

# MEMORANDUM TO PARLIAMENT OF GHANA’S COMMITTEE ON CONSTITUTIONAL, LEGAL AND PARLIAMENTARY AFFAIRS IN SUPPORT OF “PROMOTION OF PROPER HUMAN SEXUAL RIGHTS AND GHANAIAN FAMILY VALUES BILL, 2021”

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## Abstract

There has been an increasing debate over issues of homosexuality, including sea waves of pushback from some Ghanaians and foreign representatives in Ghana against the proposed “Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill, 2021”– currently under consideration in Parliament. While the phenomenon is old in Ghana, and common in senior high schools, more recently, the entanglement of homosexuality and human rights has complicated the subject. More also, the rise in humanistic groups, such as the Common Sense Family and Humanist and Atheist Groups, and the proliferation of social media have created an atmosphere of fawning liberalism that challenges conventional sex ethics. The challenge to gerontocratic control over sex matters, as well as a challenge to ecclesiastical authority, have all merged in defining the contours of contemporary sex ethics. Similarly, the neo-liberalisation of Africa's economy since the third wave of democracy in the 1990s has also contributed to weakening the extended family system, in the face of sporadic urbanization on the continent. In all this, young men and women are forced into a world of "survival of the fittest" where they subsist on their own coping strategies and subjectivities, away from the prying eyes of gerontocratic authority figures. I argue that homosexuality is framed around a vortex of different layers of complexities: human rights, state sovereignty, internationalism, culture, modernity, religion, sexual freedom etc. In all, through the prisms of the Bible, history, philosophy and discourse analysis, we will respond to questions, *inter alia*: Is homosexuality foreign to African cultures? Where from "homophobic" laws? How free can an individual be in matters of sex? Is homosexuality genetic? Must the state legislate against people's sexual preferences? How should Africa and Africans respond to western hegemony? Why are most Africans against homosexuality? Is Africa retrogressing or progressing in matters of sexuality? Why did the west begin liberalising its stance on homosexuality since the 1960s? How should we engage with homosexuals in our communities? How now shall we live?

## Introduction

Homosexuality is a very contentious subject in many African countries. In Ghana, the practice is rightly tabooed, such that a mere mention of it rightly attracts reprehension from the larger Ghanaian community. Rumours of homosexuality have for a very long time circulated in social media, but the practice received widespread media attention in 2006 when a group of homosexuals attempted organizing a conference on LGBT in Ghana. The government of Ghana was brought under intense pressure from the larger Ghanaian community to disallow the conference from taking place in the country. Eventually, the government proscribed the conference from taking place. In 2011, homosexuality once again became a dominant issue in public discourses, following the warning by David Cameron, then prime minister of Britain, that nations that failed to liberalise their stance on homosexuality risked losing British aid. This time, too, the government of Ghana released an anti-homosexual statement. The discussion of homosexuality in Ghana is so much clouded by entrenched western imperialistic tendencies alongside their African compradors such that the issues that must be properly discussed to set record straight are deeply and intentionally obscured. In this paper, I aim to support anti-homosexual “**Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill, 2021**” (not anti-human) laws in Ghana and where necessary Africa.

Homosexuals across the globe, particularly in some religiously-led states, claim to suffer from attacks from mainstream religious community for not conforming to the conventional

construction of heterosexual social order. Homosexuality is seen as an affront to hegemonic masculinity in Africa. Several people have seriously debated the subject of homosexuality. In popular and academic discourses, entrenched positions, sometimes backed by polemical books, have clouded and confused the discussion on the subject. Christian religious leaders are rightly polarised over the subject. This is because Christians against the practice are deeply, and rightly so, convinced that homosexuality is demonic and anti-human.<sup>1</sup>

Homophobia has received greater attention in the 21<sup>st</sup> Century because it is believed that the paranoia is likely to curtail freedom of expression, and the right to equality, dignity, and civility. Early this year, I published a journalistic article on homosexuality, under the title, 'When cultural values clash with human rights: The Case of the Homosexual Debate.'<sup>2</sup> The article, which was published by several online media platforms, including *Ghanaweb*, a major electronic online media in Ghana, attracted the concerns of lots of readers. I had two professors in the United Kingdom, who identified themselves as homosexuals, writing to contest my position on the subject. Once again, I have decided to write on the subject of homosexuality to support the Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill, 2021 currently before consideration by Ghana's Parliament Committee on Constitutional, Legal and Parliamentary Affairs.

### **Recent Issues**

In 2011, the issue of homosexuality reemerged. This time, the Prime Minister of Britain, David Cameron, had sent a caution to all African leaders, including Ghana, to liberalise their legal stance on homosexuality or risk losing British aid. The issue once again spurred Ghanaians on to debate homosexuality. Here, too, the president of Ghana, this time under the National Democratic Congress government, John Evans Atta Mills, became the darling boy of the conservative Ghanaian community as he stated publicly that he was not going to compromise Ghanaian culture and religious sensitivity to liberalise or legalise homosexuality in the country. In 2014, there was a renewed discussion on homosexuality following the trial of a senior medical practitioner, Dr. Sulley Ali-Gabass, who was accused of sodomising a minor. The case dragged for a year, until he was eventually slapped with a 25-year jail term after the trial concluded in July this year.

In June this year (2015), the Supreme Court of the United States of America ruled that same-sex marriage is legal across the United States of America. Since it is widely said that, 'when the United States of America coughs, the world catches a cold,' the government of Ghana, once again, came under intense pressure to make a new anti-homosexual pronouncement on the issue. For political reasons, the government of Ghana, headed by the former president, H.E. John Dramani Mahama, remained very silent and reticent about making a statement on the issue. The silence of the government raised concerns among Ghanaians that the president, said to be a close friend of Andrew Solomon, a known gay and LGBT advocate, might want to liberalise Ghana's stance on the issue. Certainly, the connection between the president and Andrew Solomon was also motivated by partisan politics.

However we look at the debate on homosexuality in Ghana, it is conspicuous that the two main political parties, the New Patriotic Party (NPP) and the National Democratic Congress

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<sup>1</sup> For example, in 2003, the Anglican Church of Nigeria severed relationship with the Anglican Church of England over the latter's sanction of homosexuality

<sup>2</sup> <http://www.ghanaweb.com/GhanaHomePage/NewsArchive/When-cultural-values-clash-with-human-rights-the-case-of-the-homosexual-debate-349386>.

(NDC) who have alternated in ruling Ghana since the country bounced back to democratic rule in 1992 have shown consistency in their stance against homosexuality. One thing that is also clear is that all the leaders of Ghana have resisted homosexuality on the assumption that the practice is un-African, illegal, and anti-religious. This projection of homosexuality as un-African, illegal and anti-religious is in tandem with similar concerns expressed by other leaders in Africa, including Yoweri Museveni of Uganda, Sam Nujoma of Namibia, Robert Mugabe of Zimbabwe, Olusengu Obasanjo of Nigeria, and Yayah Jammeh of Gambia.

### **Is homosexuality foreign to African cultures?**

I begin this section by making it clear that sin is not foreign to any culture. Sexual perversion is not foreign to any culture. So, homosexuality, as a sinful practice, is not foreign to any culture.<sup>3</sup> The debate, therefore, is not so much about whether homosexual practice is foreign to any culture, as it is about whether a sinful, perverted sexual practice should be decriminalized. It is also about whether in societies prior to the imposition of colonial rule, the people who became the Gold Coasters ever legitimised the public practice of *trumutrumu* – the he current local slang for the practice. Again, the argument of its exoticness or not should not be construed on the linearity of time – constricting static binaries between past and present, tradition and modern, religion and irreligion etc.

I make this argument precisely because, while homosexual practice as sinful wasn't foreign to any culture, including the western world, we must be interested in what it means today. At any rate, a people's sense of their past isn't just about their past that is there, but how they also construe the necessities of their present to peep into the future – unreached time. It should also be measured along with the parameters of what a people consider germane, significant, necessary and central in supporting human flourishing, including the perpetuation of the human race. Impliedly, anything, including homosexuality that recklessly and needlessly breaks ethical and ontological boundaries should not be debated as a subject of quantitative or historic times frames; such a matter should be discussed around the quality of human life, the vision of humanity and the ultimate goal of the Creator who intended humanity to flourish in population and indignity. It is for this reason that people of every civilized country have always been eager to associate sexual perversions with some other country than their own.<sup>4</sup>

Whereas homosexuality, as a perverted sexual practice, wasn't foreign to Africa, it was not pronounced – as there isn't enough evidence in support of its acceptance as normal lived social reality.<sup>5</sup> More so, we read from nowhere in literature, including anthropology – colonialism-inspired imposed subject<sup>6</sup> – that Africans were in public adulation of homosexuality. Similarly, it is written or recorded in nowhere that homosexuality was celebrated in the public sphere. In Ghana, for example, there is hardly any evidence of any social institution – festivals, religious rituals, political establishment etc. – that supported, confirmed, and celebrated homosexuality. While we have had individual men with feminine physical characteristics, that was hardly any ground for anyone claim to be made that

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<sup>3</sup> Louis Crompton (2003). *Homosexuality & civilization*. Cambridge, Mass: The Belknap Press of Harvard University Press.

<sup>4</sup> Havelock Ellis (1906). *Studies in the psychology of sex* Vol. I. London: William Heinemann Medical Books, p. 4.

<sup>5</sup> Works that claim that homosexuality was in Africa include: Busangokwakhe Dlamini (2006). 'Homosexuality in the African context'. *Agenda: Empowering Women for Gender Equity*, No. 67, *African Feminism* Vol. 2, No. 3, pp. 128-136; Stephen O. Murray and Will Roscoe (eds.) (1998). *Boy-wives and female husbands: Studies of African homosexualities*. New York: Palgrave.

<sup>6</sup> Godfrey Wilson, 'Anthropology as a public service,' *Africa* 13, no. 1 (1940), pp. 43-61.

homosexual practices were commonly accepted in the public sphere. Throughout the history of Ghana, we have not read from any oral or written account that the idea of "Kojo Basia" – a feminine-male – was construed as a patented right for the endorsement of homosexuality. So far, none of the radical feminists in Ghanaian universities, including Professor Dzodzie Tsikata, the current director of the Institute of African Studies, University of Ghana – where I studied for my Master of Philosophy and was awarded for best student in 2010 – has been able to prove that "Kojo Basia" or "Kwesi Basia" was seamlessly construed as homosexuals. Here, the lawyers and scholars blatantly betrayed their years and decades of training as they failed to differentiate between homosexuality – as a contorted biological trait – and homosexual practice – actually engaging in homosexuality with open public acceptance.

