

# AN ETHICAL EVALUATION OF SAME SEX MARRIAGE AND ITS IMPLICATION ON FORMATION

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## **Introduction**

There are so many problems facing marriage today: for instance, high divorce rate; single-parents; abuse of wives and children; living together without a civil/church wedding, gay marriage, and otherwise known as same sex marriage, which has generated a lot of controversy in recent times. In the midst of this ranging controversy, scholars, educators, philosophers and authentic formators at all levels turn deaf ears to this issue that is rocking the family, which is the first social and basic unit of formation for the future of our world and even the today. Be that as it may, it is crystal clear that same sex marriage will surely affect formation at all level in the nearest future if not given the desired attention it needs to avoided and be nipped on the bud. It has generated a lot of questions about the definition of marriage among communities, societies, legal bodies, religious bodies and countries all over the world. There is no epoch, at least with records from the last two decades that has recorded wild-spread discussions marked with fevered sentiments on issues of homosexuality, gay-marriage and gay rights like ours. This is so because, these issues nip on very delicate areas of our social life, communal values and even the integrity of the human person.

Essentially, they are issues which oscillate between spirituality and law; psychology and Ethics. In South Africa for instance, the issue has even taken a new wave and toll. There is the issue now of *corrective rape*; a criminal practice whereby lesbian women are raped by men, sometimes under supervision by members of their families or local communities,

purportedly as a means of “curing” them of their homosexuality. So, the problem is more complex and complicated by the day. We are therefore compelled to go back to the drawing board, at least from a philosophical perspective to begin to appraise the moral status of gay marriage. We are moved to look into the convoluted and very often incorrect logic of pro-homosexual activists who make a case for same-sex marriage. The reasons homosexuality is frowned at and why issues of gay rights are found to be with a poor foundation are not far-fetched. In the late 20th and early 21st centuries, there has been a growing movement in a number of countries to regard marriage as a right which should be extended to same-sex couples. Legal recognition of a marital union opens up a wide range of entitlements, including social security, taxation, inheritance and other benefits unavailable to couples unmarried in the eyes of the law. Restricting legal recognition to opposite-sex couples excludes same-sex couples from gaining legal access to these benefits, and while opposite-sex unmarried couples without other legal impediments have the option of marrying in law and so gaining access to these rights, that option is unavailable to same-sex couples. Similarly, though certain rights extending from marriage can be replicated by legal means (for example, by drawing up contracts), many cannot; thus, despite the presence of legal contracts, same-sex couples may still face insecurity in areas such as inheritance, hospital visitation and immigration. Lack of legal recognition also makes it more difficult for same-sex couples to adopt children. There are other myriads of problems that may plague society as a result of this “epidemic” that is gradually spreading like wide fire around the globe

If recognitions are given by religious bodies, it will bring to question the moral propriety of such action putting into limelight the content of the deposit of faith by such religious bodies. For instance, in the year 2003, there were concerns from the Vatican about heterosexual marriage as “the front line of the cultural wars:” e.g., in Anglicanism: rite of blessing in New Westminster, Canada; consecration of Gene Robinson as an openly gay bishop.

Legal recognition given by countries today only amount to civil recognition of same sex marriage which was hitherto not the case. Statistics have shown that this recognition does not any way mean that there is an increase in the number of same-sex marriages in the countries that have recognized the practice especially in the United States of America, Netherland to mention but a few. According to Robert Laumann:

Social conservatives are not only concerned about marriage, but also the rise of a gay and lesbian culture. Statistics suggest, however, that gays and lesbians are not increasing in number, if we accept the best research

data ..... which puts the number at about 5% of the {American} population. What has grown is a much greater acceptance of gays and lesbians in our culture, as well as the social and economic freedom for gays and lesbians to emerge from the closet that has confined them for so many generation.<sup>1</sup>

This legalization, however, may however lead to an increase in the number of same sex marriages in the nearest future and also gives room for more legalization of this kind of marriage. Justification may be a problem putting into consideration the challenging consequences of same-sex marriage on the tenets of such religious doctrines and belief system; thereby bringing into question the authenticity of such acceptance and recognition. There is also the issue of the effect of the legalization of same-sex marriage on the family, which is the credo of formation of the children, who eventuality grow to become candidates for formation to the priesthood, which is our primary area of concern.

