



Uluslararası Sosyal Araştırmalar Dergisi

The Journal of International Social Research

Cilt: 7 Sayı: 33 Volume: 7 Issue: 33

www.sosyalarastirmalar.com Issn: 1307-9581

## BEYOND GOOD AND EVIL: "OTHA" AND ABNORMAL SEXUALITY IN AN AFRICAN MORAL JUDGEMENT

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### Abstract

G.E. Moore struck at the core of Western ethics when he stated that the central question in ethics is what is good or evil. Such bifurcating thought creates the impression that moral actions are universally either good or bad; evil or pleasurable and perhaps neutral. This paper attempts an explicatory analysis of another level of moral judgement called 'otha' in Isoko<sup>1</sup> morality. Within the conceptual tradition of this African society, i.e. among the Isoko people, an action may be *good*, *bad* or it could be an 'otha'. Here, we have used issues pertaining to homosexual or same sex behaviour to establish why a typical African society adjudges such behaviours as abhorring, unacceptable, and therefore regard those who engage in such to be sub-humans. The basic questions the paper addresses are what is 'otha'? Why is 'otha' not simply bad, or to put it rightly, why is 'otha' evil, 'bad' and a tabu all at once?

**Keywords:** Good, Evil, African Moral Judgement.

### I

At the wake of the ordination of the Revd Gene Robinson as the first gay bishop in the Episcopal Church of the United States of America (ECUSA) and the Anglican Communion (AC) one was interviewed by a Europe based Radio Station as to why African Churches, especially the Church of Nigeria of the AC was vehemently critical of the decisions and steps taken by ECUSA. The question they asked may be put thus: "Given other sins committed within the Church (such as fornication, adultery, stealing, etc) why the big deal on gay ordination, why don't the Church in Africa treat these other equally grievous sins as seriously as they are take on the issue of the same sex marriage? The answer one offered has suggested this paper. The African Church is an acculturated one. Therefore, her perception of 'sin' is flavoured by the African standard of moral judgement. Within this spectrum, we should delineate 'good', 'bad' and 'otha' as levels of moral judgement. What is 'otha' among the Isoko people?

The closest one could do in terms of explaining the notion of 'otha' in Isoko morality is to align it – for purposes of explanation – to be *almost* synonymous with the English 'taboo' or 'tabu'. The *Collins Concise English Dictionary* says a taboo or tabu is what is forbidden or disapproved; marked off as sacred and forbidden. The word also implies that which is unholy and unclean such that rituals and other forms of religious ceremonies could be associated with it. Nevertheless, it cannot be logically argued that any given tabu is something that is intrinsically bad, ethically speaking. Something may be good – perhaps to some other cultures – yet may be classified as tabu based on the religious convictions of another culture. Within Isoko morality an 'otha' is not only a tabu, it also a morally bad action based on human reason and

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<sup>1</sup> The Isoko people inhabit the area enclosed (roughly) by longitude 6° 5' and 6° 25' East and latitude 5° 40' North of the Nigerian Niger Delta Region. It is divided into two Local Governments in Delta State of Nigeria; Isoko communities are also located in Bayelsa State. The neighbours of the Isoko people the Kwale to the North; Ase River on the east; the Ijaw on the South as well as the Urhobo. Isoko people are spread among various clans either ruled by *Ovie* (King) or *Odiologbo* (Elder). These include Emede, Aviara, Owhe, Uzere, Enwe, Erowa, Emevo, Iyede, Irri and Okpe clans (see Obaro Ikime, *The Isoko People: A Historical Survey*, Ibadan: Ibadan University Press 1972, pp. xvii ff)

moral justification. A few practices classified as 'otha' among the Isoko people are same sex affairs and relationships, killing and or selling of pregnant animals, killing and or divorcing pregnant human beings, incense, suicide, etc. At the close of this paper, one will show why, based on rational and moral grounds, they are so classified and why these grounds offer good arguments against any form of same sex relationships. But let us first of all look at a few moral issues involved in same sex relationships.