This similarly implies that random or even regular student deviant practices of *Supi* and *Azukurwaff* in our schools cannot be used as a canon to claim that homosexuality was publicly accepted in Ghana.<sup>7</sup> Since the 1960s, the Ghanaian public has rightly rejected students' engagement in *supi* in our schools. I have personally counselled students at the Accra Girls' Senior High School – where I taught briefly in 2010 as part of their long vacation classes – to resist pressures to incorporate homosexuality – more specifically lesbianism – into their lives.

I must say that for most scholars who appeal to the sexual practices of *Sangomas* in South Africa as an evidence of public endorsement of homosexual practices do the general public an epistemic injustice. *Sangomas* were ritual functionaries, engaged in the cultic practices of divination and healing. As ritual experts, we must understand that the world of rituals is unstable, fluid, and unresponsive to the strict rules of the physical world. The world of rituals has its own sense of order – usually unrelated to social order. The metaphysical world has its own logic which usually contradicts the logic of the social world. In other words, the spiritual and the social worlds are not the same in terms of the rules of their engagement. So, the base of the work of the *Sangomas* does not reflect life in lived experiences – in social spaces.

In the world of rituals, the *abnormalities* of the material world are normalized; the destabilisation of the social world are stabilized in the ritual world. We have seen many of such things in Ghana where *Sakawa* boys and girls are rumoured to be involved in all forms of grotesque rituals – including sleeping at the cemetery at odd hours, consuming women used sanitary pads etc. While these grotesque practices are counter-intuitive to the material world, they make an *imagined* sense in the ritual world. Thus, that some of the *Sangomas* were involved in same-sex practices should be seen as a ritual practice, as opposed to a lived social practice. This explains why even hardcore pro-homosexual anthropologies have hardly provided evidence on the pervasiveness and public acceptance of homosexual practices in pre-colonial South Africa.

Currently, South Africa remains one of the countries to have legalized homosexuality. This isn't surprising, given the history of the country. As part of the challenges associated with physical and social segregation, usually called Apartheid, which some godless men and women fronting as Christians imposed on South Africa, the self-determination of the country was premised on non-discrimination. This simplistic framing of non-discrimination by the leaders of anti-apartheid South Africa should read from different perspectives.

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<sup>7</sup> I stress the "public" because we are not interested in what happens in the private that has no repercussion for public. Similarly, what happens in the private may not be a subject of public concern except when it is publicly denounced or is of relevance. Equally sexual practices that were allegedly accepted would have found free expression as part of lived social reality in a society.

First, Mandela, based on his own autobiography, was a humanist. He did not believe in a God who directly influences the course of human history – from my reading of him, he was more a deist than a stronger believer in a God who acts in history.<sup>8</sup> He also believed in the innate goodness of human beings, including every human being. Persons who believe in natural human goodness would hardly consider homosexuality as an aberration to social normativity. So, as part of the processes of re-liberating South Africa, his non-religious stance was strong in pushing for homosexuality – known among the *Sangomas* – but which the white Christians had suppressed to be accepted. Similarly, Desmond Tutu, a venerable "clergy" man of Mandela's generation supported homosexuality for his own personal reasons. He was a liberation theologian, whose ideal was to incorporate Christianity into achieving a political end.<sup>9</sup> In Christian, feminist theologians who support lesbianism largely derived inspiration from liberation theology, which was popular in Latin America. As Byang Kato has rightly observed the damage to which liberalisation theologians do to the Christian faith as they tend to rate political aspiration over soteriological issues.<sup>10</sup> The mundane take precedence over the core of the Gospel – the redemption of human beings from sin.

In many cases, homosexual advocates have cited countries from Southern African, especially South Africa to do epistemic injustice to scholarship. It is rather unapt that scholars who are expected to ply their trade with integrity could simplistically use overlay emphasis on South Africa to prove that homosexuality was predominant in Africa. This intellectual dishonesty finds expression in the wanton generalization of homosexuality in pre-colonial South African societies.

With all this, I must also point out that in the history of the English people, homosexuality was decidedly considered foreign practice – they considered it a foreign importation.<sup>11</sup> This was usually the case in the sixteenth century. It was considered a perverted practice that had sneaked in from France – generally considered in European history as the culturally perverted part of western Europe. This explains why all elements of homosexuality, framed as "unnatural practices" were regarded as a felony in England, following Henry VIII's 1533 degree that, "offenders being hereof convict by verdict confession or outlawry shall suffer such paynes of death and losses and penalties of their goods chattles debts lands tenants and hereditaments as felons being accustomed to do addordynge to the order of the Common Lawes of this Realme".<sup>12</sup>

Also, because the homosexual practice was read as foreign to the English and many other European countries, "the Old Testament death penalty for male homosexual behaviour was incorporated into Roman Law. Later, this same precedent was cited when death for homosexual behaviour was prescribed by criminal codes in France, Spain, England, the Holy Roman Empire, the Italian states, Scandinavia, and every land settled by European colonists who professed Christianity".<sup>13</sup> That anti-homosexual laws are influenced by Judeo-Christian sex ethics is also confirmed by another homosexual advocate and scholar who said it was

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<sup>8</sup> Nelson Mandela (1994). *Long walk to freedom: The autobiography of Nelson Mandela*. Lancaster: Abacus.

<sup>9</sup> Needless to say, Desmond Tutu's daughter is a lesbian.

<sup>10</sup> Byang Kato (1985). *Biblical Christianity in Africa*: No. 2 (Theological perspectives in Africa S.). Accra: African Christian Press.

<sup>11</sup> Louis Crompton (2003). *Homosexuality and civilization*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, p. 361.

<sup>12</sup> The Act 25 Hen. VIII c. first enacted by Parliament in 1533.

<sup>13</sup> Louis Crompton (2003). *Homosexuality and civilization*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, p. 34.

Judeo-Christianity that criminalised homosexual practices.<sup>14</sup> That homosexual advocates admit that the origin of anti-homosexual laws comes from Judeo-Christian ethics implies that it is originally an English culture that was untouched by Christianity. It is important to mention that homosexual advocates maintain that the foreignness of the practice was informed by Christianity – referring to the Old Testament. This reinforces the point I have been making that homosexual practice as sinful isn't foreign to any culture, but as a suppressed practice it is common to all cultures – especially cultures shaped and influenced and rightly so, by Christianity. I will come back to this point in my discussion of why the western has decriminalized homosexuality and why it is similarly compelling Ghanaians and other Africans to do the same. I will also use this to discuss the reason why anti-homosexual laws circulated in the British Empire and, rightly so, later became part and parcel of the legal code of post-colonial states in Africa, including Ghana.

### **The spread of anti-homosexual laws in the British Empire**

The spread of anti-homosexual laws in Africa was part of Victorian England seeking to rightly incriminate European “homosexual men looking for sexual and emotional companionship away from home ... It is no surprise that, even in the ‘darkest Africa’ or ‘primitive Oceania’, homoerotic writing described a comely local man as Ganymede or Antinous, and harked back to paradigms of ‘Socratic love’; some travelers felt that they had discovered a homosexual Eden or equatorial Athens overseas”.<sup>15</sup> Several European men were involved in homosexual practices in Africa. But for the sake of space, I will only refer to Richard Burton. Burton was one of the great imperialist adventurers in the nineteenth with his activities covering South Asia and South America, the Middle East and Africa. He enjoyed close friendship with men, and considered homosexuality as natural intercourse as he quoted the obscene quatrain to prove it: “The penis smooth and round was made / with anus best to match. / Had it been made for cunnus’ sake, / it had been formed like a hatchet.’ He preferred male to female beauty, writing in Africa:

The male figure here, as well the world over, is notably superior, as amongst the lower animals, to that of the female. The latter is a system of soft, curved and round lines, graceful, but meaningless and monotonous. The former far excels it in a variety of form and in sinew. In these lands, where all figures are semi-nude, the exceeding difference between the sexes strikes the eye at once. There will be a score of fine male figures to one female, there she is, as everywhere else, as inferior as in the Venus de Medici to the Apollo Belvedere.<sup>16</sup>

### **Where from "homophobic" laws?**

One of the arguments in support of homosexuality in Africa is that anti-homosexual laws are un-African. This argument flows continues from whether or not homosexual practices are foreign to Africans. I have mentioned that sin is not foreign to any culture. Sin is innately human and universal to all cultures – including so-called pre-scientific/pre-industrial and "modern" societies. As I have said, what is rather foreign to most "civilized" cultures is the

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<sup>14</sup> Alok Gupta (2008). *This alien legacy: The origins of ‘sodomy’ laws in British colonialism*. New York: Human Rights Watch.

<sup>15</sup> Robert Aldrich (2003). *Colonialism and homosexuality*. London/New York: Routledge, Taylor and Francis Group, p. 9.

<sup>16</sup> Robert Aldrich (2003). *Colonialism and homosexuality*. London/New York: Routledge, Taylor and Francis Group, p. 33.

enforcement of sinful practices, particularly those that suppressed human procreation.<sup>17</sup> This explains why "civilized" cultures suppressed infanticide. But sinful cultures do not just go away under the banner of "civilization", just as civilization must be predicated on cherished cultural values – after all, civilization in its simplest understanding is framing as an advancement in the culture of a group of people. The use of the advancement of culture as an index of civilization should be read as a culture purging itself of clear, sinful practices that violate human dignity. In other words, civilization is about restoring boundaries to ontologies and ethics. It is about redeeming the collapse of all forms of natural and moral ontologies. When cultures make progress, they work against environmental degradation, human sacrifices, infanticide, wanton suppression of wanton, and in our case, homosexuality.