In this paper, we shall first of all, have a lucid clarification of terms and a succinct presentation of the Christian understanding of marriage as both a sacrament and a social institution. In doing this, we shall thematically give a resume of the Christian understanding of marriage as a basic sacred institution and social practice. Thereafter, we shall attempt to present the opinions of some philosophers from the different periods of the philosophical enterprise on the issue of homosexuality and same sex marriage. With a full grasp of the meaning of same sex marriage and opinions of philosophers on the twin issues, we shall endeavour to examine the implications of legal recognition to same sex marriage by the State on those in formation at all levels of our educational sector. A moral case against same sex marriage shall be adduced, and it will be followed by a conclusion.

### **Clarification of Terms**

For a better understanding of the title of this paper, it is important to clarify the key words that constitute it. It is most important in order to avoid misconceptions and misgivings about the theme at stake:

**Ethics:** Etymologically, it is derived from the Greek word *Ethikos* which means custom. It has a long history of technical usage in reference to the normative science which tells not what men actually do or think is right to do but what men ought to do and what they ought to think is right to do. It refers to a science that studies the standards by which we judge actions to be right or wrong, good or bad. “It refers to the code or set of principles by which people live”<sup>2</sup> It can be defined as the branch of philosophy “which deals with the morality of human actions.”<sup>3</sup> It is in fact the normative science of human conduct. It

determines the ought of human behavior. The human person can be moral without ethics can be moral, but ethics as a systematic study of the standards of human conduct, could be of great relevance to the development of human morality.

From the foregoing, Philosophical Ethics may therefore be defined as a branch of Philosophy that systematically studies human reflective choices, the standards of right and wrong by which these choices are guided and the goal towards which they may ultimately be directed.<sup>4</sup> Ethics is essentially the normative science that guides the conduct of human beings in respect of being right or wrong.

**Same:** It is an equivocal word that has different meanings attached to it depending in what circumstance and situation it is being used. According to the Random House Webster's Unabridged Dictionary<sup>5</sup>, the word same can be used in many senses. In the first sense, it means "identical with what is about to be or has just been mentioned." It is also seen as "being one or identical though having different names, aspects etc". It is understood in another sense as "agreeing in kind, amount, etc." But for the purpose of this paper, we shall be using the second sense in which it is used, that is being one or identical in gender though having different names, aspects, etc.

### **Understanding Marriage from a Christian Perspective**

The *Catechism of the Catholic Church* teaches that "the intimate community of life and love which constitutes the married state has been established by the Creator and endowed by Him with its own proper laws"<sup>6</sup> The meaning of this is that marriage is a divinely instituted institution. This is very clear from Christ's teaching in the New Testament (Matt. 19:5-6). "For this reason a man will leave his father and mother and unite with his wife and the two will become one. So they are no longer two, but one, man must not separate, then, what God has joined together" It is in this light that this that we shall briefly analyze the meaning of marriage from a Christian perspective.

### **Meaning of marriage**

The *New Catholic Encyclopedia* defines marriage as "a universal social institution that defines a mating relationship for the founding of a family and binds it for the protection and rearing of progeny."<sup>7</sup> Marriage thus becomes a way of life instituted by a group of people in a given society for the purpose of bringing two mature couples, male and female into a union of mutual love to build family and kinship. Marriage is also a permanent union as we shall show later in this work. In addition, marriage involves exchange, irrevocable consent which all take place in ritual context.

Consequently, the goal of marriage can be taken to be that of founding a family especially through procreation and nurturing of children.<sup>8</sup> Another goal may be to satisfy the sexual needs of the partner but it is secondary. Nevertheless, the begetting of offspring in marriage gives some economic and psychological warmth to the married partners. It must be added that most psychologists are rightly of the opinion that marriage can only take place between two psychologically mature partners with psychological consciousness. The latter is well treated by C. Jung.<sup>9</sup> However, for the sake of brevity, this work will not delve into the psychological undertone in marital consent. It suffices to state that by maturity we mean a level of balanced growth physiologically and psychologically.