## II

After we have duly, with great empathy, looked into the case of the homosexuals and their clients, we come to the following conclusions. The homosexuals or gays have the lesbians as their counterparts in pursuing their cause against those labelled heterosexuals or straights. The homosexuals and lesbians are not those who are inclined to doing it through the anus, because heterosexuals could do the same. More-the-less, homosexual or lesbian relationships, rightly called same-sex relationships, are not panacea to solving such marital problems as infidelity, equality of partners, etc. It does not solve social problems such as prostitution or rape. These conducts are found within the *homosexual* community where there also exist homosexual sex hawkers, infidelity among same sex partners and rapes.

Consequently, the arguments of the advocates of same sex relationships are not to justify whether sex by the anus is a right conduct or not. Also, it is not an argument that can be strengthened, in order to make it credible, by such claims as it prevents infidelity among partners, rape or guarantees equality among partners. Our observations have therefore render the dictionary description of homosexuality or lesbianism as "sexually attracted to persons of one's own sex" to be very weak.

Homosexuals are a peculiar group of persons. They strive to attain societal recognition. They want their conduct and the "so-called" marital relationship which they maintain to be accepted as a natural, good and not deviant. The high point of their case is that they are by their nature *genuine lovers* who enjoy sexual relationship as heterosexuals do. They argue that marriage is not an institution that is tied to child bearing. Marriage is also not intrinsically a relationship of "opposite sex." And it is possible to derive sexual satisfaction through other methods. Oral sex, anal sex and masturbation are a few of such methods. It is therefore unfortunate and erroneous that same sex relationships have been largely identified with sexual inclinations. Those who pursue the rights of same sex relationships advocate that it is possible for two males (or two females) to be married and share all the socio-biological benefits or otherwise which are derived there-from.

Richard Mohr (1993: 358), holding homosexuality to be a normal and moral act asks: Who are homosexuals? They are your friends, your minister, your teacher, your banker, your doctor, your mail carrier, your secretary, your congressional representative, your sibling, parent, and spouse. They are everywhere. However, the attitude of society is making gays to hold "- in the closet - making the "coming out" experience the central fixture of gay consciousness and invisibility the chief characteristic of the gay community."

## III

Same sex promoters have used some points and methods to defend their case. A few advance the benefits of homosexuality. This position can be easily faulted - being the weakest of all. It is not likely that homosexual, gay and lesbian conducts prevent prostitution, infidelity and inequality among lovers. It is also doubtful if those who engage in it do not rape their partners. Indeed, sizeable cases of young boys and girls have been reported to have been sexually abused by lesbians and homosexuals. Nevertheless, one should not pursue this trend in order to dismiss this act. We shall look into the arguments we regard as the strength of the advocates. They could be categorized into two groups. Firstly, they are those who rebut the arguments against homosexuality; and secondly, those who appeal to some more general ethical theories to defend it, e.g. the freedom of individuals, the categorical imperative, utilitarianism, etc.

Michael Ruse (1986: 80-84) in "The Morality of Homosexuality" defended the thesis that homosexuality is natural to man, and logically consistent with the moral philosophies of Bentham (who found nothing wrong with the act) and Immanuel Kant (who condemned it). Bentham found it to be consistent with his utilitarian doctrine while for Kant it is inconsistent with his categorical imperative. Ruse (1986: 83) states that "if indeed kin selection, or some like process, does operate in a way such as that suggested, and then biology is at least a partial cause of human homosexuality. It would therefore be odd to speak of homosexuality as being "unnatural" if by "natural", you mean that which nature has done, homosexual would be as natural as heterosexuality. Indeed, forcing homosexuals to live heterosexual life-styles would be unnatural from a biological point of view, not the converse ..." How did Ruse come to this view point? He says Plato and Aquinas were erroneously led to believe that homosexuality is unnatural because it is not biological. This is due mainly to their not having enough evidence. Contrarily, researches in science, such as that of Geist, have proved otherwise.

