

ARTICLE SYMPOSIUM

APOCALYPTIC HOMOPHOBIA: FREEDOM OF RELIGIOUS EXPRESSION, HATE SPEECH, AND THE PENTECOSTAL DISCOURSE ON SAME-SEX RELATIONS IN AFRICA

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ABSTRACT

In many African societies, gender roles and sexuality are intensely scrutinized, policed, and often enforced. Frequently, this situation results in perceived deviations being characterized in very strong terms. Many Africans across religious and denominational boundaries seem united in their opposition and criticism of same-sex relationships. In the twenty-first century, criminalization of same-sex relationships has witnessed an uptick across the continent. In Nigeria, same-sex union was criminalized in 2014, an act that witnessed massive support from Protestant, especially Pentecostal, Christian communities. Prominent Pentecostal leaders spearheaded the campaign in support and defense of the anti-gay laws in the country. Reasoned opposition to a practice based on religious faith, doctrine, and scriptural prescriptions is an integral aspect of the protection for the practice of religion. However, there is a palpable tension in the debates around rights to free sexual expression as a fundamental element of legally protected human rights and the equally constitutionally embedded right to religious practice, expression, and exercise. At what point, therefore, does the respect for the free exercise of religion and religious expression come into conflict with the respect for, and protection of, minority rights such as claimed rights to sexual expression such as many LGBTQI persons are increasingly contesting? Framed differently, is the verbal and non-verbal promotion of hatred, violence, indignity, and insult or giving offence to a segment of the population based on sexual orientation a part of free religious expression? How do the Pentecostal arguments against same-sex relations in Nigeria approximate to hate speech, defined as a verbal attack on a person or group of persons based on their attributes such as gender and sexual orientation, religion, or ethnicity? To analyze these and related issues, this essay examines the arguments used by the leader of the largest Pentecostal organization in Nigeria—and by far, the most important Pentecostal voice in the country—in the wake of the legal prohibition of homosexuality in Nigeria in 2014.

KEYWORDS: apocalypticism, same-sex relations, homosexuality, hate speech, Pentecostalism, legal prohibition in Nigeria, religious expression

INTRODUCTION

One of the strongest challenges facing religious organizations in contemporary Africa is how to speak out firmly from the perspective of faith about claimed rights to sexual expression unconnected to heteronormative structures of family, marriage, and children.¹ As such, rights are linked to human freedoms and worth, religious organizations and leaders who speak against them are increasingly deemed as undermining the foundations of human dignity.² More importantly, however, as human rights and global citizenship are intricately linked to a religious foundation,³ religious leaders who speak out from the perspective of doctrine against certain forms of claimed sexual expressions frequently face a wider array of political and legal opposition, including accusations that they are engaging in hate speech or incitement to harm. As a result, how and what religious leaders and organizations say about religious doctrines related to sexual expression is increasingly shaped by social, political, and legal activism promoting expanded rights to consensual adult sexual expression.

In Nigeria, the crux of the debate is between two freedoms guaranteed by the Constitution of the Federal Republic of Nigeria (as amended) (hereafter CFRN, 1999)⁴: freedom of religious expression, as protected in section 38(1)⁵ and freedom from discrimination based on sex or gender, as protected in section 15(2).⁶ The rights to free exercise of religion and free speech are fundamental rights protected by the constitutions of many African countries. In Nigeria, these are constitutionally protected and promoted rights that define and circumscribe the notions of citizenship. Likewise, the constitution prohibits discrimination based on sex and gender. Indeed, legal activists promote and describe the rights to human dignity and personal identity—tied to the right to sexual expression and reproductive citizenship—as “human rights.” The free exercise of religion and the

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- 1 For more on this challenge, see my prior article, Asonzeh Ukah, “Pentecostal Apocalypticism: Hate Speech, Contested Citizenship and Religious Discourses on Same-Sex Relations in Nigeria,” *Journal of Citizenship Studies* 22, no. 6 (2018): 633–49. There are alternative traditional models of the family in many African societies such as those described by Ifi Amadiume, *Male Daughters, Female Husbands: Gender and Sex in an African Society* (London: Zed Books, 1987); Ifi Amadiume, *Re-inventing Africa: Matriarchy, Religion, and Culture* (London: Zed Books, 1997); Nkiru Nzewgwu, “Feminism and Africa: Impact and Limits of the Metaphysics of Gender,” in *A Companion to African Philosophy*, ed. Kwesi Wiredu (Oxford: Blackwell, 2002), 560–69.
 - 2 In some constitutions of advanced democracies, a distinction is made between social rights and fundamental rights. Because this important distinction is lacking in the Nigerian Constitution, the right to sexual orientation and expression that could pass as social rights are often classed together with (and as) fundamental rights. In the Nigerian context, the claimed right to sexual orientation is at core the right against discrimination and indignity because of sexual orientation. “Discrimination on the grounds of place of origin, sex, religion, status, ethnic or linguistic association or ties shall be prohibited” (Constitution of the Federal Republic of Nigeria, section 15 (2)). See Ogugua V. C. Ikpeze, “Non-justiability of Chapter II of the Nigerian Constitution as an Impediment to Economic Rights and Development,” *Developing Country Studies* 5, no. 18 (2015): 48–56.
 - 3 David Chidester, “Global Citizenship, Cultural Citizenship and World Religions in Religion Education,” in *International Perspectives on Citizenship, Education and Religious Diversity*, ed. Robert Jackson (London: RoutledgeFalmer, 2003), 28–45.
 - 4 For the text of the Constitution, see *The Nigerian Constitution 1999 (With the First, Second, and Third Alterations)* (Abuja: Federal Ministry of Justice, 1999).
 - 5 “Every person shall be entitled to freedom of thought, conscience and religion, including freedom to change his religion or belief, and freedom, either alone or in community with others, and in public or in private to manifest and propagate his religion or belief in worship, teaching, practice and observance.”
 - 6 “Accordingly . . . discrimination on the grounds of place of origin, sex, religion, status, ethnic or linguistic association or ties shall be prohibited.” Although the provision does not contain the phrase “sexual orientation or lifestyle,” it may be liberally interpreted to cover certain forms of gendered identities such as bisexual, transgender, and intersex.

