and counts even our hairs (Matt 10:20), teaches us an ethics of care through our community of flesh. The Incarnation of Jesus offers a reevaluation of our humanity through the care given to the flesh. Mindful of our common fabric, I want to argue now that the wounds of homosexual persons are wounds inflicted on all humanity.

## **B. Wounded Humanity**

Homosexual persons, in some circumstances and in some places in Africa, can be compared to the victim of the parable of the Good Samaritan whom the robbers "stripped, beat and went off leaving half-dead" (Lk 10:27-35). I consider here on one hand the hate crimes and on the other hand a large range of stigmatizations. These crimes are wounds against humanity because they hurt our "own flesh" and question the so-called African sense of the saintliness of life.<sup>168</sup>

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<sup>168</sup> See pp. 60-65.

## 1. Hate Crimes

Ruth Morgan and Wierenga Saskia have dedicated their book, *Tommy Boys, Lesbian Men and Ancestral Wives: Female Same-Sex Practices in Africa* to “the memory of FannyAnn Eddy, the chair of the Sierra Leone Lesbian and Gay Association (SLLAGA), Free Town, Sierra Leone who was murdered in her office on 24 September 2004, and to all the other African lesbians who have been victims of hate crimes.”<sup>169</sup> On the list of the victims of homophobia, there is also David Kato, an openly gay activist from Uganda whose name and photograph have been published in local newspapers with the headline “Hang them!” There is also Thapelo Makuthle from Northern Cape in South Africa who “was found hacked to death, his head nearly severed, in a targeted antigay crime.”<sup>170</sup>

These crimes are reprehensible and should be condemned. They come at least partially from wrong representations of sexual orientation that are embedded in political and religious discourses. In social networks, it is not rare to see quotations of the book of the Leviticus condemning same-sex relationships. A fundamentalist reading of Leviticus 20:13 that states “If a man lies with a male as with a woman they have committed an abomination; the two of them shall be put to death; their bloodguilt is upon them” becomes an invitation to murder. It is vital to contest this kind of hermeneutics as it neglects the social and historical contexts of the scriptural verse. The warnings of the Pontifical Biblical Commission regarding fundamentalism as a hermeneutical method are worth noting.

Refusing to take into account the historical character of revelation, it becomes unable to accept the full truth of the Incarnation itself. Fundamentalism tends to treat the biblical text as if it had been dictated word for word by the Spirit and fails to recognize that the Word of God has been formulated in a language and phraseology influenced by certain

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<sup>169</sup> Ruth Morgan and Saskia Wieringa, ed., *Tommy Boys, Lesbian Men And Ancestral Wives: Female Same-Sex Practices in Africa*, (Johannesburg: Jacana Media, 2005), 4.

<sup>170</sup> Adam J. Kretz, “From ‘Kill the Gays’ to ‘Kill the Gay Rights Movement’: The Future of Homosexuality Legislation in Africa,” *Northwestern Journal of International Human Rights* 207 (2013), 217.

times. It pays no attention to the literary forms and human ways of thinking present in the biblical texts, many of which are the result of a development, which extended over long periods of time and bear the mark of very diverse historical situations.<sup>171</sup>

Sometimes, hate crimes turn to the rape of lesbians by men who intend to “correct” them.

These cases are frequent in South Africa where same-sex relationships are legal.

An unpublished study by the Forum for the Empowerment of Women found that of forty-six lesbian women who participated from Johannesburg townships, 41 percent had been raped, 9 percent had survived rape, 37 percent had been assaulted, and 17 percent had been verbally abused. At least thirty-one lesbian women have been murdered in South Africa since 1998.<sup>172</sup>

These crimes question the capacity or the will of the state to protect all its citizens. Under the rule of law, it is unacceptable that people may kill others or even take justice within their hands. The State’s responsibility to care for the common good should compel it to pay more attention to the vulnerable and monitor the freedom of the press so that it is not turned into a means of vilification, torture, and/or assassination.