According to *Gaudium et Spes*, marriage is seen as a conjugal covenant entered into by a man and a woman for lifetime partnership.<sup>10</sup> It is for the good of the couple and for the procreation and education of children. This union is divinely ordained and it is a sacrament when it is done between two baptized Christians. We must add that marriage is not only a social phenomenon; involving the entire community of the believers. It also requires commitment and mutual self-giving. This also requires intimacy which nourishes and strengthens marital bond. Commitment demands fidelity of the partners to each other until death. The husband and wife are supposed to give mutual support and service to each other in a relationship in which the partner takes preeminence over any other person.<sup>12</sup> Commitment requires courage during certain existential challenges which shall be treated later.

There should also be commitment by both partners towards the permanence and indissolubility of marriage as taught by the Catholic Church. It takes more than the ordinary to cope with one individual for a lifetime. John Burke, again, believes that this is possible only when the couple builds up a mentality of commitment towards the indissolubility of their marriage.<sup>13</sup>

### **What is Same Sex marriage?**

In the midst of the controversy that has surrounded the issue of same sex marriage; different meanings are being given to the concept. It was earlier referred to as homosexual marriage. Homosexuality according to *Wikipedia online Dictionary* is “a romantic or sexual attraction or behavior between members of the same sex or gender. It is equally one of the main categories of sexual orientation (the other two being bisexuality and heterosexuality) which refers to an enduring pattern of or disposition to experience sexual affection or romantic attractions primarily or exclusively to people of the same sex.”<sup>14</sup> Homosexual people are commonly termed *lesbians* for women and *gay* for men. Gay however is more generic to refer to both male and female

homosexuals. By this understanding therefore, gay or homosexual marriage is a marriage that pursues partnership with a member of the same sex. However, there have been some other twists to this whole concept of same sex because of the involvement of other people of divergent sexual orientation.

The new dimension has now made *same sex* marriage a union between adults of the same sex. It could be between adults who are regarded as gays, lesbians, bisexual, and transsexual. In another sense, one of both partners may identify as gay or lesbian. What is obvious is that it is a union between people of the same sex. It is a union that is unconventionally contracted by people of the same sex with different orientations in sexuality. In the context of our discourse on same-sex marriage, and throughout this paper, same-sex shall refer to two people of the same sex contracting a marriage. In this context, same-sex is not synonymous with gay, lesbian, or homosexual, nor with bisexual, transgendered or transsexual, but "same-sex marriage" may, depending on the couple and the jurisdiction, refer to marriages between two adults from any of those groups, but of the same sex.

Recently, the term "same-sex marriage" has been displacing "gay marriage" or "lesbian marriage" as the term is perceived as more value-laden now, since it is involving more bisexuals and transsexual people. In this paper, the term "same-sex marriage" shall be used throughout as a union between two people of the same gender.

### **Marriage and Contemporary Age**

It is imperative to state at this juncture that this work does not feign to give an exhaustive explanation to the understanding of marriage as a social institution as ordained by God. Hence, we like to briefly look at certain trends that have emerged in our epoch which tend to pose as a challenge to our basic understanding of marriage.

Before now, marriage is seen essentially as the exchange of marital consent and the consummation. According to Church law, if a marriage between two baptized Christians is not consummated it is merely ratified. By consummation is meant a conjugal act for the generation of offspring whereby the couple becomes one flesh.<sup>15</sup> However, theologians' understanding of marriage has grown beyond consent and consummation.

There is now a consideration of the spiritual dimensions, the spiritual relation between couples. In other words, married partners are supposed to accompany each other on the journey to God. Thus, theologians believe that married couples are supposed to build love in a way that it would radiate in the Church and the entire society. Hence, the development of the term, *ecclesia domestica*, "the domestic Church". This is seen in their offer of charity to others outside the family.<sup>16</sup> In

addition, marriage is an existential reality such that if we have to analyse it fruitfully, we must see it as ever changing since its true worth is not realized in time; it is subject to continuous development. Issues of surrogate motherhood, stem cell, childlessness, marriage between partners of different Christian denominations and faiths; and the issue of the status of same sex marriage are some of the challenges to marriage in our time.