There is a substantial body of evidence that supports the conclusion that homosexual activity is widespread throughout the animal world. Virtually every animal whose activity has been studied in detail shows some forms of homosexual behaviour. Mutual masturbation, and intercourse, and so forth, are common place in the primate world. Similarly, amongst other mammals, we find all sorts of activity that can only truly be spoken of as "homosexual", in some sense. One male will mount another and come to climax. Analogously, females show deep bonds and sexual type behaviour towards each other. Sometimes this behaviour of animals is manifested just in young animals. In other cases homosexual activities are ongoing, if not exclusive (Ruse, 1986).

No doubt, this is a rebuttal of the view that the homosexual act is unnatural, and therefore immoral and bad. Ruse's argument is to establish the *naturalness* of same sex relationships. He also rebuts the view that homosexuals are anti-reproductive and antithetical to "the basic mechanism of the central biological theory of Darwinian evolution of natural selection and "the survival of the fittest" on the ground that homosexuals could "reproduce by proxy" through a process of "vicarious reproduction... known as "kin selection". This he held "has been very extensively documented in the animal world, particularly in the hymenoptera (ants, bees and wasps). Ruse thus postulates that "Kin selection in human provides a possible biological explanation of the homosexual life-style, as an alternative reproductive strategy."

One must concede to the sophistication which inheres in the arguments put forward by Ruse. The moment he was convinced that homosexuality is a natural act, the basis of which Kant in his *Lectures on Ethics* (between 1775 and 1780) rejects it; he asks, "Why must the mutuality and love that justifies sex necessarily rule out some homosexuals' equivalent to heterosexual marriage?" Ruse says Kant was led to an erroneous position because "Kant believes that homosexuality is a *criminal carnis*: an abuse of one's sexuality. This abuse comes in two categories. First, there are actions that are contrary to sound reason, *criminal carnis secundum naturam*. These are acts that go against the moral codes imposed upon us as human (e.g. acts such as adultery). Second, there are acts contrary to our animal nature, *criminal carnis contra naturam*, such as masturbation, sex with animals – and homosexuality. *Crimina carnis, carna naturam* are the lowest and most disgusting of vices. Ruse strongly rejects the view that homosexuality is wrong because it is biologically unnatural – what to Kant was *criminal carnis, carna naturam* in order to prove otherwise and save it from condemnation. Nevertheless, Ruse was silent on other examples such as "sex with animals." This we shall not ignore in our discussion of homosexuality and other abnormal (even natural biological) conducts.

Richard D. Mohr (1993: 358ff) held similar grounds in his defence of homosexuality. In his *Gay/Justice: A Study of Ethics, Society, and Law*, he points out a few wrong myths and stereotypes about gays such as the view that "Lesbians are women that want to be, or at least look and act like men – bull dykes, diesel dykes; while gay are men who want to be or at least look and act like women – queens, fairies, limp-wrist, nellies." He considers these views as ones that emanate from ignorance, the basis of which homosexuality have been regarded as immoral.

These stereotypes of mismatched genders provide the materials through which gays and lesbians become the bull of ethnic-like jokes. These stereotypes and jokes, though derisive, basically view gays and lesbians' affairs as ridiculous. Mohr puts a case of 'normality' for gays. He considers it unfair for people to take as their study population "samples of homosexuals who are in psychiatric hospitals or prisons, as was done in nearly all early investigations." This, in Mohr's view, has led to a misguided opinion and "false generalization" on gays as those of a "crazed and criminal cast." Fortunately, Mohr points out: Evelyn Hooker, who in the late '50s carried out the first rigorous studies to use non-clinical gay, found that psychiatrists, when presented with case files including all the standard diagnostic psychological profile – but omitting indications of sexual orientation – were unable to distinguish gay files from straight ones, even though they believed gays to be crazy.