This explains why while homosexuality isn't foreign to any culture, it was largely Judeo-Christian values that suppressed the practice in the western world. I have already stated that in England, it was Christianity that rightly discouraged homosexual practices as an indignity to human beings. English civilization, spreading to the United States of America and other European countries, was primarily driven by Christianity. It was as a result of Christianity that civil society was conceptualized, human rights were clearly demarcated; freedom was guaranteed; the industrial revolution made possible etc. without Christianity western civilization would have been impossible! It was Christianity that provided the moral foundation for western civilization.<sup>18</sup> Modern science wouldn't have been possible without Christian civilization.<sup>19</sup> It was Christians who built the best universities around the western world. These include the University of Cambridge (where I studied for my doctorate degree), Oxford (where I recently completed a short programme on research and development), Harvard (built to raise pastors to train the children of Puritans in the fear of God – against all godless practices including homosexual practices. Unfortunately, Harvard has become a den of anti-Christians, where more recently an atheist is serving as a chaplain – a paradox of the highest order); Yale (built to counteract the liberalism of Harvard); Princeton etc. Even less religiously inclined people like Thomas Hobbes, one of the architects of a social contract, quote severally, at least more than 600 times, from the Bible – not as much as he did with the Greek philosophers.<sup>20</sup> Alexis de Tocqueville, a French political aristocrat who studied American democracy in the mid-nineteenth century observed that without Christianity, civil society and democracy wouldn't have been possible in the US.<sup>21</sup>

For Christianity to advance human flourishing, it needed to overcome anti-human practices, one of which is homosexuality. It is for this reason that Christians were instrumental in suppressing homosexual practices, including outlawing the practice. While some of the laws enacted to suppress homosexual practices were sometimes heavy-handed and needs not to be encouraged, we must appreciate the fact that the practice was considered a total anti-progressive practice that needed to be stamped out.

So, while homosexual practices as sinful practices are universal, the concern of the English was to spread Christian civilization to the rest of the world. Informed by Christianity,

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<sup>17</sup> Ref: <sup>17</sup> Havelock Ellis (1906). *Studies in the psychology of sex* Vol. I. London: William Heinemann Medical Books.

<sup>18</sup> Rodney Stark (2005). *The victory of reason: How Christianity led to freedom, capitalism, and western success*. New York: Random House Trade Paperbacks.

<sup>19</sup> Ibid.

<sup>20</sup> Thomas Hobbes (1985). *Leviathan*. London: Penguin Classics.

<sup>21</sup> Alexis de Tocqueville (2016). *Democracy in Africa: A new abridgement for students*. Bellingham, Washington: Lexham Press.

Europeans were quick and rightly so to outlaw homosexual practices through laws. As I have mentioned above, European anti-homosexual laws in the colonies were also meant to curtail the extent to which some Europeans were spreading this banal practice to the colonies. At the risk of repeating myself: I must state that the law against homosexuality was not *etiologically* English culture, but rather Judeo-Christian sex ethics. The law isn't secular in orientation, but Christian in orientation. It for this reason that the suppression of homosexual practices in the British empire took place under the regime of Queen Victorian, whose vision was to reinforce Christianity morality in the colonies. So, while homosexuality had been treated as a crime in England since 1533, its resurgence in the nineteenth century compelled the Victorian regime to tighten its law against the practice in 1885.<sup>22</sup> For this reason, the first colonial state where the British rightly imposed anti-homosexual law was in India. The law was passed in India because as part of the ritual possibilities of the ritual world, Hinduism allowed homosexuality.<sup>23</sup> This is precisely because the ritual world of Hindu is a world of multiple *anti-social* possibilities – it is a world of breaking human and natural ontological boundaries.

The anti-homosexual law was therefore informed by Judeo-Christian sex ethics, which could be easily gleaned from the framing below, as When the final draft of the Indian Penal Code came into force in 1860, the

“Unnatural Offences” section was modified. The ultimate, historic text—which, in one form or another, influenced or infested much of the British Empire—read:

Section 377: Unnatural offences – Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal shall be punished with imprisonment for life, or with imprisonment ... for a term which may extend to 10 years, and shall be liable to fine.

Explanation – Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this Section.<sup>24</sup>

The use of “unnatural” and “carnal” are simply religious words. These are from the Bible, including:

26 For this cause God gave them up unto vile affections: for even their women did change the natural use into that which is against nature: 27 And likewise also the men, leaving the natural use of the woman, burned in their lust one toward another; men with men working that which is unseemly, and receiving in themselves that recompence of their error which was meet.<sup>25</sup>

### **The tension embedded in “unnatural” and “carnal” in the homosexual discourses**

“Unnatural” and “carnal” are words signal the need for humans to respect natural and ontological boundaries. This implies that if a man crosses the natural demarcations to

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<sup>22</sup> David Hilliard (1982). ‘Unenglish and unmanly: Anglo-Catholicism and homosexuality’, *Victorian Studies*, Vol. 25, no. 2, pp. 181-210.

<sup>23</sup> Ruth Vanita (2007). “Hinduism”. In Jeffrey S. Siker (Ed.), *Homosexuality and Religion: An Encyclopedia*. London: Greenwood Press, pp. 125-127.

<sup>24</sup> Human Rights Watch (2008). *This Alien Legacy: The origins of “Sodomy” Laws in British colonies*. New York: Human Rights Watch, p. 18.

<sup>25</sup> Romans 1: 26-27.

penetrate the anus of a fellow man it is justly referred to as “carnal” and “unnatural” knowledge in the case of Ghana.<sup>26</sup> It is important that whereas science may consider a man having sex with another man through the anus as unnatural, the idea of nature has become contested, following decades of western research work of the post-enlightenment world that seek to deconstruct anything natural. It is for this reason that as part of the call for decriminalizing homosexual laws, humanistic and atheistic philosophies have been adduced.

For example, almost all feminist and homosexual scholars and advocates begin their scholarship with Friedrich Engels' *The Origin of the Family*. In this book, Engels deconstructed normative sex practices of heterosexual monogamy, claiming that it is a Christian imposition on so-called pre-industrial societies.<sup>27</sup> He also justified the free sex lifestyle between men and women, not only as natural as he considered it, but necessary to overcome the suppression of women imposed by industrialization. But it is also important to highlight that the general motive of Friedrich Engels was to deconstruct the heterosexual normativity of religion. He wanted to undermine social order. This is evidently captured in the Communist Manifesto, which he co-authored with Karl Marx, a decided atheist. In the Communist Manifesto, the two declared their intention against religion as follows:

**“abolish all religion and morality, instead of constituting them on a new basis; it therefore acts in contradiction to all past historical experience”.**<sup>28</sup>

In relation to sex and family life, the goal of the Communist Manifesto is to engage in “uninterrupted disturbance of all social conditions”<sup>29</sup>. It is to bracket the family from all objective truths, values, order – in short, Engels sought to deregulate the family.

The deconstructionist views of Engels found expression in and was refined by Jean-Paul Sartre's existential philosophy. Sartre was a decided atheist who was ranting against the Christian God. His basic philosophy was that existence is human, not essence – hence no need for human beings to be in a biological straitjacket – human beings should create themselves, including their sexuality. To summarize its philosophical intention, which is to deconstruct the natural. The basic tenet of existentialism is that existence precedes essence. Nothing can be assumed as natural about human persons; there is no ontological essence against which existence could be made. Human beings are who they make themselves to be. They are not bounded by anything in the natural world – biological or not. Human beings are the only ones who are consciously in existence and must control everything else around them. No god created human beings – human beings create themselves and define their boundaries. Existentialism breaks all ontologies, including social ontologies.<sup>30</sup>

James W. Sire has summarised existentialisms as follows: The cosmos is composed solely of matter, but to human beings reality appears in two forms – subjective and objective: We are the only beings in the material world who are self-conscious and self-determinate; science and logic do not penetrate the subjective realm because science does not determine values; For human beings alone existence precedes essence; people make themselves who they are; Each person is totally free as regards his or her nature and destiny; The objective world is

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<sup>26</sup> Elizabeth Baisley, “Framing the Ghanaian LGBT rights debate: Competing decolonisation and human rights frames”, *Canadian Journal of African Studies*, 49:2 (2015), pp. 383-402, p. 393.

<sup>27</sup> Friedrich Engels (1986). *The origin of the family, private property and the state*. Harmondsworth: Penguin.

<sup>28</sup> Karl Marx and Friedrich Engels (1970). *Communist Manifesto*. London: Communist Party, p. 56.

<sup>29</sup> *Ibid.*, p. 35.

<sup>30</sup> Jean-Paul Sartre (2007). *Existentialism is a humanism*. New Haven/London: Yale University Press.

absurd, intruder etc it is orderly – determinate, science and law; We must rebel against any imposition of the objective world, and Ethics – the good is what we choose.<sup>31</sup>

It is for this reason that for homosexual laws to be decriminalised, religion had to be criminalised in the western world. This is because Christianity rightly teaches that human beings are not self-sufficient, self-creators, and infinite. Christianity teaches that human beings are creatures of God with ontological limitation in terms of fixed biological attributes. This partly explains why virtually all subversion of human ontologies create problems. This includes the use body enhancement surgeries, chemicals for bleaching etc.

### **Decriminalising homosexuality in the west**

So, while Christian-induced western civilization had suppressed the sinfulness of homosexuality, it was in the de-secularisation of Christian morality in the 1960s that homosexual laws were decriminalised. It is important to state that while secularization – partly supported by the Christian Reformation of the sixteenth that deconstructed ecclesiastical authority – began in the seventeenth century (through secularization of knowledge), it was the secularisation of morality, making it an individual's preference, that broke the bulwark of the religious fort against homosexuality. Since then, homosexual scholars like Michele Foucault have expanded on post-structuralism as part of the deconstruction of "nature" and social order to support their sexual pleasures and get them universalised in schools.<sup>32</sup>

In Ghana, many homosexual advocates and writers have identified religion as their major challenge. For example, to deconstruct homosexual discourses in favour of homosexuals, a Ghanaian advocate indicted the religious obstacle as follows:

The powerful positions that Abrahamic religions hold in countries like Ghana and the power they wield shape public conversations. ... Framing homosexuality as evil based on religious doctrine is perhaps the reason Christian and Muslim leaders have rallied to put pressure on individual citizens to demand that homosexuals be denied rights in Ghana.<sup>33</sup>

With religion forms the fulcrum of the foundation of anti-homosexual laws, the west, as I have said, had to deconstruct, displace and marginalise religion to push through with homosexuality. It is, therefore, important to be clear in our mind that the historical root of anti-homosexual law is not pre-modern western culture, as it is Judeo-Christian sex values. It is for this reason that homosexual advocates in Ghana, including Lawyer Akoto Ampaw, Professor Takyiwaa Manu, Dzodzi Tsikata, Kwasi Prempeh, Gyimah Boadi etc. are attacking religion to push through with the homosexual agenda. It is similarly with same understanding that Raymond Atuguba has been criticising colonial laws. This is also similar to postcolonial theory that seek to invert colonialism.