non-alignment of the state with any religion make Nigeria a de facto secular, even if multireligious, state, where nonspiritual and human considerations, rather than religious ethics and doctrines, underpin the making of laws and their implementation.⁷ Even when this separation is accepted and promoted, there is a porous border between religion and the state in many world democracies, such as Britain and the United States of America. In the case of Nigeria, there is a tension between the country's secular status and its practices as a religious state such that there is strong, incontrovertible evidence that Islam and Christianity are arguably “*de facto* state religions.”⁸

The right to religious expression also includes the right to exhort members of a religious group on the proper lifestyle consistent with the faith, scripture, and tradition of such a group. Thus, a conflict of rights is created because many religious groups claim that human sexuality cannot be disassociated from procreation and oppose same-sex unions on these grounds, while advocates for same-sex unions claim “a right to perform consensual sexual acts unlinked from the creation of children.”⁹ Accordingly, many “religious opponents of various sexual expression claims are frequently accused of operating largely based on hateful animus against women or lesbian, gay, bisexual, or transgender (LGBT) citizens.”¹⁰ However, LGBTQI rights interrogate and challenge the regulatory controls and “the biopolitics of the population.”¹¹

In the wake of the recent controversies surrounding the criminalization of same-sex relations in Nigeria, the dilemma of speaking the truth of faith in matters of human sexuality—and not being

7 Simeon O. Ilesanmi, “Disestablishment without Impartiality: A Case-Study Examination of the Religious Clauses in the Nigerian Constitution,” *St. John's Law Review* 85, no. 2 (2011): 545–78.

8 Asonzeh Ukah, “Obeying Caesar to Obey God: The Dilemmas of Registering Religious Organisations in Nigeria,” in *Law and Religion in Africa: The Quest for the Common Good in Pluralistic Societies*, ed. Pieter Coertzen, M. Christian Green, and Len Hansen (Stellenbosch: Conference-RAP, 2015), 309–29, at 327.

9 Helen M. Alvaré, “Religious Freedom versus Sexual Expression: A Guide,” *Journal of Law and Religion* 30, no. 3 (2015): 475–95, at 475.

10 Alvaré, “Religious Freedom,” 476. There are many versions of the initialism that characterize the varied, nuanced ways scholars and activists understand and define some people's, or their own, experience of gendered identity and sexual orientation. The increasing proliferation of acronyms often meant to emphasize specific nuances and inclusivity, sometimes becomes very unwieldy, confusing, or polarizing such as LGBTQQIP2SAA (lesbian, gay, bisexual, transgender, queer, questioning, intersex, pansexual, two-spirit, asexual, and ally). Some Nigerian human rights activities and members of the LGBTQI community debate the relevance of some of the markers, such as “questioning,” “ally,” “pansexual,” “two-spirit,” to members of the group in the Nigerian context. Such debates sometimes polarize the LGBTQI community. Perhaps, the two versions of initialism that are in widespread use are LGBT (lesbian, gay, bisexual, transgender) and LGBTQI (lesbian, gay, bisexual, transgender, queer (or questioning), and intersex. Unlike in South Africa, where “intersex” is a common and popular identity frame frequently discussed in the media (often concerning the middle-distance runner Caster Semenya), it is not a well-known or used identity marker for the LGBTQI community in Nigeria. According to Leo Igwe, a Nigerian LGBTQI rights activist, members of the community use three acronyms interchangeably—“depending on whom you are speaking to”—namely, LGBT, LGBTI, and LGBTQI and often debate which is more locally applicable to members of the group (Leo Igwe, personal communication, May 25, 2020). I use LGBTQ or LGBTQI loosely and interchangeably in this article to represent collectives of persons involved in same-sex relationships or bisexual, trans, queer, and intersex person who may not all be “homosexuals” in the sense meant by the Nigerian law under discussion here. See Linda M. Woolf, “LGBTQI Rights and Social Justice,” *Peace Psychology* 22, no. 2 (2013): 19–21. For various definitions of the LGBTQ acronym, see Abbie E. Goldberg, introduction to *The Sage Encyclopedia of LGBTQ Studies*, ed. Abbie E. Goldberg, vol. 1 (London: Sage Reference, 2016), xxxiii–xxxv; Rebecca L. Jones, s.v. “Aging and Bisexuality,” in Goldberg, *The Sage Encyclopedia of LGBTQ Studies*, 56–61, at 57; Robin Bauer, s.v. “Bondage, Dominance/Submission, Sadism/Masochism (BDSM),” in Goldberg, *The Sage Encyclopedia of LGBTQ Studies*, 153–56, at 154.