A potential message of the bishops from the continent could stress this point vigorously. The command not to kill binds Christians. In the eyes of God, human beings are equal regardless of their origin, philosophy, religion, and/or sexual orientation.<sup>173</sup> A continent that has been the victim of massacres and humiliation in the past as well as in the present should not be a perpetrator of the same crimes. It should be clearly stated that the perpetration of these crimes is

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<sup>171</sup> Pontifical Biblical Commission, Interpretation of the Bible in the Church, January 6, 1994, [http://catholic-resources.org/ChurchDocs/PBC\\_Interp1.htm](http://catholic-resources.org/ChurchDocs/PBC_Interp1.htm).

<sup>172</sup> Thabo Msibi, “The Lies We Have Been Told: On (Homo) Sexuality in Africa,” *Africa Today* 58.1 (2011), 61. For an opposite point of view, Patrick Awondo et al., “Homophobic Africa?: Toward A More Nuanced View,” *African Studies* 55.3 (2012), 159.

<sup>173</sup> While in the Catholic Church, the Congregation for the Doctrine of the Faith states clearly that sexual orientation cannot be compared to the distinction of race and gender, I align sexual orientation along with the other traditional grounds of discrimination, mainly because, some places in Africa, sexual orientation can be cause of murder. Our circumstances command us to pay attention more than elsewhere to any grounds of possible persecution. For the teaching of the Church, see Congregation for the Doctrine of the Faith, Some Considerations Concerning the Response to Legislative Proposals on the Non-Discrimination of Homosexual Persons, July 23, 1992, § 10, in Holy See, [www.vatican.va](http://www.vatican.va)

a mortal sin that breaks friendship with God, Creator of all human beings, and deprives them of eternal salvation.<sup>174</sup> The official position of the Church, which does not identify homosexuality as a distinction similar to race or sex, should not be understood as an explicit or an implicit call or endorsement of such crimes.

Rather, hate crimes offend basic human rights and gravely trouble the public order. Christians specifically should resist committing or supporting hate crimes because the Lord's mandate is to love everyone. This command excludes any and every kind of stigmatization.

## 2. *Social stigmatizations*

A stigma is a mark of disgrace or infamy. Stigmatization leads to social marginalization. This social banishment is one of the worst sufferings that people can endure because they are denied the most legitimate and the highest aspiration of human beings, what Christopher Llanos calls "the right to a membership in a community."<sup>175</sup> Those who stigmatize, whether they are aware of it or not, initiate a process that can lead to the physical or psychological death of their victims.

At the political level, the care for the common good assigned to the State, commands it to ensure that persons and groups have what they need to flourish. Social stigmatization undermines human flourishing. For this reason, public figures should refrain themselves from shaming or insulting those who identify themselves as gays or lesbians. Metaphors used to name homosexual persons are a denial of their humanity and insidiously encourage a systematic persecution against them. Such a persecution opens the door to the crime of genocide. In this regard, discourses

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<sup>174</sup> The result of mortal sin is "the loss of charity and the privation of sanctifying grace, that is, of the state of grace. If it is not redeemed by repentance and God's forgiveness, it causes exclusion from Christ's kingdom and the eternal death of hell." CCC, 1861.

<sup>175</sup> Christopher Llanos, "The Refugees or Economic Migrants: Catholic Thought on the Moral Roots of the Distinction," in *Driven from Home: Protecting the Rights of Forced Migrants*, ed. David Hollenbach (Washington: Georgetown University Press, 2010), 254.

treating homosexual persons as less than human are not acceptable. They are a flagrant insult of our “own flesh.” Consider this hate speech:

[Homosexuality] degrades human dignity. It’s unnatural, and there is no question ever of allowing these people to behave worse than dogs and pigs. If dogs and pigs do not do it, why must human beings? We have our own culture, and we must rededicate ourselves to our traditional values that make us human beings. What we are being persuaded to accept is sub-animal behavior and we will never allow it here. *If you see people parading themselves as lesbians and gays, arrest them and hand them over to the police!*<sup>176</sup>

In “Some Considerations Concerning the Response to Legislative Proposals on the Non-Discrimination of Homosexual Persons,” the Congregation for the Doctrine of the Faith called the attention of public opinion as well as of lawmakers to the dangers of grounding one’s rights on one’s sexual orientation.