The issue of same sex marriage which is the focus of this paper stands as a strong trepidation at the foundation of marriage. To state that homosexual union or same sex marriage is a contemporary challenge to our true and conventional understanding of marriage is to state the obvious. Homosexuality is a predominant and persistent psychosexual attraction toward and preference for persons of the same gender.<sup>17</sup> Thus marriage is no longer seen as a legal union between a man and a woman but between *two free matured persons*. This lays siege to the foundations of human reason and the Revelation as contained in the Scriptures. As a result, the Church has called on all governments of the world to reject any of such tendency and ideology as an aberration that contradicts every anthropological, biological, logical and rational frame work of man's essence; it contradicts the Natural Law.<sup>18</sup> It is interesting that the Church rightly refuses to see it as “marriage”; it rather a “union”. While many countries see this as inhuman treatment of those with the orientation, the Church does not fail to advocate solidarity so that their orientation can be corrected. On this note, it is commendable that countries like Nigeria and Uganda have passed laws against the so called “gay marriage”.<sup>19</sup>

### **Philosophers Views on Same Sex Marriage**

Philosophers' down through the ages have expressed their opinions on homosexuality or same sex marriage. In this regard, a basic distinction should be made between homosexuality and same sex marriage; because there is a possibility of knowing that an individual has homosexual tendencies and orientation that needs attention, yet another to give legal backing to same sex marriage and stating that it should be regarded as marriage.

Prior to the rise of Christianity, certain homosexual practices had existed among certain groups, with some degree of social acceptance in ancient Greece and ancient Rome (e.g. the pederastic relationship of an adult Greek male with a Greek youth, or of a Roman citizen with a slave). It is understood by some that St. Paul was only addressing such practices in Romans 1: 26-27, while others usually see these verses as condemning all forms of homoeroticism.

Plato praised its benefits in his early writings,<sup>20</sup> but in his late works proposed its prohibition.<sup>21</sup> Aristotle, in the *Politics*, dismissed Plato's

ideas about abolishing homosexuality (2.4); he explains that barbarians like the Celts accorded it a special honor (2.6.6), while the Cretans used it to regulate the population.<sup>22</sup> In the *Laws*, Plato applies the idea of a fixed, natural law to sex, and takes a much harsher line than he does in the *Symposium* or the *Phaedrus*. In Book One, he writes about how opposite-sex sex acts cause pleasure by nature, while same-sex sexuality is “unnatural”<sup>23</sup> In Book Eight, the Athenian speaker considers how to have legislation banning homosexual acts, masturbation, and illegitimate procreative sex widely accepted. He then states that this law is according to nature.<sup>24</sup> Finally, according to Plato, “one could simply enact a law forbidding all homosexual sex and all sex outside of marriage or concubinage.”<sup>25</sup>

Although homosexuality was prevalent in their society, these three philosophical writers (were Socrates, Plato, and Aristotle. untouched by Judeo-Christian tradition taught that homosexual conduct is not only intrinsically shameful, but also inconsistent with a proper recognition of the equality of women with men in intrinsic worth and incompatible with society.

The angelic doctor, St Thomas Aquinas has in his ethics, a strong element of deontological natural law. In his view, “not all things to which a person might be inclined are “natural” in the morally relevant sense; rather, only the inclination to the full and proper expression of the human nature, and inclinations which align with that inclination, are natural. Contrary inclinations are perversions of the natural in the sense that they do seek a good, but in a way destructive of good.”<sup>26</sup>

This view points from the natural to the Divine, because (following Aristotle) he said all people seek happiness; but according to Aquinas, happiness can only finally be attained through the Beatific Vision.<sup>27</sup> Therefore all sins are also against the natural law. But the natural law of many aspects of life is knowable apart from special revelation by examining the forms and purposes of those aspects. It is in this sense that Aquinas considered homosexuality unnatural, since it involves a kind of partner other than the kind to which the purpose of sexuality points. He considered it comparable to heterosexual sex for pleasure rather than reproduction.<sup>28</sup>

In the modern period, Jeremy Bentham in the essay “Offences against One's Self”, argued for the liberalization of laws prohibiting homosexual sex.<sup>29</sup> This essay remained unpublished during his lifetime for fear of offending public morality. It was published for the first time in 1931.<sup>30</sup> Bentham does not believe homosexual acts to be unnatural, describing them merely as “irregularities of the venereal appetite”. The essay chastises the society of the time for making a disproportionate response to what Bentham appears to consider a largely private offence public displays or forced acts being dealt with rightly by other laws.