11 Michel Foucault, *The History of Sexuality*, vol. 1, *An Introduction*, trans. Robert Hurley (New York: Pantheon Books, 1978), 137.

accused of hateful speech—is one of the more serious issues confronting significant segments of the Nigerian Christian community and the Nigerian Pentecostal community, in particular.¹² Nigerian Pentecostal leaders were at the forefront of the campaign for the criminalization of same-sex relationships in Nigeria that culminated in the promulgation of the Same-Sex Marriage (Prohibition) Act of 2014.¹³ Speaking in favor of the law, Pentecostal leaders articulated why Pentecostal Christianity’s understanding of human sexuality does not accept same-sex relationships. Some of those arguments, as shall be examined shortly, appear to clash with the right to identity, “respect for the dignity of [the] person,” and the prohibition on “inhuman and degrading treatment” (CFRN, 1999, section 34 (1)(a)), as well as the right to citizenship claims of the LGBTQI community and activists.¹⁴

Discussion of these and related issues is the task of the rest of this article. In what follows, I first discuss the legal constraints on same-sex relationships and behaviors before and after 2014, after which I discuss the discourse that Pentecostal leaders use to frame same-sex relationships. In the third section, I analyze Pentecostal discourses on homosexuality through the lenses of the right to religious free speech and the challenge of hate speech.¹⁵ In concluding, I highlight what concerned citizens may do in the absence of legal regulation of hate speech in Nigeria, which is to consistently scrutinize the public speech acts of politically and religiously powerful individuals.

NIGERIAN LEGISLATION ON SAME-SEX RELATIONSHIPS

Laws and Attitudes before 2014

Diversity defines Nigeria’s cultural, ethnic, and religious landscape. The country is a political unit cobbled together by a series of contradictory structures and practices since 1914 under the British colonial administrator Frederick Lugard.¹⁶ Established as a contraption of British convenience and extraction, three elements glue the colonial contraption together: crude oil, the love of football, and chronic aversion to homosexuality. Before January 2014, when the bill against homosexuality became law under the administration of President Goodluck Jonathan, there were other pieces of legislation against the practice of homosexuality in Nigeria. Inherited from Section 377 of the Indian Penal Code, the British colonial administration instituted these laws principally to

12 The vehemence or stridence with which the Nigerian Pentecostal community speaks out against same-sex issues does not stem from a conflictual interest or status with the wider society. The group’s concern with human sexuality partly stems from a literal interpretation of the Bible, which is evident in the various ways its leaders reference the scriptures as a source of unquestioned authority and a power-text to back up their positions in sexual, family, and marriage issues. As a public religion, Pentecostalism engages with public issues, public affairs, and public policies in its attempt to influence or transform the public sphere or capture a share of public audiences.

13 The legislation became law in January 2014. The word *homosexual* appears two times, *gay* appears three times, while *same sex* (without a hyphen) appears twenty-two times. *Homosexual* and *gay* are part of the social lexicon in Nigeria; they are more commonly used in popular speech than is *same-sex* in describing relationships and sexual behaviors.

14 For more on the conflict over citizenship claims, see Ukah, “Pentecostal Apocalypticism.”

15 There is no agreed-upon definition of what constitutes “hate speech”; however, it is broadly parsed to include public speech acts and gestures that incite, inflame emotions, or create a symbolic code for social repugnance or denigration against a minority group or persons based on ethnicity, religion, gender, or sexual orientation. See Donna A. Lillian, “A Thorn by any Other Name: Sexist Discourse as Hate Speech,” *Discourse & Society* 18, no. 6 (2007): 719–40, at 731–33. I discuss this theme later in the essay.

16 Toyin Falola and Matthew M. Heaton, *A History of Nigeria* (Cambridge: Cambridge University Press, 2008), 9; F. D. Lugard, *The Dual Mandate in British Tropical Africa* (London: William Blackwood and Sons, 1922).

criminalize sodomy. The imposition of laws criminalizing sodomy and other sexual acts in African colonies, including other imported laws designed to control the bodies of colonized peoples, were partly informed by the British perception of African cultures as sexually lax and predisposed to unnatural and uncivilized sexual practices.¹⁷ According to human rights scholar and consultant, Gupta Alok and Scot Lang, the origin of the law against sodomy was not a reflection of the local culture of the peoples upon whom it was imposed but “the British Judeo-Christian values of the time.”¹⁸ Even after independence, Nigeria did not repeal or thoroughly overhaul its inherited laws. For example, the Nigerian Criminal Code Act 2004, which is operational in southern Nigeria, prohibits the practice of same-sex penetrative sexual acts.¹⁹ Under this code, a same-sex relation is described as carnal knowledge against the order of nature: “any person who has carnal knowledge of any person against the order of nature; or . . . permits a male person to have carnal knowledge of him or her against the order of nature.”²⁰ Such a person “is guilty of a felony and is liable to imprisonment for fourteen years” if convicted.²¹ Further, procuring a partner for such an act attracts a punishment of three years in prison, if convicted. Similarly, the Northern Penal Code of 1960—operational in northern Nigeria—stipulates jail terms for same-sex activities.²² Same-sex relationship is classified under the Penal Code as “unnatural and indecent offences”: that is, “carnal intercourse against the order of nature with any man, woman, or animal” (section 284). For precision and the avoidance of doubt, “intercourse” in this legislation means a “mere penetration.” For both the southern Criminal Code and the northern Penal Code, and consistent with the original sodomy law in the British colonial statutes, there is no clear distinction between consensual homosexual acts, bestiality, and child abuse; these were all categorized under the rubric of “carnal intercourse against the order of nature.”