Including “homosexual orientation” among the considerations on the basis of which it is illegal to discriminate can easily lead to regarding homosexuality as a positive source of human rights, for example, in respect to so-called affirmative action or preferential treatment in hiring practices. This is all the more deleterious since there is no right to homo-sexuality (cf. no. 10) which therefore should not form the basis for judicial claims. The passage from the recognition of homosexuality as a factor on which basis it is illegal to discriminate can easily lead, if not automatically, to the legislative protection and promotion of homosexuality. A person's homosexuality would be invoked in opposition to alleged discrimination, and thus the exercise of rights would be defended precisely via the affirmation of the homosexual condition instead of in terms of a violation of basic human rights.<sup>177</sup>

While the Church does not recommend discrimination against homosexual persons it has concern for a purported right that a person may have a homosexual orientation. That regulation of homosexuality may encourage homosexuality, a condition the CDF identifies as disordered. In a continent where homosexual persons have been victims of hate crimes and pointed out as dogs

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<sup>176</sup> Adam J. Kretz, “From ‘Kill the Gays’ to ‘Kill the Gay Rights Movement’: The Future of Homosexuality Legislation in Africa,” *Northwestern Journal of International Human Rights* 207 (2013), 227.

<sup>177</sup> Congregation For the Doctrine of the Faith, *Some Considerations Concerning the Response to Legislative Proposals on the Non-Discrimination of Homosexual Persons*, July 23, 1992, § 13, in Holy See, [www.vatican.va](http://www.vatican.va)

and pigs, it is important to call unambiguously for an end to those mistreatments because whatever is done to these little ones, is done to Jesus Christ.

### **C. The Church as Good Samaritan**

As her master who stretched out his hands to touch those who were feared, stigmatized, and marginalized and finally shared their fate, the Church should care today's lepers and marginalized. In a situation where the prevailing culture marginalizes and even persecutes homosexual persons, the Church should be a provider of care for those who are and a safe place rather than withdraw in indifference or stand as an accomplice to violence. The option by African Catholic Bishops about the family as a model of evangelization can help the Church to find resources for inclusion and to be a witness of mercy.

#### *1. The church as family*

The choice by the Church in Africa of the family as a model of evangelization can ground an initiative for the inclusion of people who would otherwise be marginalized. Before exploring the resources of the Church in Africa, it is important to recall that the Church as church is communion.<sup>178</sup> In the Gospels, there is a constant reminder of this ethos of fraternity. The disciples are called to embody a spirit of familial relationship (Matt 23:8). Jesus commands also a new kind of leadership different from the leadership of the world (Matt 20:26). Finally, the letter of James warns the church against an unequal treatment of the rich and the poor (James 2:1-9). Throughout her history, the Church has faced the challenge of discrimination and did not always find the right response. Martin Luther King Jr. has the words to renew the spirit of the Church today:

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<sup>178</sup> *Lumen gentium* defines the Church as "a people made one with the unity of the Father, the Son and the Holy Spirit."

When the church is true to its nature, it says, "Whosoever will, let him come." And it does not suppose to satisfy the perverted uses of the drum major instinct. It's the one place where everybody should be the same, standing before a common master and savior. And a recognition grows out of this—that all men are brothers because they are children of a common father.<sup>179</sup>

If we come back to the realities specific to Africa and to the African Church, two points related to the notion of the Church as the family of God are worth noting. The first one is a clear awareness that the family after which the Church should pattern herself after is not a simple translation of the human family. African Church leaders who adopted the model knew, just as everyone else did, that the concept of family could be undermined by tribal considerations.

The new evangelization will thus aim at building up the Church as Family, avoiding all ethnocentrism and excessive particularism, trying instead to encourage reconciliation and true communion between different ethnic groups, favouring solidarity and the sharing of personnel and resources among the particular Churches, without undue ethnic considerations.<sup>180</sup>

This correction can be helpful when taking into account homosexual persons in the life of the Church. They are part of the family even if the prevailing culture tends to marginalize them. God, who does not make a difference between people (Acts 10: 34), has a heart big enough to embrace everyone.