Nevertheless, it is also important to mention that Ghana and most of Africa is a citadel of religion. The argument about the overall moral impact of religion on Ghana is another issue

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<sup>31</sup> James W. Sire (2004). *The universe next door: A basic worldview catalogue* (4th edition). Leicester: Inter-Varsity Press, pp. 114-121.

<sup>32</sup> Michel Foucault (1978). *The history of sexuality*, vol. 1 trans. R. Hurley. London: Penguin Books.

<sup>33</sup> Wumpini Fatimata Mohammed (2020), "Deconstructing homosexuality in Ghana" in S.N. Nyeck, *Routledge Handbook of queer African Studies*. London/New York: Routledge Taylor and Francis Group, (pp. 167-182), p. 172.

or debate. At any rate, we have never had a society that completely manifested all the virtues of Christianity. What Christianity continues to do is to provide the formidable institutions to check humans breaking ontological boundaries. That said, I must state that Ghana is a deeply religious country with about 90 per cent of the population professing one religion or the other. But in all the two major religions, Christianity and Islam, are in the comfortable majority. These two religions, including Christianity that formed the basis of European anti-homosexual, continues to hold to Judeo-Christian sex ethics. Given that the Ghanaian public sphere is saturated with religion, it would be a violation of common sense to impose western and minority godless and anti-human agenda on the Ghanaian masses. Similarly, the appeal to secularism to push back the religious fortress against homosexuality is misconstrued. No nation secular qua secular, as the word “secular” is usually misused. Historically, the word was used to refer to the transfer of church property to the state. In the nineteenth century, it was used by atheist to disguise their disbelief in God. Hardly in history has the word been used to refer to the absence of religion. Pre-colonial societies were not secular. The traditional actors were religious and political functionaries. While Okot p’Bitek has sought to read atheism into Africa, his argument isn’t convincing, because his argument of pragmatism does not imply religion was peripheries in Northern Uganda.<sup>34</sup>

The idea that Ghana is a secular country is not convincing, as religion plays an important role in governance. This is to the extent that Ghana could rightly be called a religiously plural country,<sup>35</sup> as Nkrumah’s consciencism philosophy did not envision a secular qua secular state. Nkrumah’s *consciencism* – a synthesis of Christianity, Islam, and indigenous traditions – was critical in resolving the paradox of pluralities to support inclusive governance, instead of fostering a “secular” state. In other words, like secularism everywhere in the world, the idea is not to stifle religion, but to ensure religious plurality. It is for this reason that the “secularism” is also applied differently in different part of the world. For example, while England has a state religion/church, it allows for Muslim women to use the veil in public. Meanwhile, France which has been noted for its long history of secularism, called as *laïcité*, since the eighteenth-century revolution does not allow the public use of the veil.<sup>36</sup>

At any rate, Peter Berger and Harvey Cox, the apostles of secularism who in the 1960s predicted the demise of religion in the public sphere were forced by the religious resurgence of the 1970s to renounce their position.<sup>37</sup> The reason the secularization thesis failed was because, like homosexual advocates, the theoreticians thought religion would lose its hold in the public sphere. But the more reason for its failure is that secularism does not have its own unique moral values.<sup>38</sup> So to succeed it must promote anti-Christian values, which are usually resisted globally. It is for this reason that homosexuality still remains contentious even in the liberal west. Ghana remains a highly religious country with a population made up

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<sup>34</sup> For more on this, please see my publications: Charles Prempeh and Lydia Amoah, “Secular governmentality and the court of the Asante Ahemaa in 21st century: An ethnographic account of Ejisu and Juaben traditional areas”. In Edmund Abaka & Kwame Osei Kwarteng (Eds.), *The Asante World*. London/New York: Routledge, 2021, pp. 281-300.

<sup>35</sup> Christopher y. Nyinevi and Edmund Amasah, ‘The separation of church and state under Ghana’s fourth republic’, *Journal of Politics and Law*, Vol. 8, no. 4 (2015), pp. 283-292.

<sup>36</sup> Leland Ware, ‘Color-blind racism in France: Bias against ethnic minority’, *Emerging Ideas in Law*, Vol. 46 (2015), pp. 184-244.

<sup>37</sup> Peter L. Berger (ed.) (1994). *The desecularization of the world: Resurgence and world politics*. Washington: Ethics and Public Center); Harvey Cox, ‘The Myth of the Twentieth Century: The Rise and Fall of Secularization’, *Japanese Journal of Religious Studies*, Vol. 23, No. 1/2 (Spring, 2000), pp. 1-13, p. 4

<sup>38</sup> Meera Nanda, p. 40, ‘Secularism without secularisation: Reflections on God and Politics in US and India’, *Economics and Political Weekly*, Vol. 42, No. 1 (Jan. 6-12, 2007), pp. 39-46, p. 40

of about 90 per cent. So, it is not wise to subvert religion in the interest of homosexuals – at any rate homosexuals in their freedom become intolerant to religion. In fact, in countries where homosexuality has been decriminalized Christians are usually persecuted for refusing to cede to homosexual demands. While the court upheld the rights of the Christian baker, the fact that the baker was arrested for his religious convictions indicates the hostility of the gay community.<sup>39</sup> The homosexual community is also forcing its agenda on children, as they continue to influence the content of school curriculum in the west, usually against the express will of Christian parents.<sup>40</sup>

### **Anti-homosexual Bill: Backwards or not?**

Usually, the pushback from Christians against homosexuality and the anti-homosexual bill is constructed as culturally backward. The anti-homosexual laws are considered a setback to Ghana's democracy. It is also said not to conform to international standards. These are all interesting debate that superficially has a modicum of intellectual appeal. But in a simple response and at the risk of recapitulating my point, the push for homosexuality in the west – arrogantly forming the international standards – is based on pushback against religion. Religion, universally considered a bulwark against deconstructing of all forms of ontological boundaries including wanton destruction of the environment and, currently homosexual practices, is the major target of attack by all international standards and organizations pushing for homosexuals.

The idea that the push against the homosexual practice is backwards betrays an intellectual deficit that structures human history into a simplistic present and past. First, it assumes that time is linear – the past must be discarded completely. The past must not interfere with the present. The past is made of religious fanatics. The past is primitive. The past is pre-science. It is for this reason that homosexual advocates are pushing against religion – which has always been with humanity and will continue to be with us. Second, if we are to go by the logic of the homosexual advocates, then the homosexual advocates are backwards. This is precisely because the practice was part and parcel of the Greco-Roman civilization – the historical root of the European world. Alvin I Schmidt has observed that, "Roman literature, written by its own authors such as Juvenal, Ovid, Martial, and Catellus, indicates that sexual activity between men and women had become highly promiscuous and essentially depraved before and during the time that the Christian appeared in Roman society".<sup>41</sup> He further observed that, "the widespread, licentious sex practices threatened the institution of marriage, so Caesar Augustus in 18 B.C. enacted *lex Julia de adulteriis*, a law that tried to curb the people's addiction to widespread illicit sex".<sup>42</sup>

From the above, it is clear that the west is rather backwards, because they are going for the anti-thesis of their civilization. They are hacking back to the sexual perversity of their historic past. This connects to the idea of culture as dynamic. This point is usually highlighted by people who are pushing homosexual practices down the throats of Africans. As far as they are concerned, culture is dynamic, malleable and flexible enough to accommodate new trends

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<sup>39</sup> Lawrence Hurley (June 4, 2018), 'U.S. Supreme Court backs Christian baker who rebuffed gay couple', <https://www.reuters.com/article/us-usa-court-baker-idUSKCN1J01WU> (Accessed: October 6, 2021).

<sup>40</sup> Mo Wiltshire (September 1, 2020), 'We finally have LGBT-inclusive curriculum – now teachers must be supported to implement it,' <https://inews.co.uk/opinion/lgbt-school-curriculum-sex-education-headteachers-supported-614606> (Accessed: October 6, 2021).

<sup>41</sup> Alvin J. Schmidt (2004). *How Christianity changed the world*. Michigan: Zondervan, p. 80.

<sup>42</sup> *Ibid.*, p. 80.

in society. Unfortunately, these "scholars", including Dzodzi Tsikata (Director of the Institute of African Studies, University of Ghana) and Takyiwaa Manuh, former director of the Institute – who are strongly in support of *Trumutrumu* – do not explain which aspect of culture is dynamic and which ones are not. This betrays their trade as African Studies scholars; it shows intellectual bankruptcy. Nevertheless, as radical feminists, their intellectual blindness synchronizes with their quest to deconstruct all social orders and ontological boundaries. Alongside their western radical feminists, taking inspiration from Simone de Beauvoir, the sexual partner of Jean-Paul Sartre,<sup>43</sup> these scholars are promoting all sorts of things including polyamory.<sup>44</sup> These scholars support women to rebel against men – hence, their promotion of lesbianism and all manner anti-heterosexual practices. Indeed, they do all this under the façade of culture as dynamic.

Since as “academics” they have failed to demonstrate the idea that culture as dynamic, but that is in conformity with their deconstruction of religion and social structures. In relation to the simplistic view of culture as dynamic – usually a façade to deconstruct social order, I will quote what the formidable and foremost Ghanaian Oxford sociologist, K.A. Busia said about culture. In the 1960s, Busia sagaciously said that, “There is no society so custom-bound that its culture does not change, and there is none so changeful as to have no cake of custom”.<sup>45</sup> The logic here is some non-ontological cultural practices like clothing, food and eating patterns, architecture, sports, human-induced beliefs like *Trokosi*, casteism, murdering of witches etc., may change. These are cultures that change because they are made by human beings. But ontological cultural practices like procreation **CAN NEVER** change. This is precisely because human beings did not create marriage and cannot define and determine its boundaries. Human beings do not create human beings so they cannot *uncreate* human beings. God did not leave human beings to define marriage – the foundation of all societies.