Between October 1999 and December 2001, twelve Muslim-majority states in northern Nigeria codified and instituted expanded Sharia legal or criminal codes, triggering a massive social upheaval and constitutional crisis in the country. The expansion of the sharia in these states soon became the most significant and controversial legislative change in the history of post-colonial Nigeria.²³ The popular imagination and implementation of sharia in these states put great emphasis on illicit sexual relations (*zina*). According to the German scholar of Islam, Gunnar J. Weismann, “the issue of strict sexual morals has been perceived—by supporters and critics alike—as a crucial element of the societal changes intended by the introduction of the *šarīʿa* in northern

17 Keletso Makofane et al., “Homophobic Legislation and Its Impact on Human Security,” *African Security Review* 23, no. 2 (2014): 186–95, at 187. Some of the laws introduced by the British in Nigeria (for example, the Vagrancy Law in Nigeria, which was repealed only in 1989) were intended to humiliate and harass sections of the colonized communities and imprint the sense of British superiority and decency, not for good order or the common good.

18 Gupta Alok and Scot Lang, “Alien Legacy: The Origins of ‘Sodomy’ Laws in British colonialism,” in *Human Rights, Sexual Orientation and Gender Identity in the Commonwealth: Struggles for Decriminalization and Change*, ed. Corinne Lennox and Matthew Waites (London: School of Advanced Study, University of London, 2013): 84–123, at 84.

19 Nigerian Criminal Code Act (2004) Cap. 38, <http://ofilispeaks.com/wp-content/uploads/criminal-act.pdf>.

20 Nigerian Criminal Code Act (2004) Cap. (21), §214.1 and §214.3.

21 Nigerian Criminal Code Act (2004) Cap. (21), §214.1 and §214.3. The title of the chapter is “Offences against Morality.”

22 Nigerian Criminal Code Act (2004) Cap. (21), §284, 405(2)(e). Adetoun T. Adebajo, “Culture, Morality and the Law: Nigeria’s Anti-Gay Law in Perspective,” *International Journal of Discrimination and the Law* 15, no. 4 (2015): 256–70, at 258.

23 Philip Ostien, Jamila M. Nasir, and Franz Kogelmann, *Comparative Perspectives on Shari’ah in Nigeria* (Ibadan: Spectrum, 2005).

Nigeria.”²⁴ The principal focus on sexual matters in the agitation for sharia resulted not only from the presence of a large and vibrant homosexual community in some northern Nigerian cities, such as Kano, but also from the fact that many Muslims perceived the Muslim family as threatened by unwholesome western and Christian influences which diminish the control and power of men in the society.²⁵

In addition to the criminal and penal codes of Nigeria, there are different Sharia Penal Codes in twelve northern Nigerian states, which, in different wordings and with minor variations criminalize homosexuality, prescribing punishments (*hadd*)²⁶ ranging from flogging to death by stoning (*rami*). Islam regards sexual intercourse outside of a validly contracted marriage under the law as *zina*, “a great sin and an act which leads to many other shameful evils.”²⁷ In many of the sharia states, homosexual relations are defined as “unnatural acts” in the Sharia Codes, which also specify acts of sodomy and lesbianism, terms that attract the most opprobrium and are, therefore, frowned upon and very severely prosecuted and punished as *zina* and with a sentence of stoning.²⁸ As observed by Philip Ostien and M. J. Umaru, the promulgation of the Sharia codes ratcheted up cases against certain persons accused of homosexual acts; however, even “the new laws do not seem to have suppressed the gays and lesbians” in northern Nigeria.²⁹

Before 2014, there were three bodies of legislation that dealt in different ways with the nature, practice, and punishment of homosexual behavior: the Penal Code of 1960, the Nigerian Criminal code of 2004, and the different expanded Sharia criminal codes (January 27, 2000–November 23, 2005), which stipulate by far the most severe punishments against sexual offenses known in Nigerian law. While these different laws did not completely eradicate homosexual behavior in the body politics of Nigeria, the real problem was not the absence of laws but interpretation, implementation, and enforcement as these laws concern public morality. The politics and purpose of the 2014 Same-Sex Marriage (Prohibition) Act are to be sought not in the absence of laws but elsewhere in the religious identity politics of Nigeria’s brand of competitive democracy and the 2015 general electioneering season. Especially relevant in this regard is the political power that Nigeria’s Pentecostal community has achieved since 1999, when the country returned to civilian governance.³⁰

24 Gunnar J. Weimann, “Divine Law and Local Custom in Northern Nigerian *Zinā* Trial,” *Die Welt des Islam* 49, no. 3 (2009): 429–65, at 431.

25 Rudolf Pell Gaudio, *Allah Made Us: Sexual Outlaws in an Islamic African City* (Malden: Wiley-Blackwell, 2009). The strict application of the Islamic law, many northern Nigerian Islamic reform movements and elites believed, would restore the lost glories of Islam in the society and transform northern Nigeria by eliminating western socio-cultural influences, which they considered “un-Islamic” (*bida’*) or even anti-Islamic. The inability of the rulers of Nigeria to produce prosperity and equitable distribution of resources or eliminate corruption also contributed to the popular demands for the reimplementing of expanded forms of sharia law from 1999 onward. See Mohammed Bashir Salau, “Religion and Politics in Africa: Three Studies on Nigeria,” *Journal of Law and Religion* 35, no. 1 (2020): 165–77, at 169.