The second consideration related to the choice of the family as model of the Church in Africa is the notion of responsibility that the family implies.<sup>181</sup> For matters that regard family, all the members are concerned. The principle of responsibility, an essential component of the ethics of care, is a priceless resource as a pastoral component. It prevents the marginalization of homosexual persons. And when young people or adults knock at the door of the pastor because they think they are sexually attracted to same-sex people, the spirit of responsibility of the pastor

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<sup>179</sup> Martin Luther King, "The Drum Major Instinct," February 4, 1968, [http://kingencyclopedia.stanford.edu/encyclopedia/documentsentry/doc\\_the\\_drum\\_major\\_instinct](http://kingencyclopedia.stanford.edu/encyclopedia/documentsentry/doc_the_drum_major_instinct)

<sup>180</sup> Ecclesia in Africa, 63.

<sup>181</sup> Ibid., 89.

may help to welcome them with compassion. The natural extension of the principle of responsibility is mercy, a virtue dear to God.

## 2. *The church as witness of mercy*

When Andrea Torielli asked Pope Francis about the meaning of mercy, he responded in an inspiring and challenging way. “Etymologically, mercy derives from *miser cordis*, which means opening one’s heart to wretchedness. And immediately, we go to the Lord: mercy is the divine attitude which embraces, it is God giving himself to us, accepting us and bowing to forgive. For this reason, we can say that mercy is God’s identity card.”<sup>182</sup>

In the Scriptures, God presents God’s self as merciful. In the Old Testament, God reveals God’s heart of a mother,<sup>183</sup> and in the New Testament, Jesus embodies the mercy of his father and calls his disciples to extend this mercy as a condition to profit from God’s mercy (Matt 18:21-35). The Church receives the commission to continue God’s mercy (Matt 18:18) and teaches Christians to practice works of mercy, both corporal<sup>184</sup> and spiritual.<sup>185</sup>

The Church is a minister of mercy. But mercy is misunderstood if it apprehended as a condescending help. In his encyclical on the mercy of God, Pope John Paul II makes explicit that mercy is not humiliating because by its nature, mercy is the twin sister of love: “Mercy – as Christ has presented it in the parable of the prodigal son- has the interior form of the love that in

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<sup>182</sup> Pope Francis, *The Name of God is Mercy, Conversation with Andrea Torielli* (New-York: Random House, 2016), 8-9.

<sup>183</sup> “Can a mother forget her infant, be without tenderness for the child of her womb? Even should she forget, I will never forget you.” Is 49:15.

<sup>184</sup> Feed the hungry, give drink to the thirsty, clothe the naked, shelter the homeless, visit the sick, visit the imprisoned, and bury the dead.

<sup>185</sup> Admonish the sinner, instruct the ignorant, advise the doubtful, comfort the sorrowful, bear wrongs patiently, forgive all injuries, pray for the living and the dead.

the New Testament is called *agape*. [T]he person who is the object of mercy does not feel humiliated, but rather found again and ‘restored to value’<sup>186</sup>

The Church as an institution and as an assembly of Christians should be a reminder of God’s caring mercy that transcends social forms and the norms of justice. In the specific domain of sexuality, the witness of the Church is not easy because of the traditional place of sex in matters of sin. But what I argue for here is twofold: first, the Church may be a safe place for marginalized persons and specifically for homosexual persons. Second, the Church may depart from stigmatizing discourses and encourage her faithful to extend of mercy for the sake of our common humanity

Thus, mercy becomes an indispensable element for shaping mutual relationships between people, in a spirit of deepest respect for what is human, and in a spirit of mutual brotherhood. It is impossible to establish this bond between people, if they wish to regulate their mutual relationships solely according to the measure of justice. In every sphere of interpersonal relationships justice must, so to speak, be "corrected " to a considerable extent by that love which, as St. Paul proclaims, "is patient and kind" or, in other words, possesses the characteristics of that merciful love which is so much of the essence of the Gospel and Christianity.<sup>187</sup>

This attitude of mercy is the only one that makes sense before the reality of same-sex relationships from which the human community still has much to learn.