There was no indication apart from supporting homosexual intercourse that points to him being in favour of same sex marriage. But that he supports homosexual sex means that he is most likely going to support same sex marriage.

Jean Jacques Rousseau has a very liberal approach to same sex marriage “If the family is artificial in its origins as Rousseau claimed:

Then it can be changed and rearranged in any way the state or others may desire. It is simply a shift in convention, a change in a cultural artifact. We can revise human relations in any way we choose. Whoever has sufficient power may make these alternations to suite themselves. There is no standard in Nature to which they must adhere or by which they can be judged. If we do not have a Nature, then there could not possibly be a problem with homosexual acts or same-sex marriage or with many other things, as well. Pointing out that there has never been such a thing as homosexual marriage in history is superfluous to this point of view since man's “nature” is malleable. It is the product of history. History moves on and man changes with it. Or rather man can change himself according to his desires, as long as he has the means to do so. Since things do not have ends in themselves, they can be given ends by whoever is powerful enough to do so.<sup>31</sup>

It is quite obvious from the assertion above that Rousseau was a strong advocate of same sex marriage with arguments reference to history and its changing nature.

Jacque Derrida a postmodernist, in his deconstructionism, supported same sex marriage on the ground that he considered that it was unjust for marriage to be considered from the an unjustified theological origin which was behind the state sanctioning heterosexual marriage,<sup>32</sup> which is regarded as the traditional understanding of marriage. He believes that monogamous heterosexual marriage was imposed by Europeans on the Jews in the 19<sup>th</sup> century and was not an obligation just a few generations ago among the Jews.

More so, Michael Foucault in contrast to Derrida believes that even the deepest lying sexual categories are social constructs which has been one of the most powerful developments on the intellectual horizon in recent decades. For Foucault, as well as David Halperin in his book, *One Hundred Years of Homosexuality*,<sup>33</sup> one of the most important and striking claim is it recurrent and underlying thesis that homosexuality is not natural but a social category.

From the views opined above by some philosophers in the different epochs, it is obvious that there is a divide. While some are against homosexuality and same sex marriage based on the fact that it is against

the nature of man, some others are for it, because they believed that the traditional notion of marriage was an imposition either by the State or unjustified religious institutions. But care must be taken for people not to argue for homosexuality from the point of view of individual abnormal inclinations and right, instead of also assessing it from the point of view of ethics, human nature and spirituality of the individual and that of the society.

### **Implications of Homosexuality and Same Sex Marriage on the Formation of Children and Youth**

Having carefully and critically examined the issue of same sex marriage and all the arguments for and against it from philosophers, the Church and other scholars who have expressed concern over the issue, we shall now examine the implication on the a possible legalization of same sex marriage by the state in the future. It will be wishful thinking to believe that the recent law made by the National Assemblies of Nigeria and Uganda against same sex marriage is the end of the debate or controversy on same sex marriage in Africa. As society advances and with the massive influence from the West, it will surely raise its ugly head one day and there will be call for amendment to the Law someday. It was the situation in the United States, but today the constitution is been amended to the effect that same sex marriage has been given legal backing by the constitution of the United States.