26 *Hadd* is punishment deemed as fixed by God and unvarying or unwaivable.

27 Philip Ostien and M. J. Umaru, eds., *Sharia Implementation in Northern Nigeria, 1996–2006: A Sourcebook*, vol. 3, *Sanitizing Society* (Ibadan: Spectrum Books, 2007), 53–54, 44.

28 Ogbu Kalu, “Safiyya and Adamah: Punishing Adultery with Sharia Stones in Twenty-First Century Nigeria,” *African Affairs* 102, no. 408 (2003): 389–408; Oluwakemi Adesina, “Women, Shari’ah and Zina in Northern Nigeria,” *African Nebula*, no. 1 (2010): 43–56.

29 Ostien and Umaru, *Sanitizing Society*, 53–54.

30 Since 1999, when Nigeria returned to a civilian form of governance, the Pentecostal community has been visible in the political calculations of many politicians because of their capacity to galvanize large numbers of people and draw them to one place. Some Pentecostal leaders like Enoch Adeboye (Redeemed Christian Church of God) and David Oyedepo (Living Faith Church Worldwide) have openly campaigned and supported specific political

The Same-Sex Marriage (Prohibition) Act of 2014

On January 14, 2014, the Nigerian president Goodluck Jonathan signed into law the Bill³¹ that had been adopted in the upper legislative house of the Senate in 2011 and the lower legislative house, known as the House of Representatives, in May 2013. The Same-Sex Marriage (Prohibition) Act of 2014,³² provides for prison terms of fourteen years for anyone convicted for entering into a same-sex marriage or civil union, including intimate cohabitation. Persons, organizations, or groups that are convicted for supporting or participating in gay mobilization or public display of affection may be imprisoned for up to ten years. Apart from the use of “marriage” and “union” in the law, the 2014 law did not radically transform the existing legal landscape in respect of homosexual relationships. Although the new law prescribed what amounts to harsh punishments for those who engage in same-sex relationships, religious organizations that officiate at ceremonies for same-sex unions, or civil organizations that support or condone gay activities, as well as public displays of homosexual affection, it lacked innovativeness or originality. Although both are unwarranted and against the spirit of the Nigerian Constitution, the jail terms of ten to fourteen years seem less harsh than the stoning to death in some of the Sharia penal codes. What, then, was the usefulness of such a law at the time that it was enacted? The answer to this question is that of all existing laws prohibiting homosexual acts—or those practices deemed “against the order of nature” or “against nature” by extant laws—the Same-Sex Marriage (Prohibition) Act of 2014 is the only law that explicitly mentions a “union” or “marriage” of gays and lesbians. However, the question of “same-sex marriage” or “civil union” is redundant because preexisting laws prohibited homosexual acts and, therefore, members of the LGBTQI community would not even contemplate the possibility or feasibility of a same-sex marriage or union.

The 2014 law was, however, enacted for symbolic and political purposes. It was a symbolic gesture to signal the country’s sovereignty in regulating public morality in the wake of international pressure and proselytization activities by Western countries, international nongovernmental organizations, and civil society groups. In the international arena, laws were shifting in the direction of recognizing gay unions or marriages, for example, Spain, Belgium, Canada, and the Netherlands had all codified the legality of same-sex marriage.³³ More significantly, because the new law did not dramatically or radically change what was in existing laws, many commentators argue that it was merely a political gesture with symbolic value to garner support for the People’s

parties and their candidates. Some politicians have likewise patronized Pentecostal leaders who own and run large congregations. On the patterns of Nigerian Pentecostal incursion into democratic politics since 1999, see Asonzeh Ukah, “‘God Reloaded’: The Pentecostal Political Transgression and Africa’s non-Secularity,” in *Religion in the Era of Postsecularism*, ed. Uchenna Okeja (Oxford: Routledge, 2020), 148–70.

- 31 The original unwieldy title is “The Bill for an Act to Prohibit Marriage between Persons of the Same Gender, Solemnization of Same and for Other Matters Related Therewith.” By 2011, it was refined to “Same-Sex Marriage (Prohibition) Bill 2011” and described as “a bill for the Act to prohibit marriage or civil union entered between persons of same-sex, solemnization of same and for other matters related therewith,” [http://www.equalrightstrust.org/ertdocumentbank/Same%20Sex%20Marriage%20\(Prohibition\)%20Bill.pdf](http://www.equalrightstrust.org/ertdocumentbank/Same%20Sex%20Marriage%20(Prohibition)%20Bill.pdf). The first reading of the bill in the Senate was on July 13, 2011; the second reading took place on September 27, 2011; and the third and final (passage) reading was on November 29, 2011. After that date, the bill was dormant until January 14, 2014. The bill was introduced in the legislature in about 2006 as a part of legislative anxiety about public (sexual) morality, culture, religion, and the body.
- 32 Same-Sex Marriage (Prohibition) Act (2014), accessed January 3, 2021, <https://laws.lawnigeria.com/2020/01/10/same-sex-marriage-prohibition-act-2014/>.
- 33 Nicholas O. Alozie, Kathy Thomas, and Patience Akpan-Obong, “Global Liberalization on Homosexuality: Explaining the African Gap,” *Social Science Journal* 54, no. 2 (2017): 120–31.