#### **D. Epistemic Modesty**

Despite the importance of the literature on same-sex relationships and the violence raging against homosexual persons and other gender minorities, there is not today a scientific consensus on what sexual orientation is and what its origins may be. This limitation should be an argument for toleration and a motivation for everyone, Christians and non-Christians, to dare experience empathy as a school of humanity.

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<sup>186</sup> John Paul II, *Dives in Misericordia* (November 30· 1980), § 6.3, at the Holy See, [www.vatican.va](http://www.vatican.va).

<sup>187</sup> *Ibid.*, § 14.6.

### 1. *What is sexual orientation?*

In this paper I have assumed, like many other people and particularly many homosexual persons and many of their supporters, that sexual orientation is innate. And because people are born with this inclination, it does not make sense to repress them. This biological cause of sexual orientation is the root of the moral claim of human dignity and the ethical basis to respect and protect homosexual persons.

However, the reality is that we do not know with certainty what sexual orientation is and why some people are heterosexual while others are homosexual. Thirty years ago, scientists made it clear that they do not have an indisputable conclusion on this question. For instance, in 1984 Joseph Sprague concluded from his social-scientific study of homosexuality

Now reason demands a question to which no one has the definitive answer. Namely, what is the cause of homosexuality? Is it genetically produced, or is it a derived, learned behavior? If there are ten of us, there are ten different opinions as to where scientific data seem to point concerning that question. My ten-year deep study of the matter suggests that the data seem to lean toward the understanding that homosexuality is genetically caused, that it is inherent and not derived behavior.<sup>188</sup>

On the other hand, another point of view, based on scientific observations reports that sexual orientation originates in childhood mistreatment.

In my entire experience, I have never interviewed a single male homosexual who had a constructive loving father. A son who has a loving father who respects him does not become a homosexual. I have concluded that there is a causal relationship between parental influence and sexual choice.<sup>189</sup>

Sprague's option puts aside two other theoretical attempts to explain the origin of sexual orientation: social constructionism and constructivism. The first argues that sexuality and sexual orientation is the result of social construction, the consequence of the values promoted or

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<sup>188</sup> Tiffany L. Steinwert, "Homosexuality and The United Methodist Church: An Ecclesiological Dilemma" (PhD diss. Boston University, 2009), 246.

<sup>189</sup> A. Lee Beckstead, "Can We Change Sexual Orientation?," *Archives of Sexual Behavior* 41 (2012), 123.

contested in a society.<sup>190</sup> Constructivism is a more radical thesis, which argues that sexual orientation originates either in biology or in society. Constructivists argue that sexual orientation is the choice of the individual.<sup>191</sup> These alternative theories make strong claims in a way that not only contest essentialism but also challenge our views on sexuality.

Besides these explanations, attempts to redefine sexual orientation based on the notion of sexual orientation as “erotic preference for the body of one sex over that for the other” do not take into account the full range of implications of what sexual orientation could mean.<sup>192</sup> Some researches made in this area challenge as simplistic the categorization of people as being either heterosexual or homosexual. Between these two poles, there are many sub-groups that Alfred Kinsey ranged in seven categories.<sup>193</sup> Other researchers have tried to improve the Kinsey Heterosexual-Homosexual Scale (KHHS) that was proposed in 1948. They argue that the KHHS does not take into account the dynamism of sexual orientation.

A married man who feels he is heterosexual is sexually involved with a male lover. A girl who breaks up with her male lover lives with a woman and then returns to the man. A woman who is in jail engages in sex with females for several years but returns to a heterosexual lifestyle once she is released. A teenager who has sex with his buddies in the locker room has sex with his girlfriend several hours later. A male nurse helps a male patient masturbate as part of the patient’s rehabilitation.<sup>194</sup>

The Klein Sexual Orientation Grid (KSOG) examines the changing patterns, substantiates them and enlarges the definition of sexual orientation. For these researchers, sexual orientation includes: sexual attraction, sexual behavior, sexual fantasies, emotional preference, social

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<sup>190</sup> Michel Foucault, *The History of Sexuality* (New York: Pantheon Books, 1978), 43.