The tenor of the pro-homosexuals has been that people should have a rethink about their attitude to the act. Homosexuality should be acceptable. It is not harmful. And it is a good human conduct. A few philosophers have thereby been compelled, on the basis of the above and some other grounds, to come to this view point. The *Newsweek* magazine of April 15, 1996 had this report on gays:

...Some prominent Chinese have begun speaking out for greater acceptance of homosexuals. One of them is Qui Renzong, a leading philosopher at The Chinese Academy of Social Sciences. He used to be convinced that homosexuality is both "perverse" and rarity in modern China. He changed his mind after visiting the United States in 1989, where he encountered Western research documenting historical and contemporary homosexual life in China.

Qui Renzong would go on to defend homosexuality in the following common and well-known grounds. He decided that consensual gay sex is not in itself harmful to anyone. On reflection, he could think of no moral system that would justify punishing anyone in China for homosexuality. Since the one-child policy has abrogated the Confucian ideal of having as many sons as possible to ensure a family's male lineage, why tie sex to procreation at all? The principle of respect for individual choice left him with a possible conclusion, he says. "They (gays) have pleasure in homosexual love. So it is good." Qui (1976:43) says his next book "AIDS, Sex and Ethics" scheduled for publication in China ... will include a chapter on homosexuality.

Thus far, one has attempted to restate the most important arguments in favour of homosexuality. No doubt, there are other important, but well-known arguments, that are built upon some more general philosophical theories such as utilitarianism and recently, the Kantian categorical imperative. Michael Levin (1993: 352-353) in "Why Homosexual is Abnormal", thinks otherwise: "Obviously, some people will get away with misusing their bodily parts. Thus, when evaluating the empirical evidence that bears on this account, it will be pointless to cite cases of well-adjusted homosexuals. I do not say they are non-existent: my claim is that, of biological necessity, they are rare." Michael Levin's thesis refutes a utilitarian claim of homosexuality "because natural selection has made the exercise of heterosexuality rewarding to human beings, homosexuality is likely to lead to unhappiness. Levin believes that denying social approval to homosexuality decreases the chances that children would become homosexual and thus less happy."

Michael Levin, for example, summarizes the utilitarian defence of homosexuality thus:

Even if homosexuality is in some sense unnatural, as a matter of brute fact homosexuals take pleasure in sexual contact with members of the same sex. As long as they don't hurt anyone else, homosexuality is as great a good as heterosexuality." Hence Ruse's view that "Bentham argued that if homosexual interaction give you pleasure, then as long as they are not harming others, they are morally acceptable. Indeed, if your tastes point you that way, you should indulge in homosexual activity because you thereby promote happiness.

In the light of the above, Ruse thought Kant missed the point when he (Kant) concludes that homosexuality was antithetical to his categorical imperative. Can one indulge in homosexual activity and yet be true to the categorical imperative? Kant himself did not think so. Nevertheless, "my own [Ruse's] sense of sex in general and of homosexuality in particular is that ...the categorical imperative is far less of an impediment to variant sex than its author supposed..." Indeed, in the right circumstance, a Kantian should rather think that one ought to behave homosexually. (Suppose, for instance, one were faced with a choice of would-be partners, one of the same sex and one of the other sex, and one was oneself drawn homosexually to the same sex partner, to act otherwise would involve deceit and unkindness.

The fact that homosexuals are free moral agents who have freedom of a choice of conduct, and should therefore not be attacked by others is a well-known premise used by philosophers to support their case. We shall go no further in this direction except to state that, so far, we have proffered some of the best and strongest points used by the pro-homosexuals.