Democratic Party, which was then the ruling party, in the wake of an important general election-eering season in 2015. The argument was that signing the bill into law in January 2014, at the beginning of an election year, was a political gesture to unify and win the support of many religious groups in the country—despite their mutual antagonism, they are united in their hatred and abhorrence of homosexuality—and rally them to support the People’s Democratic Party. Nigeria’s Muslims are intensely politically engaged, and so are the increasingly socially visible Pentecostal groups. Even without a critical political or theological strategy, the Pentecostal class rallied around Olusegun Obasanjo in 1999 and triumphantly ushered him into the presidency.³⁴ Since then, Pentecostal leaders have become very loud and socially visible in the corridors of political power. Therefore, for politicians in the ruling party, and especially for Goodluck Jonathan, the incumbent president whose public performance had been lackluster, securing their support was necessary for the political outcome of the coming elections. By enacting the anti-same-sex law of 2014, the government was signaling a symbolic gesture to the evangelical Christian community³⁵ that it was decidedly robust enough and determined to ward off external, western pressure, as well as to embark on a moral crusade of sanitizing the public space of a supposedly foreign and unpleasant sexual lifestyle. It was both an assertion of national sovereignty and identity and moral vision and pride.

The different legislations on homosexuality in Nigeria provide a diversity of items for public commentary, discourses, and perspectives. Because homosexuality touches on public morality and behavior, religion is intimately connected to how many of the discourses were framed. Religious communities, organizations, and personalities were inexorably drawn into the debates as either aligning with government policy and the evolving politics of framing homosexuality or opposing the new law. Not surprisingly, the Pentecostal communities were most vocal and publicly irrepressible in their articulation of arguments in support of the new law. The expansion of public discourse provided by an engaging democratic space afforded these Pentecostal leaders and their organizations the opportunity and the themes to become very vocal, even acerbic, in their construction of homosexuality and of gay and lesbian persons and communities.

NIGERIAN CHRISTIAN DISCOURSE ON SAME-SEX RELATIONSHIPS

The Anglican Trendsetting

One important function the debates before, during, and after the passage of the Nigerian Same-Sex Marriage (Prohibition) Act of 2014 served was to unify the disparate and perennially conflictual

34 Ebenezer Obadare, “Pentecostal Presidency? The Lagos-Ibadan ‘Theocratic Class’ and the Muslim ‘Other,’” *Review of African Political Economy* 33, no. 110 (2006): 665–78; Matthews A. Ojo, *Of Saints and Sinners: Pentecostalism and the Paradox of Social Transformation in Modern Nigeria*, Inaugural Lecture Series (Ile-Ife: Obafemi Awolowo University Press, 2010); Femi J. Kolapo, “Appraising the Limits of Pentecostal Power in Nigeria,” *Journal of Religion in Africa* 46, no. 4 (2016): 369–89.

35 The evangelical Christian community is a broader group of Protestant Christianity than is Pentecostalism. Evangelicals self-describe as Bible-believing Christians who claim a personal relationship with Jesus Christ and believe in the necessity of salvation for all humanity. Pentecostals emphasize the power of the Holy Spirit to transform the believer and the possibility and necessity of miracles as in the early days of the church. Pentecostalism is a subset of evangelicalism: while every Pentecostal Christian is an evangelical, not every evangelical Christian is a Pentecostal. See Randall Balmer, *Encyclopedia of Evangelicalism*, rev. and exp. ed. (Waco: Baylor University Press, 2004), 236; Jonathan Merritt, “Defining Evangelical,” *The Atlantic*, December 7, 2015, <https://www.theatlantic.com/politics/archive/2015/12/evangelical-christian/418236/>.

social and religious groups in Nigeria. Despite longstanding tensions between religious communities, namely, Muslims, a broad spectrum of Christian groups, and adherents of traditional religions, the new law created a shared cause and alignment of interests. Danoye Oguntola-Laguda and Adriaan van Klinken have discussed how the anti-LGBTQI discourse became a national unifying rhetoric in Nigeria³⁶; similarly, Joseph Hellweg shows a similar tendency to defend national sovereignty that supports and explains anti-LGBTQI discourses in Côte d'Ivoire, and how this tendency turns out to unify disparate political and religious groups in the country.³⁷ While politicians from the majority-Muslim states in northern Nigeria had articulated their beliefs and understanding in the Sharia penal codes already in existence in the twelve Sharia states, the majority-Christian southern Nigeria was represented by the vociferous head of the Church of Nigeria (Anglican Communion), represented by the now-retired archbishop Peter Jasper Akinola, and the active Pentecostal community, visibly represented by the leader of the Redeemed Christian Church of God, Enoch Adejare Adeboye.