<sup>191</sup> Patrick R. Grzanka *et al.*, “Beyond ‘Born This Way?’: Reconsidering Sexual Orientation Beliefs and Attitudes,” *Journal of Counseling Psychology* 63.1 (2016), 67-75.

<sup>192</sup> Beckstead, “Can We Change Sexual Orientation?” 122.

<sup>193</sup> 1. Exclusively heterosexual. 2. Predominantly heterosexual, only incidentally homosexual. 3. Predominantly heterosexual, but more than incidentally homosexual. 4. Equal heterosexual and homosexual. 5. Predominantly homosexual, but more than incidentally heterosexual. 6. Predominantly homosexual, but incidentally heterosexual. 7. Exclusively homosexual. Fritz Klein, MD *et al.* “Sexual Orientation: a Multi-Variable Dynamic Process,” *Journal of Homosexuality* 11.1-2 (1985), 37.

<sup>194</sup> *Ibid.*, 38.

preference, self-identification and hetero/gay lifestyle. Their conclusion is challenging: “Until recently the factor of change in sexual orientation has been generally ignored. Learning takes on a stronger role than genetic and hereditary factors. Many are potentially capable of travelling over a large segment of the sexual orientation continuum.”<sup>195</sup>

I do not have the scientific authority to approve or disprove these conclusions. The conclusion I can draw from these theses is that we do not know enough about sexual orientation. When we face these limitations, we should adopt a position of modesty rather than intransigence. These constraints also affect the question of sexual re-orientation. The very idea of sexual reorientation derives from questioning the biologic or genetic origin of sexual orientation. The assumption behind sexual re-orientation treatment is that one is not born with a homosexual orientation. Because this thesis is widely disputed, it is not reasonable to invest hope in treatment to “re-orient”.<sup>196</sup> Besides, the possible techniques used should be respectful of the person as a child of God. At the moment, some techniques are destructive.

Some homosexual individuals, for example, underwent surgical methods (e.g., spinal cord cauterizations, clitoridectomies, castration, ovary removal, and lobotomies) to eliminate their unwanted sex drive. Some individuals hoped that convulsive methods (e.g., epileptic seizures via electric shocks or drugs) would disrupt the brain “traces” created by repetitive sexual thoughts and nontraditional gender mannerisms. Some tried hormonal methods (e.g., radiation or steroid treatments) to reduce homosexual urges brought on by a supposed glandular hyperactivity or “balance out” non-traditional gender expression.<sup>197</sup>

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<sup>195</sup> Ibid., 45.

<sup>196</sup> A participant of a program of reorientation states his disgust: “I never experienced sex with a woman before I was married and I was completely naive and unaware what awaited me. I soon found out how different and unnatural the experience was.... Sexual relations with my wife were extremely difficult for me. I had to fantasize being with a man for 12 years of marriage. The first time I had sex with my wife the day after our wedding I was extremely sick, vomiting nonstop for at least 2 hours afterwards, experiencing shaking and cold sweats. I could not perform sexually for at least another week and had difficulty keeping any food down. I should have known at that time that the entire experience was completely unnatural for me. However, I was so desperate to make it work and to try and fit in and do what I felt was ‘the right thing’ in the eyes of God, society, and my family.” Beckstead, “Can We Change Sexual Orientation?” 122.

<sup>197</sup> Ibid.

In these circumstances, the advice given by the United States Conference of Catholic Bishops is worth consideration:

There is no consensus on therapy. Some have found therapy helpful. Catholics who experience homosexual tendencies and who wish to explore therapy should seek out the counsel and assistance of a qualified professional who has preparation and competence in psychological counseling and who understands and supports the Church's teaching on homosexuality. They should also seek out the guidance of a confessor and spiritual director who will support their quest to live a chaste life.<sup>198</sup>

If science does not yet give an accurate knowledge of sexual orientation, we should look somewhere else to deepen our knowledge of one another.