So, our "scholars" and lawyer have demonstrated gross understanding of cultural dynamism in pushing for homosexual practices. They should have known better, as professors who have headed and are heading the Institute of African Studies, the brainchild of Kwame Nkrumah to promote African cultures. When opening the Institute in 1963, Nkrumah was clear about the vision of the Institute when he said, "An Institute of African Studies that studied in Africa must pay particular attention to the arts of Africa, for the study of these can enhance our understanding of African institutions and values, and the cultural bonds that unite us".<sup>46</sup>

In concluding this section, I want to quote from the Bible to support the need for us to stick to our ontological relationship with God to sustain our society and civilization. As the Israelites were transiting from the wilderness to the promised land, Moses concern, as well as that of God, wasn't when the people kept complaining because of need. This was because lack and need would often send people back to God – their ontological source and redeemer from enslavement in Egypt. The concern of God and Moses was wealth – which could delude the people into believing in their self-sufficiency and competence. We have seen this in the west, where after Christians had laid the foundation of its civilization and industrialization, the west is now kicking against the Christian God who redeemed them from backwardness. The west now trusts in their technological advancement as opposed to the Judeo-Christian values that supported them. The west now trusts in anti-God philosophers such as Charles Darwin,

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<sup>43</sup> Paul Johnson (1996). *Intellectuals*. London: Phoenix Giant.

<sup>44</sup> Mimi Schippers (2016). *Beyond monogamy: Polyamory and the future of polyqueer sexualities*. New York: New York University Press.

<sup>45</sup> K.A. Busia (1962). *The challenge of Africa*. New York: Frederick A. Praeger, p. 38.

<sup>46</sup> Kwame Nkrumah, ‘African Genius’.

John Stuart Mill, David Bentham, Friedrich Wilhelm Nietzsche, Jean-Paul Sartre, Karl Marx, Simone de Beauvoir, Mary Daly, Michel Foucault etc. as opposed to the Bible and its divine-inspired authors. They are therefore breaking all ethical and ontological boundaries, including wanton promotion of homosexual practices and different forms of sexual depravities. As God was clear about wealth and prosperity, as opposed to poverty being the cause of human fall, He inspired Moses to say as follows:

**11** “Beware that you do not forget the LORD your God by not keeping His commandments, His judgments, and His statutes which I command you today, **12** lest—*when* you have eaten and are full, and have built beautiful houses and dwell *in them*; **13** and *when* your herds and your flocks multiply, and your silver and your gold are multiplied, and all that you have is multiplied; **14** when your heart is lifted up, and you forget the LORD your God who brought you out of the land of Egypt, from the house of bondage; **15** who led you through that great and terrible wilderness, *in which were* fiery serpents and scorpions and thirsty land where there was no water; who brought water for you out of the flinty rock; **16** who fed you in the wilderness with manna, which your fathers did not know, that He might humble you and that He might test you, to do you good in the end— **17** then you say in your heart, ‘My power and the might of my hand have gained me this wealth.’ **18** “And you shall remember the LORD your God, for *it is* He who gives you power to get wealth, that He may establish His covenant which He swore to your fathers, as *it is* this day. **19** Then it shall be, if you by any means forget the LORD your God, and follow other gods, and serve them and worship them, I testify against you this day that you shall surely perish. **20** As the nations which the LORD destroys before you, so you shall perish, because you would not be obedient to the voice of the LORD your God.<sup>47</sup>

This God-inspired caution that Moses gave to the Israelites is meant for every single human being, including some of the advocates of homosexuality who are physically deformed and the Lord graciously brought them to high offices of academia. Some of them obviously may have depended on God at some point in their lives to reach where they are today. They should be careful how they push against ontological boundaries.

### **Must the state legislate against people's sexual preferences?**

As I have indicated above, marriage and procreation are not part of human-induced creations. These are natural facts of life. God created marriage. God defines the boundaries of marriage. God rules over marriage. This explains why no human society in recorded history is said to have originated any law on marriage. If there is any law on marriage, it is the state seeking to protect the sanctity of law against the excesses of industrialization in the eighteenth century. Otherwise, historically, marriage was a communal, family affair. By implication since the state, a creation of civil society, part of human culture, is not the creator of marriage, the state cannot determine and define marriage. The state must rather protect God's ontological vision of marriage as the sole ontological means of procreation. Procreation-induced technologies may appear to provide alternative means to procreation, but the fact remains that it takes the fusion of the sperm and egg of a biological male and a biological female to procreate. Even homosexual families must conform to this ontological boundary of procreation. Otherwise, the vision of marriage as the sole means of procreation is violated.

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<sup>47</sup> Reference: Deuteronomy 8: 11-20 from the NIV English Bible.

With this said, the state must guard against any practice that subverts, either implicitly or explicitly, the ontological boundaries of marriage. The state has this duty to protect the sanctity of heterosexual marriage. Since it is not the state that created marriage, the state must rather protect it and not subvert it. If the state violates God's vision for marriage, given to humanity as a divine-cultural mandate to ensure procreation, then the state must legitimately be resisted by Christians and other religious communities who share the vision of creation.

### **Individual rights: The Christian root**

The idea of the state protecting what God has created, as heterosexual marriage raises questions about human rights. The question is usually about the status of atheists, agnostics, or religious people who hold humanistic liberal theology that supports homosexuality. As part of this debate, I will discuss the question of rights. This is precisely because the homosexual advocates maintain that the current anti-homosexual bill, "Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill, 2021" under consideration is a violation of human rights. To state my point about human rights, I must say that human rights always have boundaries – ethical and ontological boundaries. Ethical boundaries include the fact that no matter how one lays claim to a particular right, one cannot murder another person. There are also human-induced rights, based on human creations. Here, one has the right to choose the type of house one sleeps in; the right to choose a car; the right to education; the right to health; the right to political participation; the right to social gathering etc., (I will come to this soon in the next set of rights). But all these rights must also be limited by mutually shared ethics. One's right to consume alcohol should not violate the right of others to have the freedom to sleep peacefully without noise from a drunkard. One's right to vape and smoke tobacco should not violate one's right to a healthy life.

In terms of ontological rights, one does not have any right over what one has not created. One does not have the right to take one's own life, as part of exercising one's right. This explains the concerns around suicide. One does not have the right to wantonly destroy the environment; the right to violate the sanctity of human life. One does not have the right to take another life, including the life of an unborn baby. This is because a baby is a baby right at conception. At conception a baby is a full human being, until he or she is born, he or she does not add anything to its natural makeup, except progressively develop them. So, a baby's life must be respected. This means indiscriminate abortion is a violation of human rights.

This view of human rights cannot be given by humanistic philosophies, including evolution and existentialism. This because, based on these philosophies, human beings do not have any essence to be protected. It is only from Christianity that human inherent rights are protected. From the perspective of Christianity, these ontological human rights are based on God's majestic statement, "So God created man in His own image, in the image of God He created him; male and female He created them".<sup>48</sup> This statement reinforces the relevance of Christian anthropology as revolutionary. This is because, in all non-Christian cultures, human beings were never in the image of God. While those who ruled over others were in the image of a god or representative of a particular god, they alone had the right to rule. They alone had the right to determine the life of others. They alone had access to esoteric knowledge needed for the governance of society. That is why in all pre-Christian and non-Christian societies, leaders were considered gods in the guise of men. This was the case in ancient Egypt, Asante, and pre-Christian Europe. It gave leaders the right to take the lives of the "subjects". This

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<sup>48</sup> Genesis 1:27.

explains why almost all leaders of the pre-modern world were also priests – holding the ontological rights to control natural order, including rain, storm, drought, etc. and must be worshipped. These leaders demanded worship because they performed dual roles as priests and political leaders.

However, the breakpoint of this unequal relationship, induced by human-religion, was the rise of Judeo-Christianity values. With the assertion that human beings are made in the image of God, Christianity has often held the conviction that all human beings have ontological value – self-worth and dignity. All human beings are ontologically equal before God. This influenced Jefferson's declaration that all human beings have inherent rights to happiness, liberty, and life. This is different from the Akan saying that, "All human beings are the children of God". This is because such a statement still made the Asantehene more influential and powerful to determine who had access to Nyame in Asante history in the eighteenth century.<sup>49</sup>

Since the last few decades, some professed Christians have violated the ontological value of all human beings and engaged in the enslavement of others. But it is important to mention that such individuals were not Christians in the true sense of the word. This is because, at the time of the so-called trans-Atlantic slave trade, religion and politics were intimately conflated – something that Jesus opposed with his statement, "You are in the world, but not of the world". Similarly, Jesus had severally warned the church to stay away from considering the world as their native home. But until the Christian Reformation of the sixteenth century that supported the separation of church and state, everything thing had to be religiously rationalized, even if remotely from the perspective of religion, specifically Christianity. This was because religion was the dominant paradigm. So, European enslavers had to force interpretations of the Bible to fit their enslavement of non-Europeans, including Africans. This was against the fact that the old testament word "slave" did not imply de-socialising or de-personalising a human being. It was not chattel slavery or the slave did not suffer social death – to use the expression of Orlando Patterson.<sup>50</sup> The slavery in the ancient world of the Bible was also similar to pre-modern Asante, as discussed by Ghanaian historian Akosua Perbi.<sup>51</sup>

The changed-attitude of erstwhile individuals who were neck-deep in the enslavement of non-Europeans adduces evidence that they violated Christianity. One such person is John Newton. Born in 1725, John Newton was a captain of slave ships. But later, through the grace of God, he saw the evil in what he was doing and repented and became an English cleric. His famous hymn, "Amazing Grace" with the words, "I was once lost, but not found, was blind, but now seen", captures the irreconcilability between chattered slavery and the Christian virtue of human ontological nobility. In addition to this, the Negro spiritual, "Lord, I want to be a Christian" was composed in the challenge of slavery. Composed in the 1750s, at the height of European enslavement, by enslaved African-American persons exposed to the teaching of Evangelist Samuel Davies, this song was to challenge the European slave master who claimed to be Christian. The repeated phrase, "In my heart", according to Eileen Guenther, a professor of church music at Wesley Seminary – Massachusetts, US, was the

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<sup>49</sup> Akyeampong, Emmanuel & Obeng, Pashington. 1995. 'Spirituality, Gender and Power in Asante History. *The International Journal of African Historical Studies* 28,3, 481-508.