It is an issue that is now gradually determining the political pendulum in the United States despite the opposition from the Church, especially the Catholic Church and the evangelicals. In Nigeria the penal code, the federal law and the Shari'a law have provisions that criminalize and/or condemn sodomy. "Same-sex sexual activity in Nigeria is illegal according to Chapter 21, Articles 214 and 217 of the Nigerian penal code and can be punished by imprisonment of up to 14 years throughout Nigeria. In the 12 northern states that have adopted Shari'a law, anal intercourse (*Liwat*) is punished with 100 lashes (for unmarried Muslim men) and one year's imprisonment and death by stoning for married or divorced Muslim men".<sup>34</sup>. So, homosexuality is not only frowned at or opposed by the west but also in Nigeria and Africa. It is quarreled with by most churches and societies, yet homosexuals and pro-homosexuals insist that our claims are not solid enough to refute their free public expression.

Bearing in mind this insistence of homosexuals and their sympathizers, it is important to critically examine the implications of a law that may legalize same sex marriage in our immediate society, Nigeria in particular and Africa in general in future.

The first implication will be on the family, the first and basic social unit of formation for the child, who may in future be a candidate for

formation at any level. Growing up with same-gender parents leads to effects similar to what happens when children are raised by a single parent, rather than a heterosexual married. Legalizing same-sex marriage would lead to the “indoctrination” of children. Some well publicized research reveal that children raised by same-sex couples face more problems than children raised by opposite-sex couples. A study by University of Texas researcher, Mark Regnerus, shows that children raised by at least one gay or lesbian parent had more problems later in life than children raised by heterosexual couples.

The problems include poorer mental and physical health, poorer relationships with partners and lower incomes. If the children brought up in a family of same sex parents could be influenced and indoctrinated and are likely to face a lot of Physical, moral, psychological, mental and social problem, it will be difficult to have well formed individuals or even vocations from such families. If vocations emerged at all from such families, such candidates are likely going to be complex and difficult to form in the houses of formation. We may think that the church, because of her stand on same sex marriage will not admit candidates from such families in future and as such problems may not arise, but the nature of our society where a lot of things are shrouded in secrecy may create allowance for people of such orientation to find their way into four walls of formation houses. Homosexual marriage has not been legalized and we are occasionally faced with the problems of homosexuality in the system; how much more if same sex marriage is legalized.

In traditional African Societies, the child is not born for one family alone; he is born into a society where you may have both heterosexuals and homosexual families. Through peer group influence and family interactions, there is a likelihood of children from heterosexual home to be friends to those from homosexual home. In this scenario, you cannot rule out indoctrination and influence from the children raised by homosexuals on those raised in a traditional family setting, who are likely going to be well integrated personalities and candidates for formation to the priesthood and religious life. If that is the case, it means that our traditional reference point for the recruitment of students will also be affected. This will make the work of formation more difficult not only for the formators, but also for the other students who are in danger of being further indoctrinated and influenced into the act. This raises the question of capacity and ability to be close companions with the candidates in formation by formators. If the influence is so strong, will companionship close monitoring be effective and realizable? It may be realizable to some extent, but can also be complicated and difficult if those placed in charge of the students are culpable.

Considering the fact that those in the higher classes in schools are also in their own little way collaborators, in this work of formation, their culpability and involvement in this orientation, can be dangerously detrimental to the institution and to the society as a whole, because of the likelihood of some candidates with homosexual tendencies finding their way into the fabric of societal life. This will be quite devastating to children, youths and in fact the society as a whole. It could be a recurring decimal or a vicious circle that may make the priest who is baptizing, administering first Holy Communion and all the other sacraments; be the same priest who will recommend candidates who were disoriented and abused by him, be the same candidates that will be recommended to enter the Seminary and succeed in becoming priests.

If homosexual “marriage” is universally accepted as the present step in sexual “freedom,” what logical arguments can be used to stop the next steps of incest, pedophilia, bestiality, and other forms of unnatural behaviors? Indeed, radical elements of certain subcultures are already advocating such aberrations. If same sex marriage is allowed to prevail in modern societies there is the likelihood that the advocacy for other forms of sexual aberrations as mentioned earlier may increase. This will spell doom for the wellbeing of the family and societal life. If individual and sectional interests are brought into the realm of sexual morality and family life, the very cord and bond of family life are likely to be broken thrown overboard

In the light of these moral implications and fears raised above, I would like to strongly urge and encourage parents, teachers and all those involved in the work of formation of people to continue to figure out useful ways this impending menace can be nipped on the bud. I was quite impressed with the recent commendation of the National Assembly by the Catholic Bishops Conference of Nigeria on the law against same sex marriage passed recently. There are philosophers who are pro gay marriage as you may have observed from this write up, but from close assessment, their arguments are subjective, individualistic and relative to their circumstances. The institution of marriage is not only at the level of the individual, but social and sacred and as such its justification and stability as an institution cannot be placed at the doorstep of private or individual morality.