Well before the Pentecostals joined in the debate, Archbishop Akinola, without question one of the most vocal and unrelenting religious opponents of the LGBTQI lifestyle³⁸ in Nigeria, came into global prominence for his campaign against the ordination of openly gay bishop Gene Robinson in 2003 by the Diocese of New Hampshire of the Episcopal Church in the United States.³⁹ As the Anglican primate of Nigeria, Akinola soon emerged as the global leader of the group of Anglican churches, dioceses, and their bishops opposed to the ordination and holding of public offices by openly gay persons in the Anglican Communion worldwide.⁴⁰ It was not surprising, therefore, that as early as 2009, when the bill on same-sex relations was still undergoing debate in the Lower House in the Nigerian parliament, the Church of Nigeria (Anglican Communion) produced a five-page position paper that presented its views and perspectives on homosexuality and same-sex unions. This document, which was a reasoned argument from the perspective of the Christian faith, was submitted to the Nigerian parliament. In this document, which was signed by Archbishop Akinola, the Anglican Communion, basing its position on the Judeo-Christian scriptures, African and Nigerian culture, and the tradition, history, and teaching of the Anglican Communion described the proposed bill as “one of the best things that have happened to us as a nation.”⁴¹ Referencing seven passages in the Bible⁴² the document affirmed that those who claimed that homosexuality was an issue of human rights “must first of all recognize and respect the right of God to order his creation the way he wants. Human rights, therefore, should not

36 Danoye Oguntola-Laguda and Adriaan van Klinken, “Uniting a Divided Nation? Nigerian Muslims and Christian Responses to the Same-Sex Marriage (Prohibition) Act,” in *Public Religion and the Politics of Homosexuality*, ed. Adriaan van Klinken and Ezra Chitando (London: Routledge, 2016), 35–48.

37 Joseph Hellweg, “Côte d'Ivoire and the New Homophobia: The Autochthonous Ethic and the Spirit of Neoliberalism,” in van Klinken and Chitando *Public Religion and the Politics of Homosexuality*, 92–109.

38 Calling homosexuality a “lifestyle” is often intended to undermine the idea that LGBTQI sexualities have enduring integrity rather than being whimsical “lifestyle” choices or even fads. (I thank an anonymous reviewer for pointing out this nuance.)

39 Gene Robinson retired as bishop of New Hampshire in 2010.

40 Neville Hoad, *African Intimacies: Race, Homosexuality and Globalization* (London: University of Minnesota Press, 2007), 48–68; Wilson E. Ehianu, “Assessing the Position of the Anglican Church in Nigeria to Same-Sex Marriage,” *African Journal for Mission in Context* 1, no. 1 (2010): 67–83.

41 Peter J. Akinola, “Position of the Church of Nigeria (Anglican Communion) on the Bill for an Act to Prohibit Marriage between Persons of the Same Gender, Solemnization of Same and for Other Matters Related Therewith,” 1, accessed September 28, 2017, <http://thinkinganglicans.org.uk/uploads/CoNposition.pdf>.

42 Leviticus 18:22, 20:13; Romans 1:26–27; I Corinthians 6:9; Genesis 19:1–29, 1:28; Matthew 19:4–6.

infringe on the right of God to remain God.”⁴³ Calling homosexuality and same-sex marriage “moral cancer” and an unhealthy “bad side of globalization,” Akinola affirmed the support of the Anglican Communion, Nigeria, for the bill, saying, “It is . . . the duty of every government to ensure the protection of her citizens from all harm including bad influences.”⁴⁴ The document concluded its review of the proposed legislation by saying that “Same sex [*sic*] marriage apart from [being] ungodly is also unscriptural, unnatural, unprofitable, unhealthy, uncultural, un-African and unNigerian. It is a perversion, a deviation and an aberration that is capable of engendering moral and social holocaust in this country. It is also capable of existincting [*sic*] mankind.”⁴⁵

In 2009, this position was the strongest public disavowal of homosexuality. It was thought then that it would take a great deal of courage and deep thinking to surpass it in discursive and religious acerbity. However, in the wake of the signing into law of the anti-homosexuality bill, Pentecostal articulation and engagement with the ensuing debates around this law soon demonstrated that Archbishop Akinola was measured in his position, relatively speaking.

Pentecostal Apocalypticism

A dominant strand within the Nigerian Pentecostal movement presents itself as an eschatological and apocalyptic movement that preaches a new message and ethics that prepare humanity for the Parousia. As the Nigerian Pentecostal scholar, Matthews A. Ojo makes clear, this strand claims to be the “end-time army,” preparing the path for the coming of Jesus Christ.⁴⁶ Apocalypticism is a rich tradition within Christianity⁴⁷; however, even though Pentecostalism is driven by a certain degree of eschatological anxiety about the last days,⁴⁸ it is not often that it is related to sexual choices and lifestyles, particularly in Africa. Although, for an exception, see van Klinken’s discussion of a Zambian case that associates the international campaign to recognize gay rights as a sign of the end time and the organizations associated with this campaign as the antichrist and the devil.⁴⁹ Before 2013, all major Pentecostal organizations in Nigeria were silent on the issue of homosexuality, and it was an uncommon issue for them to engage publicly. It was such a hot, divisive issue that prominent Pentecostal leaders shied away from taking sides or getting involved—since it polarized the population and often attracted adverse media attention. As discussed above, Nigerian Pentecostalism has a strong social presence as a public religion or force to be reckoned with; however, except for Tunde Bakare, its leaders have consistently shown an aversion to controversial public governance and morality issues. Tunde Bakare, a Pentecostal leader and politician, frequently courted public and social issues his fellow clergy avoided; he was regarded as

43 Akinola, “Position of the Church of Nigeria,” 2.

44 Akinola, 3.

45 Akinola, 5.

46 Matthews A. Ojo, *The End-Time Army: Charismatic Movements in Modern Nigeria* (New Jersey: Africa World Press, 2006).

47 Richard A. Horsley, “The Kingdom of God and the Renewal of Israel: Synoptic Gospels, Jesus Movements, and Apocalypticism,” in *The Encyclopedia of Apocalypticism*, vol. 1, *The Origins of Apocalypticism in Judaism and Christianity*, ed. John J. Collins (New York: Continuum, 1999), 303–44.