<sup>50</sup> Orlando Patterson (1982). *Slavery and social death: A comparative study*. Cambridge, Mass: Harvard University Press.

<sup>51</sup> Akosua Perbi (2004). *A history of indigenous slavery in Ghana: From the 15th century*. Accra: Sub-Saharan Publishers.

slaves communicating to the European Christian to be a true Christian in heart since a true Christian will not enslave a fellow Christian; nor bastardize a slave. This is because in Christians we are all priests and free in Christ (Galatians 3: 28). It is for this reason and many more that Christians were at the forefront in the fight against enslavement. This was also made possible as Christians contributed to the industrialization drive of England in the eighteenth century – as part of the reason for enslavement was the need for human labour. Currently, slavery still goes in different forms in different parts of the world, including England, manifesting in the burgeoning care industry.

My point in all this is to say that Christianity is the originator of human rights, based on its unique teaching on the human ontological nobility. Indeed, the reason why Christian Europe continues to suffer accusations for the European enslavement of non-Europeans, other than the Arabs whose enslavement of Africans was prior to Europeans and possibly more pernicious (through their castration of male slaves) is because, for Christianity the ethical standards are high.<sup>52</sup> So, as Christians, when are sometimes called hypocrites for not upholding our divine ethical principles, we accept it because we know others acknowledge the superiority of our principles.

Relating this to homosexuality, my point is very clear – the practice is a violation of ontological boundaries. For the sake of emphasis, this is because God created marriage as a union between a biological male and a biological female for procreation to fill the earth. Anything other than this is a subversion of divine ontological boundary that the state and all individuals must resist. Any law that supports the breaking of God's laws must be resisted and opposed. This is more, but somehow similar to anyone who attempts to usurp the constitution of Ghana. Marriage is part of God's constitution to humanity. It is for this reason that Christianity is opposed in all countries that have decriminalized homosexuality. It is also for this reason that so-called Christian theologians must water down the clear teaching of the Bible on heterosexual marriage to endorse homosexual practice – they usually do this to appease homosexuals and their stomachs, and sometimes their own sexual inclinations.

### **The idea of individual rights: Libertarians and Communitarians**

From the above, it is obvious that the contentious argument about homosexuality is not so much about whether it is African or un-African. In the contemporary discourse on homosexuality, the argument has progressively shifted from whether the practice preexisted in colonialism in Africa or was an importation from the colonial world. What is now discussed is the issue of whether a homosexual has autonomy over his or her body. I must re-emphasise that this is part of the deconstructionist vision of existentialism. So, I want to approach the question of the sovereignty the homosexual has over his or her body by situating the discussion within the context of John Stuart Mill's notion of the individuality of a person. I will then relate John Stuart Mill's doctrine of individuality to the African concept of personhood, with particular emphasis on Akan's notion of personhood. Here I interrogate questions including the following: what was the concept of the individuality according to John Stuart Mill? How relevant is John Stuart Mill's doctrine of individuality to the argument on homosexuality in Ghana? And how does the Akan notion of personhood contradict or shed light on John Stuart Mill's doctrine of individuality? These questions are asked in lieu of the fact that the homosexual debate dovetails with the concept of personhood. Our

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<sup>52</sup> John A. Azumah (2001). *The legacy of Arab-Islam in Africa: A quest for inter-religious dialogue*. London: Oneworld Publications.

understanding of the notion of personhood is, therefore, necessary for the discourse on homosexuality. I use John Stuart Mill because, even though he did not directly talk about homosexuality, his notion of individuality has been deployed by pro-homosexual campaigners to agitate for the legitimization of the practice in Ghana. Also, John Stuart Mill, according to Cranston in his writing of freedom had in mind the rights of a minority, and since homosexuals constitute the minority in Ghana, I assume that Mill would have spoken on behalf of them.<sup>53</sup> It also needs to be pointed out that Mill was very critical about what he describes as the 'tyranny of the majority'. The homosexual discourse in Ghana is seen as a contest between the majority (who advocate heterosexual relations) and a minority (who advocate homosexuality).

The heart of John Stuart Mill's argument on individuality is that freedom of choice provides a kind of elevated or worthy human character upon which happiness ultimately depends. Hence society must be prevented from imposing any conventional or customary morality, which would restrict individual autonomy.<sup>54</sup> John Stuart Mill argues that liberty was meant protection against the tyranny of the political rulers. Mill contends that the fact that we are shaped by a community's customs is dangerous, because it prevents us from being ourselves; it destroys individuality. He writes:

Protection, therefore, against the tyranny of the magistrate is not enough: there needs protection also against the tyranny of the prevailing opinion and feeling; against the tendency of society to impose, by other means than civil penalties, its own ideas and practices as rules of conduct on those who dissent from them; to fetter the development, and, if possible, prevent the formation, of any individuality not in harmony with its ways, and compels all characters of fashioning themselves upon the model of its own.<sup>55</sup>

From the above quote, it is conspicuously clear that the debate about homosexuality is peddled from the opinion of the majority, who consider their position as a defence against the eroding of tradition and custom. As I have stated above, most of the rhetoric against homosexuality assumes that the practice is against tradition and custom. Anti-homosexual campaigners present an African culture that is pristine and innocent of all 'sexual perversion' or sexual orientation that does not conform to heterosexual norms. In consequence, if we are to go by Mill's assertion, then we can rightly say that the laws against sodomy, which most African countries, including Ghana, inherited from colonizers, as part of the legitimate call on Christians to defend God's creation of marriage as heteronormativity.

Mill's notion of individuality is inextricably connected to the notion of freedom, and the extent to which individuals could be free from the dictates of society, based on the logic that individuals cannot be individuals until they have the freedom to act contrary to the 'tyranny of the majority'. Mill avers that individuals are to have freedom against all forms of interference, and the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot be rightfully compelled to do or forbear because it will be better for him to do so, because it will make him happier,

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<sup>53</sup> Cranston, M. 'John Stuart Mill and liberty', *The Wilson Quarterly*, Vol. 11, no. 5 (Winter, 1985), pp. 82-91.

<sup>54</sup> Clor, M.H. 'Mill and Millians on liberty and moral character' *The Review of Politics*, Vol. 47, no. 1 (1985), pp. 3-26, [p. 3].

<sup>55</sup> Mill S.J. (2001), *On liberty*. Ontario: Batoche Books Limited, p. 9.

because, in the opinions of others, to do so would be wise, or even right.<sup>56</sup> The extent of an individual's liberty is expressed in Mill's audacious claim concerning the sovereignty of the individual from the dictates of the society, 'Over himself, over his own body and mind, the individual is sovereign'.<sup>57</sup> This assertion of Mill resonates so well with the argument of pro-homosexual advocates. In a conversation I had with a leading homosexual advocate in Ghana, for my article, he argued that, 'homosexuals have right over their body. What they do with their body is their own palaver. Their body is theirs, and just like any other person, they can do with it as they please.'

With respect to the benefits of individualism, Mill asseverates that, 'Mankind are greater gainers by suffering each other to live as seems good to themselves, than by compelling each to live as seems good to the rest'.<sup>58</sup> Even so, it must be pointed out that Mill does not support unrestrained freedom: he avers that

Acts, of whatever kind, which, without justifiable cause, do harm to others, maybe, and in more important cases absolutely require to be, controlled by unfavourable sentiments, and, when needful, be the active interference of mankind. The liberty of the individual must be thus far limited; he must not make himself a nuisance to other people. But if he refrains from molesting others in what concerns them and merely acts according to his own inclination and judgment in things which concern himself, the same reasons which show that opinion should be free, prove also that he should be allowed, without molestation, to carry his opinions into practice at his own cost.<sup>59</sup>

In extolling the importance of freedom, Mill argues that, 'He who does anything because it is custom makes no choice'.<sup>60</sup> He also maintains that, "Human nature is not a machine to be built after a model, and set to do exactly the work prescribed for it, but a tree, which requires to grow and develop itself on all sides, according to the tendency of the inward forces which make it a living thing".<sup>61</sup> It will probably be conceded that it is desirable people should exercise their understandings, and that an intelligent following of custom, or even occasionally an intelligent deviation from custom, is better than a blind and simply mechanical adhesion to it.<sup>62</sup> The despotism of custom is everywhere the standing hindrance to human development, being an unceasing antagonism to that disposition to aim at something better than customary, which is called, according to circumstances, the spirit of liberty, or that of progress or improvement.<sup>63</sup>

A close reading of Mill's notion of liberty has it that the individual may not be subjected to coercion for his own good – physical or moral – and he may not be subjected to coercion because others disapprove of his conduct).<sup>64</sup> Clor summarises Mill's liberty principle as follows: "there must be complete freedom to do and live as one pleases – up to the point where one's conduct directly and palpably harms identifiable and nonconsenting persons."<sup>65</sup>

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<sup>56</sup> Ibid., p. 13.

<sup>57</sup> Ibid., p. 13.

<sup>58</sup> Ibid., p. 16.

<sup>59</sup> Ibid., p. 52-53.

<sup>60</sup> Ibid., p. 55.

<sup>61</sup> Ibid., p. 55.

<sup>62</sup> Ibid., p. 56.

<sup>63</sup> Ibid., p. 56.

<sup>64</sup> Clor, M.H. 'Mill and Millians on liberty and moral character' *The Review of Politics*, Vol. 47, no. 1 (1985), pp. 3-26, [p. 4]

<sup>65</sup> Ibid., p. 5.

The pro-homosexual debate feeds into this notion of freedom. According to the president of the LGBT group in Ghana, it is an infringement on the right of homosexuals to be compelled to live like any other person. In other words, it is wrong for homosexuals to be compelled to live according to the dictates of heterosexual norms.

Mill writes that it is impermissible for society to repress some actions simply because society considers itself to be protecting tradition. The doctrine of liberty proscribes society from limiting the rights and freedom of individuals because of what society considers as conventional and customary. Reading this in light of homosexuality, homosexual advocates have argued that it is impermissible for the Ghanaian society to impose the ethos of heterosexuality on homosexuality, simply because they think they are preserving traditions of society. clearly, one could read existentialism which I have discussed above in Mill's argument.