## 2. *Empathy as epistemology*

In disability studies, Hans Reinders makes an important contribution regarding the socialization of people with a disability. He notices that friendship transforms someone's approach to a person with a disability and particularly to people who are intellectually challenged. Friendship is as transformative as parents' love that enables them to embrace and care for their child with a disability like any other child. Friendship also gives what rights cannot provide. Friendship bridges people in a specific way that makes them chosen and unique.

The reason why it is important is that being loved and befriended does something for you that rights and choice cannot possibly do. It brings you the invaluable experience of being chosen by someone else. Whatever it is that rights and choice can do – and we do not have to prove that they can do a lot of very important things – but whatever rights and choice can do, they are not going to make me your friend.<sup>199</sup>

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<sup>198</sup> USCCB, "Ministry to Persons with a Homosexual Inclination: Guidelines for Pastoral Care," November 14, 2006, par. 7. In the next paragraph, the American Catholic leaders make a general observation for everyone: "There is another kind of "therapy" or healing of which we all stand in need, regardless of whether one is attracted to the same or the opposite sex: to acquire a virtue - to become temperate, brave, just, or prudent - we must repeatedly perform acts that embody that virtue, acts that we accomplish with the help of the Holy Spirit and with the guidance and encouragement of our teachers in virtue. In our society, chastity is a particular virtue that requires special effort."

<sup>199</sup> Hans S. Reinders, "The Power of Inclusion and Friendship," *Journal of Religion, Disability and Health* 15.4 (2011), 433.

I do not intend to compare homosexual persons to people with disabilities. But as a matter of fact, they, both homosexual persons and people with disabilities, belong to minority groups and are exposed to discrimination and abuses. They bear in their persons some scars, visible and invisible, that appear as stigma. The best way people can change their attitude vis-à-vis homosexual persons is by personal relationship with them. This experience has the virtue of changing minds, to reveal the fullness of humanity of those who identify as gays and lesbians and to break down the bias of their opponents. Personal relationship comes with empathy and I argue here that empathy is a privileged way to learn from others. Empathy begins with the concrete meeting of the other.

Meeting face to face is valuable and different from encountering one through books or rumors. Meeting generates a new type of knowledge. Such knowledge is built upon personal connections, conveys information that is richer than official narratives and statistics because it adds an affective weight that comes from living people who meet in real time and space. This knowledge is personalized.

This specific knowledge is able to reframe the pre-knowledge gathered from social areas about some people or some groups and generally made up of prejudices and distrust. In the words of Adam Seligman, “The immediacy of the experience sets up a challenge to our already existing ‘wisdom’.”<sup>200</sup> This move challenges oneself, questions one’s preconceptions and can lead to embrace toleration. It is the point of the poem of Yehuda Amichai:

From the place we are right/Flowers will never grow/In the spring  
The place where we are right? Is hard and trampled/Like a yard.  
But doubts and loves/Dig up the world/Like a mole, a plow.

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<sup>200</sup> Adam Seligman “Pedagogic principles and reflections developing out of ISSRPL practice,” 2008 Occasional paper No 1, <http://www.cedamnetwork.org/2013/07/24/2008-issrpl-occasional-paper-no-1>

And a whisper will be heard in the place/Where the ruined/House once stood.<sup>201</sup>

Indeed, from this disconcerting experience, participants in dialogue can become empathetic and tolerant with one another. As Richard Gula defines it: "Empathy is an affective and imaginative capacity to cross over into another's experience, identify with the pain and pleasures of the other, and then to return to one's self. When empathy is born, care is born and with it morality."<sup>202</sup> This empathy, epistemic in its core, underlines the necessity to come out of oneself and experience the virtue of dialogue.