In conclusion, I would like to call on all who are privileged to occupy exalted positions as civil, religious, political, and educational institutions as formators to speak and work against the impending danger that same sex marriage poses to the human person, the society, the Church and the world as a whole. “Homosexuality is not so much of a case of private morality because it is an action done with another person whose consequences affect social and society life. It is therefore

a case of legislation for the government of a people, who has a solemn duty to ensure the health and wellbeing of her citizenry.”<sup>35</sup> Again, homosexuality has become the breeding ground for many dangerous diseases. Homosexuality is also a public health issue, not just a civil right issue. Some of these diseases such as Hepatitis B&C, Tuberculosis and HIV/AIDS can be spread increasingly through this means. Therefore, for the protection of the sanctity of marriage, family life and the society, homosexuality should be outlawed or legally discouraged.

The Church should continue with her role of pastorally ministering to those with this tendency by way of counseling, correction, guided assistance and prayers. “The Church in her pastoral ministry to the sick must see this as a challenge to be undertaken. People who are involved in this act should be helped to a fuller realization of themselves and of the appreciation of the virtue of chastity and normative sexuality. “Homosexual persons are called to chastity. By the virtues of self-mastery that teach them inner freedom, at times by the support of disinterested friendship, by prayer and sacramental grace, they can and should gradually and resolutely approach Christian perfection.”<sup>36</sup> The State should make enabling laws and environment on which the church can play her God given responsibility.

Finally, homosexuals themselves should first realize their challenge as wrong before making themselves available to be able to fully utilize the pastoral opportunities made available by the Church in her care of the sick and needy, so that they could be cured of their pederastic, homosexual and homoerotic tendencies. This should be their focus instead of advocating for the legalization of same sex marriage. “It is important for the stability of the family and indeed for the stability of all societies, to strengthen the institution of marriage, the equal partnership between one man and one woman, the natural and fundamental unit of society entitled to protection by society and the state.”<sup>37</sup> We submit that marriage remains a part of the divine plan as a union between a man and a woman for the purpose of love/companionship, procreation and service to society.

## **END NOTES**

<sup>1</sup> Cf. Edward O. Laumann, John H. Gagnon, Robert T. Michael, and Gina Kolata. *Sex in America. A Definitive Survey*. Boston: Little, Brown and Company, 199, Pp.24-65.; and Edward O. Laumann, Robert T. Michael, John H Gagnon, and Stuart Michaels. *The Social Organization of Sexuality. Sexual Practices in the United States*. Chicago: The University of Chicago Press, 1994

<sup>2</sup> Richard H. Popkin and Avrum Stroll, *Philosophy made Simple*, New York, Broad way Books, 1993, p.1.

<sup>3</sup> Joseph Omoregbe, *Ethics: A Systematic and Historical Study*, Lagos: Joja Educational Research and Publishers Limited, 1993, P. 4.

<sup>4</sup> Cfr. Roger Crisp, *Ethics*, in *Concise Routledge Encyclopedia of Philosophy*, London, Routledge, 2000. S.V. "Ethics"

<sup>5</sup> Windily R. Nichols et al, (Ed.), *Random House Webster's Unabridged Dictionary*, New York: Random House, 2001. S.V. "Same"

<sup>6</sup> *Catechism of the Catholic Church*, (Nairobi, Paulines Publications Africa, 2002, no. 1603.