The doctrine of individualism encourages individuals to follow their impulses and desires as long as they do not do harm to anybody rather than following the conventions and customs of society. This aspect of individuality is in tandem with the genetic argument for homosexuality. According to several biologists and psychologists, including Lathe, a homosexual impulse is genetic, and must not be suppressed by society.<sup>66</sup> Until 1973, homosexuality was considered a psychological and sexual aberration, but after years of studies, it has come to light that homosexuality is inborn. Other researchers, including Paul Cameron, have challenged this position, arguing that homosexuality is not biologically determined. It must be pointed out that the debate about whether or not homosexuality is biological is so confusing that most often ideological inclinations tend to obscure accurate and credible information on the subject.<sup>67</sup> The ideological inclinations of both pro-homosexuals and anti-homosexuals are such that we tend to lose the true picture of the debate. From my readings, it is obvious that most of the researchers of homosexuality can hardly claim neutrality, because all of them are skewed towards a particular ideological inclination that tends to mask the objectivity of their research. Even so, as I shall discuss in the section on the Christian view of freedom, the genetic debate is the most unapt and uncritical. This is because the fact that one is biological inclined to a particular practice does not mean such an inclination should be allowed by legislation. For example, society would resist pedophiles and kleptomaniacs, even such individuals claim to have biological inclinations.

### **The notion of a person among the Akan: an analysis of homosexuality**

Isaiah Berlin provides a critique of freedom as espoused by John Stuart Mill. His main critique is that, 'Men are largely interdependent, and no man's activity is so completely private as never to obstruct the lives of others in any way'.<sup>68</sup> Berlin's position dovetails with the Akan notion of a person: here the main questions that would engage this section are who is a person: is a person individual qua individual or a social being? To what extent is the individual free to 'deviate' from mainstream society? How do we assess the homosexual debate in view of the Akan notion of a person?

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<sup>66</sup> Lathe, C.W (2004). 'Homosexuality is biologically determined' In Ojeda, A. (ed.). *Homosexuality: Opposing viewpoints*. Michigan: Greenhaven Press.

<sup>67</sup> Cameroon, P. 'Homosexuality is not biologically determined' In Ojeda, A. (ed.). *Homosexuality: Opposing viewpoints*. Michigan: Greenhaven Press.

<sup>68</sup> Isaiah Berlin (1969). *Four essays on liberty*. London: Oxford University Press, p. 124.

As observed by Lutz, one of the most striking features of the cultures of Sub-Saharan Africa is their non-individualistic character.<sup>69</sup> The sociality of the African is captured in the Ubuntu philosophy: “I am because we are; and since we are, therefore, I am”.<sup>70</sup> Yusuf Turaki reflects the African sense of community as follows: “People are not individuals, living in a state of independence, but part of a community, living in relationship and interdependence.”<sup>71</sup>

According to Senghor, “Negro-African society puts more stress on the group than on the individuals, more on solidarity than on the activity and needs of the individual, more on the communion of persons than on their autonomy. Ours is a community society”

Concerning the sociality of the individual, Mbiti writes that,

In traditional life, the individual does not and cannot exist alone, except corporately. He owes his existence to other people, including those of the past generations and his contemporaries. He is simply part of the whole. The community must therefore make, create, or produce the individual; for the individual depends on the corporate group... . Whatever happens to the individual happens to the whole group, and whatever happens to the whole group, happens to the individual. The individual can only say: “I am because we are; and since we are, therefore, I am.” This is the cardinal point in the understanding of the African view of man.<sup>72</sup>

On communalism, Steve Biko said:

We regard our living together not as an unfortunate mishap warranting endless competition among us but as a deliberate act of God to make us a community of brothers and sisters jointly involved in the quest for a composite answer to the varied problems of life. Hence in all we do we always place [wo]man first and hence all our action is usually joint community oriented action rather than the individualism.<sup>73</sup>

According to Gyekye “Communitarianism immediately sees the human as inherently (intrinsically) communal being, embedded in a context of social relationships and interdependence, never as an isolated, atomic individual”.<sup>74</sup> The Akan notion of the sociality of the individual is captured in the Akan proverb: “When a person descends from heaven, he descends into a human society.” According to Gyekye, the conceptualisation of the human person as a communal being has some implications: (i) that the human person does not voluntarily choose to enter into human community, that is community life is not optional for any individual person; (ii) that the human person is at once a cultural being (iii) that the human person cannot – perhaps must not – live in isolation from other persons (iv) that the human person is naturally oriented toward other persons and must have relationships with them; (v) that social relationships are not a contingent but necessary.<sup>75</sup>

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<sup>69</sup> Lutz, W.D. ‘Ubuntu’ philosophy and global philosophy’, *Journal of Business Ethics*, Vol. 84, Supplement 3: Global and Contextual Values for Business in a Changing World (2009), pp. 313-328.

<sup>70</sup> Mbiti, J.S. (1969). *African religious and philosophy*. Nairobi: East African Educational Publishers, pp. 108-109.

<sup>71</sup> Turaki, Y. (2006). *Foundation of African traditional religious and worldview*. Nairobi: WorldAlive Publishers, p. 36.

<sup>72</sup> Mbiti, *African religious and philosophy*, pp. 108-109.

<sup>73</sup> Steve Biko (1978). *I write what I like*. Ibadan/Oxford: Heinemann Educational Books, Ltd., p. 42.

<sup>74</sup> Kwame Gyekye (1992). ‘Person and community in Akan thought’ In Wiredu, K & Gyekye, K (eds). *Person and community*. Washington: The Council for Research in Values and Philosophy, p. 104.

<sup>75</sup> *Ibid.*, p. 105.

Notwithstanding the force of communitarianism among the Akan, Gyekye argues that the individual can deviate from the norms of society, particularly if the individual finds an aspect of the norms of society to be inelegant and archaic. His reason is that, 'individual persons, as participants in the shared values and practices, and enmeshed in the web of communal relationships, may find that aspect of those of cultural givens are inelegant, undignifying or unenlightening and can thoughtfully be questioned and reevaluated. The evaluation may result in the individual's affirming or amending or refining existing communal goals, values and practices; but it may or could also result in the individual's total rejection of them.'<sup>76</sup> Gyekye, argues that the individual has the capacity of self-assertion, and the individual's capacity for self-assertion that the individual can exercise, "presupposes, and in fact derives from, the autonomous nature of the person.' He clarifies what he meant by autonomous, by saying that, "by autonomy, I do not mean self-completeness, but the having of a will, a rational will of one's own, that enables one to determine at least some of his own goals and to pursue them".<sup>77</sup>

The sociality of the person immediately makes him naturally oriented towards persons with whom he must live in relation. Living in relation with others directly involves a person in social and moral roles, duties, obligations, and commitments, which the individual must fulfill. The natural relationality of the person thus immediately plunges him into the moral universe, making morality an essentially social and trans-individual phenomenon focused on the well-being of others.<sup>78</sup>

Gyekye provides some insight into what happens when the interest of the individual clashes with communal values. Gleaning from Gyekye, it is obvious that communitarianism does not proscribe the individual from thinking and living differently from the larger society. But the extent of the deviation, as I have said above, is around human-made cultures, not divine-cultural mandates like heterosexual marriage.

### **Christian view of freedom**

Unlike what pro-homosexual advocates are pushing as freedom, including the freedom to break ontological boundaries, the Christian view of freedom is freedom from human sinful inclinations. Freedom is never free from ourselves. Freedom is a competition of internal pleasures. For example, if one wants to heal from cancer, a pleasure to live, one must equally think about how to deal with the pleasure of smoking tobacco and vaping – the most likely causes of cancer. One cannot have both pleasures simultaneously in the name of freedom. This is why in Christianity, freedom is freedom in Christ, which is freedom from sin to do what God wants. So, for Christians, freedom is not freedom to do what one wishes, which is impossible ontologically, but freedom to do as the Lord requires, including the rules of heterosexual relations. In all societies, freedom is not for individuals to do as they please (as it is logically impossible) as that would lead to anarchy and anomie.

What rather becomes an issue is what is considered freedom for human beings to determine. It is here that I have argued that human beings can alter freedom around what human beings have created. So, human beings have freedom and rights to food, dress, health, accommodation etc. which must conform to collective ethics. But for things that human beings have not created, specifically marriage, human beings cannot determine and define

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<sup>76</sup> Ibid., p. 112.

<sup>77</sup> Ibid., p. 112.

<sup>78</sup> Gyekye, 'Person and community in Akan thought', p. 118.

how it is done. Individuals and the state can at best enforce it, but not contradict it. This has nothing to do with whether one is religious or not, because procreation does not respect any religious, scientific and cultural differences. So, the state and Christians cannot guarantee any type of freedom that ultimately violate God and society.

### Concluding thoughts

As societies continue to secularize, the world would continue to witness seismic cultural climate change. But in all this, the argument should be above the banalities of whether or not sin (homosexual practice – to be specific) is foreign to a particular culture. The argument should be on which ethical and ontological boundaries human beings are breaking and their impact on human civilization. This is because historically, ethical and ontological boundaries have defined the boundaries of human rights. Simultaneously, society collapses when clear ontological boundaries such as heterosexual marriages, given to human beings as a cultural mandate by God, are broken. To what extent can technology help in repopulating the world? Why is a communist country like China now asking the Chinese people to increase child birth from the limit of one to three? Can any economic prosperity be realised without human increasing population growth?

But given that the homosexual advocates in Ghana, at least from the list we have currently received, we need to locate the debate as part of elitist culture being imposed on all Ghanaians. These elitist individuals with their accumulated wealth have less to lose if they adore homosexual practices. In fact, several of them, the women, have their own understanding of marriage – including self-sufficiency as women, free from men's authority. Whether they have children or not, their profession guarantees them a secure future, in terms of social care. It will be left their eternal security, anyways. They are usually people without religion of any kind and so do not see the need to protect any ontological boundaries around marriage. Even if they are religious, it is not necessarily their true identity, as they must find a way of fitting into an enchanted Ghanaian public sphere for legitimacy. But in all instances, they are professionals as lawyers, heads of civil society groups and academics, who must align with the liberalized west to secure themselves in what they do. Their funding and reputation and *citability* are all intricately connected to their sharing of the liberal views of the west. For academics, the pressure of “publish or perish” in western liberal and pro-homosexual journals also determine their path of argument.