In the domain of same-sex relationships perhaps more than any other, empathy may prove to be impossible. How can I share the feeling of the sexual attraction of someone else without trivializing such a difference? The difficulty inherent to this radical difference may be compared to the difference between the norm and the non-conforming, like the difference between two tribes irremediably inimical. But empathy goes beyond feeling the same sex attraction, it is rather knowing the same breath of humanity in the one flesh that recalls the first commandment: "You shall love the Lord, your God, with all your heart, with all your being, with all your strength, and with all your mind, and your neighbor as yourself." (Lk 10:27)

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<sup>201</sup> Adam B. Seligman, *Modest Claims, Dialogues and Essays on Tolerance and Tradition* (Notre Dame, IN: University of Notre Dame Press, 2004), v.

<sup>202</sup> Gula, *Just ministry*, 58.

## CONCLUSION

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How can the churches in Africa make a call for compassion for homosexual persons in a context where, often, they are harassed, raped and even murdered? This question has motivated the present reflection. As soon as I had started exploring the terms of this question, the most important challenge I faced was complexity. First, the concept of homosexuality is complex. All the persons who engage in same-sex relationships do not identify themselves as gay, lesbian or queer. Discussions and contestations within the LGBTIQ community recall for any researcher the necessity to refrain from undue generalizations. Second, and connected to this internal debate, is the concurrence of theses, namely essentialism, social constructionism and constructivism that attempts to explain what sexual orientation means and where it originates. The competition of arguments convinces us that we do not know as much about sexual orientation as we may pretend to know.

When I relate these different trends in Africa, the reality becomes more complex. Third, different groups of homosexual persons relate differently to the identities formed previously in the West. They either identify with them to capture resources and complete a strategy of social recognition or they reject such identification as shameful or stigmatizing or in order to forge their own identity. As far as concerns the practices, I have proposed to sort them, at least, in four potential groups based on partners' motivations: situational homosexuality, transactional homosexuality, ritual homosexuality and adult consenting homosexuality. The responses to these different practices vary on the agendas of the social actors. My own agenda is to inform the discourse on homosexuality in the African continent and bring to light courageous attempts of

homosexual persons who live in stable relationships as well as abuses perpetrated against the most vulnerable.

When we turn to teachings from churches, the reality of same-sex relationships becomes even more complex. Fourth, mainline churches, like the Roman Catholic Church and the Anglican Communion have a teaching that stresses life and restricts sexual intercourse to married couples and in procreative ways. Dissenting voices within these churches provide another hermeneutics of the Scripture and argue that there is, in the Bible, no explicit condemnation of same-sex relationships between two consenting adult persons. Some churches like the Metropolitan Community Church develop a theology of liberation for the minority of homosexual persons. On the opposite side, the African religio-cultural and anthropological concepts value procreative relationships and therefore resist same-sex relationships.

The absence of consensus reflects the complexity of the world in which we live and out which we do theology. How can we understand God and speak of God in a context where we do not share the same anthropology, do not apprehend the reality in the same terms and where values for one are anti-values for others? Africans and the church in Africa face the same complexity because they too are inhabitants of the global village. Nevertheless, something should be done to counter the fundamentalism and violence observed to date. In the case of homosexuality in Africa, silence and resignation mean more harassment and more murders against people who identify as gays and lesbians.

I have argued that in face of complexity, two attitudes are critical. The first, in the words of Jon Sobrino, is “honesty with reality.”<sup>203</sup> It is important to see the world and all realities as they are. The positions to avoid in this perspective are denial of reality and simplification of the

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<sup>203</sup> Jon Sobrino, *Spirituality of Liberation, Toward Political Holiness* (Maryknoll, NY: Orbis Books, 1988), 14.

same reality. To wit, I have tried to be honest with reality in acknowledging homosexual practices in Africa as well as I denounced some abuses perpetrated in same-sex intercourse. The second attitude is compassion. I argued that because human beings share the same flesh, we are compelled to develop an ethics of care. This empathy leads to respect and awe before the body of the other. Compassion is a “modest claim” while it embodies an essential characteristic of Christian discipleship. It is also the pre-condition of dialogue in a post-modern world as much as it is a cornerstone of a theology of difference.

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