#### IV

This will not be a systematic argument against the above. A different course will be taken. Nevertheless, we shall not fail to point out the weaknesses involved in the case of the pro-homosexuals and gay right advocates. It is quite doubtful if homosexuality is a natural act. If this is the case it is only at the pain of surrendering whatever austere meaning that is attached to the word "natural." Biologically, it is unnatural to argue that the penis' function – apart from its insertion into the vagina for sexual and reproductive duties, and for purposes of excretion/urine – is to be inserted into the anus. If we go along the line taken by Ruse, then one could list other "natural" functions of the penis to include inserting it into mouth of a crying and suckling child if the mother is not immediately around to feed him. In any case, the quarrel with the homosexual act rest on the premise that it is an *abnormal* conduct. The abnormality makes it socially undesirable. "...pro-human males who enjoyed inserting their penises into each other's anuses have left no descendants. This is why homosexuality is abnormal, and its abnormality counts prudentially against it." Michael Levin (1993) even argued further that "Homosexuality is likely to cause unhappiness because it leaves unfulfilled an innate and innately rewarding desire." This includes the desire to have children who would become homosexuals. Otherwise, who would be the heterosexuals to be producing persons for the homosexual community? Hence Levin's view that: Heterosexual behaviour is (self) reinforcing, not that homosexuality is self-extinguishing – that homosexuals go without the built-in rewards of heterosexuality but that homosexuality has a built-in-punishment.

The act of the relationship of homosexuality, in contradistinction with heterosexuality, are not *in se* the same, they cannot thereby be wished to achieve the same ends. And it would be bad faith for the homosexuals to so desire as they are trying to do. The homosexual "happiness" cannot be the same as the heterosexual "happiness." The same with their sex, marriage, etc that is also different from normal sex, marriage, etc. Even if it were natural (which it certainly not is), a case of its being a *normal* conduct is indefensible.

Value and ethical judgement is a function of *normal* and or *abnormal* social conducts. It is not so much of what is a natural and unnatural "conduct." Earth quakes are natural. However, they are bad. In fact, those who consider homosexuality bad on the grounds of its being unnatural do so mainly because they wish to point out that homosexual put the penis to a *wrong* and *abnormal* use. Gays have refused to give up using their penis. They have gone on to use it for what it is not meant for. This is a case of abuse. If it is accepted that such abnormality is *good*, then other cases of abnormal use of the penis should be regarded as moral, since those who engage in it could be adequately covered by the same arguments used in defence of homosexuality.

Immanuel Kant, as we noted earlier, listed sex with animal as one of his cases of *criminal carnis contra naturam*. Today, our newspapers report such cases. But come to think it, what is *morally wrong* with this conduct? Are those involved *hurting* anybody? Are they not animal lovers? Would they not *create* new forms of species by their conduct? Are they not



making the animals *happy*? Are they not *free moral* agents? Is it not possible to advance a *logically* moral case for them?

This is an abnormal sexual conduct. It is therefore morally wrong. It should not be encouraged. To use similar reasons, that were previously used by philosophers to pursue the case of prostitution<sup>2</sup> and other similar socially wrong conducts, is quite an unfortunate thing to do. It is wrong to apply and extend noble philosophical theories such as utilitarianism, libertarianism, categorical imperative, etc. to defend immoral conducts. A thief can on the grounds of pleasure and the categorical imperative honestly and sincerely wish same for others. Hence our call for a social application of the Ockham Razor<sup>3</sup>, rather than extend such theories to absurdities.

## V

Mankind is now compelled to contend with the unfortunate socio-ethical consequences of the fortunate villagization of the globe. Advancements in electronic engineering and the launching of satellite into orbit cum the progress brought about by the e-world/IT, especially the internet have made communication faster, easier, efficient and effective. In spite of this, there still exists, even if threatened, human, social, ethnic and racial peculiarities in terms of value, culture, goal, etc.<sup>4</sup> If philosophers of other cultures are to be of any socio-ethical relevance in our society today they cannot but contend with, and turn their rational attention to current problems which are posing serious social and ethical questions and debates.

The cases on the list of such socio-ethical problems are many. If a few are no longer being given serious urgent attention, it is because other serious emergency cases have been brought into the philosopher's emergency ward. So, arguably, cases such as *normalising* prostitution or otherwise is, for example, almost largely ignored and taken to be a tolerable social vice. The question of drug abuse is also rapidly "advancing" into the minor case list. If we turn attention to other serious ethical cases, we shall find as its prominent patients same sex relationships, euthanasia, abortion, cloning and the focus of this paper, which without any undue label of value judgement, we call "abnormsexuality."