In all this, Africans need to strive for epistemic independence and justice. As I have stated above, the decriminalization of homosexuality in the west, being forced into Ghana, is part of an epistemic shift towards humanity. An academic shift that brackets the world against God the creator. It is also part of breaking all social and ontological boundaries, including deconstructing homosexuality. The uncritical acceptance of these theories by African scholars amounts to epistemic enslavement. Epistemic enslavement is very pernicious. This is because as Busia poignantly observed: “Physical enslavement is tragic enough; but the mental and spiritual bondage that makes people despise their own culture is much worse, for it makes them lose their self-respect and, with it, faith in themselves”.<sup>79</sup> All this justifies Steve Biko's observation that: “The greatest weapon in the hands of the oppressor is the mind of the oppressed”.<sup>80</sup> He continues, “If one is free at heart, no man made chains can bind one to servitude, but if one's mind is so manipulated and controlled by the oppressor as to make

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<sup>79</sup> K.A. Busia (1962). *The challenge of Africa*. New York: Frederick A. Praeger, p. 7.

<sup>80</sup> Steve Biko (1978). *I write what I like*. Ibadan/Oxford: Heinemann Educational Books, Ltd., p. 92.

the oppressed believe that he is a liability to the white man, then there will be nothing the oppressed can do to scare his powerful masters”.<sup>81</sup>

As the president of Ghana, Kwame Nkrumah was acutely aware of the colonial mentality that had shaped the conscience of the people of Ghana (then the Gold Coasters). So, in his independence inaugural speech, he called on Ghanaians to have a change of mind, since they were no longer under bondage to Europeans. As a solution, in terms of freedom, Steve Biko said: “Freedom is the ability to define oneself with one’s possibilities held back not by the power of other people over one but only by one’s relationship to God and to the natural surroundings”.<sup>82</sup> But before I delude myself into thinking it is an easy task, adapting to Biko’s words on the psychological impact of western education, I ask, “Who can resist losing respect for his tradition when in school his whole cultural background is summed up in one word – barbarism?”<sup>83</sup>

As a Christian, I conclude that we must see freedom as Jesus recommended, denying ourselves – including all perverse sexual tendencies – to carry the cross and follow Him. This is hard for all of us, but the Holy Spirit is our help. In the end, we should retain the Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill, 2021, pass it into law, as we incorporate compassion rather than condemnation, without compromising our Christian-based ontological values on heterosexual relations, in our engagement with homosexuals.

### **Summary of key arguments in support of the Promotion of Proper Human Sexual Rights and Ghanaian Family Values Bill, 2021**

1. There are boundaries in life
2. These boundaries are cultural and ontological
3. Human-made cultural boundaries are amenable and flexible, but whilst changes must be carefully done with some such as food, clothing, housing, and tools, others like *Trokosi*, must be fully abolished,

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<sup>81</sup> Ibid., p. 92.

<sup>82</sup> Ibid., p. 92.

<sup>83</sup> Ibid., p. 94.

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- Lecturer, African University College of Communications (AUCC)-Ghana
- Lecturer – Four Summer Schools (University of Cambridge, 2018, 2020, 2020, 2021).
- University of Oxford: AHRC-Torch Online Course: Public Engagement with Research (March 2021 – July 2021)
- Two years Inter-disciplinary PhD in Social Studies (Makerere University – 2014 – 2016)
- Teaching Assistant, Institute of African Studies, University of Ghana (2010 – 2013)
- M.Phil. African Studies (2010 awarded Agyeman-Duah Award for academic excellence – 2009 – 2011)
- B.A. African Studies (Unprecedented First Class, University of Cape Coast, 2004 – 2008)

4. Ontological boundaries are non-changeable, timeless because they are made by God.
5. Humans and human-induced institutions like the state, civil society groups, international communities cannot violate ontological boundaries
6. Heterosexual marriage, between a biological man and a biological woman, is an ontological boundary between God and human beings as marriage is God's creation
7. Human institutions, including the state, civil society groups, international organizations or any human logic, no matter how refined it is, cannot redefine and restructure marriage
8. Marriage is God's creation, given to human beings as a divine-cultural for the essential purposes of procreation and pleasure
9. Historically, heterosexual marriage is the norm
10. No nation or society ever legislated heterosexual marriage into existence
11. So, no human being or institution, including the state can legislate anything to the contrary
12. Homosexual practices, breaks ontological boundary, as it involves a non-natural use of the sexual organs and the anus,
13. Lesbianism which is more recent is also unnatural as it does not produce the desire for marriage – natural means of procreation
14. Anti-homosexual laws were primarily informed by religion (particularly Judeo-Christian values) and secondly, common sense
15. England did not introduce English culture against homosexual practices into Ghana, then the Gold Coast
16. England, under Queen Victoria in the nineteenth century, brought Judeo-Christian sex ethics to the Gold Coast
17. The English extended anti-homosexual laws into the Gold Coast colony as part of controlling European explorers to exploiting Africans sexually
18. The first anti-homosexual law was passed in India in 1860 because Hinduism endorses homosexual practices
19. Sin is not unique to any particular culture, so homosexual practices are not foreign to any culture
20. That homosexual practices aren't foreign to any culture does not necessarily mean it was endorsed by societies
21. That is why most cultures in the sixteenth century, including England, considered the practice as foreign
22. All civilizations considered homosexual practices an oddity
23. Homosexuality and homosexual activism and practices are not the same – one is a feeling without practice, the other may be feeling, but also practice
24. The existence of *Kojo Besia* and *Kwasi Besia* does not mean that homosexual practice was openly endorsed in Ghana. There is hardly any research to show that homosexual practices were accepted and publicly endorsed in the Gold Coast societies before colonialism
25. In the case *Sangomas* where many adduce as evidence of acceptance of homosexual practices in Africa, it was more ritual than lived daily experiences
26. The world of rituals breaks ontological boundaries, example is the grotesque rituals of *Sakawa* and *Sika duro*
27. Marriage is not in the realm of rituals. It is God's creation and divine cultural mandate, practised in the real social world of law and order (the natural order of a union between a biological man and a biological woman)
28. Homosexual practices are the backward culture of all civilizations

29. Ghanaian rejection of homosexual practise is not about cultural or democratic backwardness
30. The western decriminalization of homosexual practices is backward as it is a relapse to their Greco-Roman ancestral past where homosexual practices were rife and pervasive
31. Freedom is not freedom to do as one pleases
32. Freedom is a competition of passions e.g. freedom to be free from cancer (as a passion) and freedom to smoke tobacco or vape (as a passion)
33. Real freedom is the freedom to keep ethical and ontological boundaries, including heterosexual marriage
34. That religion (and common sense) formed the basis of resisting homosexual practices means it will take secularization to promote homosexual practice
35. The west decriminalization of homosexual practices is because of its marginalization of religion
36. Religion is strong in Ghana, so nothing can replace the fortress against homosexual practices in Ghana
37. The reasons for the push for homosexual practices by Ghanaian academics are based on unsustainable god-hating and society destroying theories of Karl Marx, Frederick Engels, Charles Darwin, John Stuart Mill, Jeremy Bentham, Jean-Paul Sartre, Simone de Beauvoir, Mary Daly etc.,
38. These western “thinkers” sought to deconstruct society – by deconstructing religion, family, God
39. None of the Ghanaian scholars pushing through homosexuals cites eminent Ghanaian scholars like K.A. Busia, the first West African to receive PhD in Sociology from Oxford; John Mensa Sarbah and Joseph Ephraim Casely Hayford (who as peerless legal luminaries wrote copiously to defend Ghanaian cultures and family values); Kobina Sekyi who denounced western depraved cultural values, Kwame Nkrumah, who established the Institute of African Studies, inaugurated in 1963 to research and teach African values as part of mental emancipation and resetting the world from the African prisms; J.B. Danquah who supported limited liberalism that promoted divine-ontologies – that human beings do not make themselves, but are created by God
40. There is the need for epistemic emancipation – our universities must incorporate the teaching of African and western intellectual histories
41. This will help us to know the real intentions of western theorists, like Michel Foucault and Simone de Beauvoir whose motive for writing was to universalize their homosexual pleasures
42. We must reject all pro-homosexual arguments, for they are not grounded in legal histories, philosophy, culture, intellectual history, and religion – the base of all societies
43. No nation is secular qua secular; Ghana is more of a religiously plural country that a secular – For example, whereas the United Kingdom as a state church, allows for the public use of the Islamic veil, France, which does not have a state church does not allow the public use of the veil. All the countries use the secular thesis to defend their stance
44. Pre-colonial societies were never secular; the colonialists did not impose secularism on Ghana even though British had secularized its politics in the nineteenth at the height of colonialism
45. Nkrumah did not envision a secular Ghana: His philosophy of consciencism was about a fusion of Ghana’s religious traditions, Christianity, Islam, and indigenous religions, in the governance of the country, instead of having an irreligious country

46. The post-Nkrumah leaders have all appropriated religions in important ways
47. Religions in Ghana have been more helpful in promoting human flourishing than any civil society organisation
48. **Please read: My publications on this subject:**
49. Charles Prempeh, “Religion, Social Media and the Discourse on Prisons: An Analysis of the Responses to the Church of Pentecost (CoP) Prison Project in Ghana”, *Prison Service Journal* 256 (2021), pp. 38-43.
50. Charles Prempeh and Lydia Amoah, “Secular governmentality and the court of the Asante Ahemaa in 21st century: An ethnographic account of Ejisu and Juaben traditional areas”. In Edmund Abaka & Kwame Osei Kwarteng (Eds.), *The Asante World*. London/New York: Routledge, 2021, pp. 281-300.
51. Charles Prempeh, “Religion and the state in an episodic movement of COVID-19 in Ghana”, *Social Sciences & Humanities Open*, Vol. 4, Issue 1 (2021), pp. 1-8.
52. From the genealogical histories of secularism, the concept does not mean the absence of religion in a public sphere, as it is about managing religious plurality
53. Instead of arguing vaguely about Ghana’s supposed secular states, we should talk about programmatic secularism