<sup>7</sup> A. Spitzer, "Marriage "in *New Catholic Encyclopedia*, (Vol. IX), Washington: Catholic University of America, 1967, p. 258

<sup>8</sup> *Code of Canon Law*, can. 1013

<sup>9</sup> C. Jung, *The Development of Personality*, Princeton: Princeton University Press, 1981, p. 189

<sup>10</sup> A. Flannery (Ed.) Documents of the Second Vatican Council, *Pastoral Constitution on the Church in the Modern World, Gaudium et Spes*, n. 48

<sup>11</sup> *Catechism of the Catholic Church*, n. 1601; see also *Code of Canon Law*, can. 1055

<sup>12</sup> "Marriage" J. Komonchak et al (Eds.), *The New Dictionary of Theology*, Bangalore: Theological Publications, India, 2011. p. 626

<sup>13</sup> John Burke, *The Theology and Canon Law of Marriage* (New and Revised Edition), Ibadan: Society of African Mission, 2011) pp. 29, 231

<sup>14</sup> "Sexual Orientation, Homosexuality, and Bisexuality", *APAHelpCenter.org*, retrieved on 30 January 2014.

<sup>15</sup> *Code of Canon Law* (can. 1061)

<sup>16</sup> A. Flannery (Ed.), Documents of the Second Vatican Council *The Christian Family in the Modern World, Familiaris Consortio*, n. 44

<sup>17</sup> *The New Dictionary of Theology*, J. Komonchak et al (Eds.), S.V. "Homosexuality"

<sup>18</sup> See Congregation for the Doctrine of the Faith, *Considerations Regarding Proposals to Give Legal Recognition to Unions Between Homosexual Persons*, (Vatican: Liberia Editrice Vaticana, 2003)

<sup>19</sup> See *Tell Weekly News Magazine*, January, 2014, p. 41; and February, 2014, p. 45

<sup>20</sup> Plato, Phaedrus in the *Symposium*

<sup>21</sup> Plato, *Laws*, 636d & 835d

<sup>22</sup> Boswell, John, *Christianity, Social Tolerance, and Homosexuality: Gay People in Western Europe from the Beginning of the Christian era to the Fourteenth Century*, Chicago: University of Chicago Press, 1980. P.12f

<sup>23</sup> Plato, *Laws*, 636c.

<sup>24</sup> *Ibid.* 838-839d.

<sup>25</sup> *Ibid.* 841

<sup>26</sup> "SUMMA THEOLOGICA: The natural law (Prima Secundae Partis, Q. 94)". *Newadvent.org*. Retrieved on 18-4-2012; "The Natural Law Tradition in Ethics" (*Stanford Encyclopedia of Philosophy*). *Plato.stanford.edu*. Retrieved

18-4-2012; "St. Thomas Aquinas and Natural Law: Budziszewski". Nd.edu. Retrieved on 18-4-2016

<sup>27</sup> "SUMMA THEOLOGICA: What is happiness (Prima Secundae Partis, Q. 3), Newadvent.org. Retrieved on, 18-4-2016.

<sup>28</sup> <http://www.newadvent.org/summa/315411.htm> and <http://www.newadvent.org/summa/315412.htm> retrieved on the 18-4-2016

<sup>29</sup> Boralevi Lea Campos, *Bentham and the Oppressed*. Berlin: De Gruyter, 1984, p. 40

<sup>30</sup> Ibid, p. 37

<sup>31</sup> Robert R. Reilly, "The Road to Same Sex Marriage was paved by Rousseau", Monday 15<sup>th</sup> of April 2013, retrieved from Mercator net .com on the 3<sup>rd</sup> of February 2014.

<sup>32</sup> Michael Naas, *Derrida from now on*, New York: Fordham University Press, 2008, p.73.

<sup>33</sup> David Halperin, *One Hundred Years of Homosexuality: And Other Essays on Greek Love* (New York: Routledge, 1990). pp. 41f

<sup>34</sup> cf. The Tribune Newspaper, November 9, 2011

<sup>35</sup> Francis Ikhianosimhe, "Does God bless Same Sex Marriage" (Mimeographed Paper)

<sup>36</sup> Cf. *Catechism of the Catholic Church*, nos. 2357-2359.

<sup>37</sup> Paul K. Oredipe, "Preserving the Dignity of Marriage and Family Life Today" in *The Nigerian Journal of Theology*, June 2012, Vol. 26, p. 103.