In Isoko morality this is an 'otha', and therefore an evil action. A characterising feature of human actions that are so classified show that they are actions that – if carried out – threaten the existence of any given specie. Also, they regarded as offences against the entire community. For example, among the Isoko people, one is not allowed to sell a pregnant animal. Suicide is also an 'otha'. The thinking is that if every other person commits suicide (for whatever reason) then the human species' existence will be threatened. Man will become an endangered species if same sex relationship is promoted.

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<sup>2</sup> Bertrand Russell in his *Marriage and Morals* (London: Unwin Paperback, 1929, pp.97f), in a similar way defended prostitution for its value. "The need for prostitution arises from the fact that many men are either unmarried or away from their wives on journey... "The prostitute has the advantage not only that she is available at a moment's notice, but that having no life outside her profession, she can remain hidden without difficulty, and the man who has been with her can return to his wife, his family and his church with unimpaired dignity" (pp.97-8).

<sup>3</sup> "Ockham Razor" refers to the maxim of William of Ockham: *Entia non sunt multiplicanda practer necessitatem*. In adopting this maxim, Russell wrote: "One very important heuristic maxim which Dr. Whitehead and I found, by experience, to be applicable in mathematical logic, and have since applied in various other fields is a form of Ockham's Razor" (cf. Russell, *Logic and Knowledge*, New York: Capricorn Books, 1856, p.326). He also calls it "the supreme maxim in scientific philosophising" (cf. *Mysticism and Logic*, London, George Allen and Unwin, 1926, p.155). Here its application is being extended to the moral realm especially to the effect that ethical theories such as utilitarianism; libertarianism, etc. adopted to advance human conducts should not be taken to be necessarily applicable to all other abnormal human behaviours.

<sup>iv</sup> We must realise that Europe and North America is facing a pitiable state of social crises and a high degree of moral decadence. Whereas a few moral thinkers are aware of this and are ready to face it in order to change the tide for the better, many more are unfortunately justifying what they cannot change. Philosophers of other cultures must be careful, given their peculiar environment, of this trend. Otherwise, they will be caught up like the Chinese philosopher Qui Renzong who was never the same after "he encountered Western research" I am inclined to agree with a few thinkers who say homosexuality is a "Western problem."

Friday Ndubuisi (1995: 62-73) spoke in a similar light of the Uzuakoli people. He stated that in the morality of the Uzuakoli people, there exist two forms of crimes; social crimes and spiritual crimes. Spiritual crimes were listed by Ndubuisi to include incest, murder, 'killing sacred animals, terminating pregnancy and unmasking the masquerade among others. "These crimes, as its group name implies, are committed against the gods though they have their effect on human life. An offender is seen to have gone contrary to the ordinance of one type of god or the other." The case is similar with the Isoko people.

The grounds of the defence of, and sympathy for, homosexuality are similar to, or are out rightly the same as those of the earlier pro-prostitution. Even though the latter could not moralise their case and thereby make it a morally acceptable conduct, they seem to have made a successful no-case case for it. Now, the same canon of argument is being advanced for abnormality. Once the latter achieves the current social status of prostitution, a case may in future be similarly argued for "trans-specio-sexual" (TSS) relationships. The "very good reasons" being advanced by the pro-homosexuals can, if successful, save the day for TSS which is sexual/marital relationship that may exist between two beings, i.e. a human and non-human beings. This is a logical and empirical possibility. There was time prostitution and homosexual acts were hidden and shameful. TSS has its vestiges in our society today-in literature, films, video shots, etc. Human beings "do it" with dogs and chickens and cases of the conception of half human animals have been reported. No doubt we shall soon, like the case of gays, confront a few people who would fight for the 'legitimate' equal right as members of the "TSS Community." Of course, there would be philosophers that would readily deploy their intellectual canons to give their case the necessary intellectual cover that the canons of rational argumentations could provide. Hence one call for the application of a socio-rational, not necessarily logical, Ockham Razor to all abnormal human conducts.

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