48 Paul Boyer, “The Growth of Fundamentalist Apocalyptic in the United States,” in *The Encyclopedia of Apocalypticism*, vol. 3., *Apocalypticism in the Modern Period and the Contemporary Age*, ed. Stephen J. Stein (New York: Continuum, 2000), 140–78.

49 Adriaan van Klinken, “Gay Rights, the Devil, and the End Times: Public Religion and the Enchantment of the Homosexuality Debate in Zambia,” *Religion* 43, no. 4 (2013): 520–44.

a rebel pastor who also often publicly eviscerated his fellow pastors for malfeasance.⁵⁰ There are various factors responsible for this aversion, one of which was the effort to maintain a strong, rather than divisive, public presence and to be able to attract a wide variety of public figures.

Prominent among those Pentecostal leaders who broke from this tradition of the culture of silence is Adeboye. Specifically, Adeboye is known for his avoidance of controversies, saying that he practices silence because he does not want to be misquoted by the media or be in error (as he has been a mentor and the spiritual father to many younger religious leaders).⁵¹ Often claiming that the problem with Nigeria was the country's abandonment of God, Adeboye has been linked to earlier attempts to legislate on public (sexual) morality.⁵² Adeboye is undoubtedly the most influential Christian leader in Nigeria and has been the religious leader closest to the seat of federal power since 1999.⁵³ He has frequently been consulted by political leaders such as former presidents Olusegun Obasanjo and Goodluck Jonathan. The current vice president of Nigeria, Oluyemi Osinbanjo, is a senior pastor of the Redeemed Christian Church of God. Further, the church is

50 Tunde Bakare is a former Muslim lawyer, who converted to Christianity and joined the Deeper Life Bible Church. He is the founder of Latter Rain Assembly (1989), a breakaway church from the more popular Redeemed Christian Church of God. He is a politician and once was the vice-presidential candidate to Muhammadu Buhari on the political platform of Congress for Progressive Change in the 2011 general elections. In 2007, he set up the International Centre for Reconstruction and Development, a research-led organization devoted to the transformation of postcolonial African states. In 2010, he founded the Save Nigeria Group, a coalition of progressive political and civil society organizations dedicated to campaigning for social and political justice and reformation of structures in Nigeria. Further, he is the president of Global Apostolic Impact Network, a network of evangelical businesses, churches, and ministries dedicated to advancing the Pentecostal virtues in the marketplace and businesses. He is popular for his critical interventions on public governance and his scathing criticism of his pastoral colleagues and the maleficence and lack of accountability within the Pentecostal community. Favoring an ethical apocalypticism, Bakare's central tool of analysis is Judeo-Christian scripture, which affords him a perspective on geopolitical and geoeconomic matters. Unlike the focus of many of Nigeria's Pentecostal class on miracles of prosperity and wealth, Bakare's unique selling points are public prayer, provocative preaching, and prophecy. See Tunde Bakare, *Strategic Interventions in Governance: An Essential Compilation of Critical Speeches, Thoughts and Experiences in Nation Building*, vol. 1 (Lagos: Present Truth Publishers, 2015).

51 On the complex history of the Redeemed Christian Church of God and its rebranding since the mid-1980s, see Asonzeh Ukah, *A New Paradigm of Pentecostal Power: The Redeemed Christian Church of God in Nigeria* (Trenton: Africa World Press, 2008). Also, on that church's involvement in attempts to regulate public sexuality and morality in Nigeria, see, Asonzeh Ukah, "Sexual Bodies and Sacred Vessels: Pentecostal Discourses on Homosexuality in Nigeria," in *Christianity and Controversies over Homosexuality in Contemporary Africa*, ed. Ezra Chitando and Adriaan van Klinken (Farnham: Ashgate, 2016), 21–37.

52 Bibi Bakare-Yusuf, "Nudity and Morality: Legislating Women's Bodies and Dress in Nigeria," in *African Sexualities: A Reader*, ed. Sylvia Tamale (Cape Town: Pambazuka, 2011), 116–29; Sylvia Tamale, "Exploring the Contours of African Sexualities: Religion, Law and Power," *African Human Rights Law Journal* 14, no. 1 (2014): 150–77.

53 In a widely circulated sermon, "Abba Father 4," delivered on May 4, 2017, during the all-night monthly worship and prayer event, The Holy Ghost Service, at the Redemption Camp headquarters of the Redeemed Christian Church of God on the outskirts of Lagos, Adeboye told his audience that the spiritual father of a believer is more important and influential than the biological father in a person's life. According to Adeboye, a spiritual father promotes the realization and actualization of a person's destiny. "Your spiritual father is more superior than your biological father. Your spiritual father has a superior authority than your biological father . . . Your spiritual father can alter the cause of your destiny for the better . . . can cancel the curse in your generation . . . can cancel your appointment with death . . . deliver you from ambush . . . can see what you cannot see and warn you . . . can commit God for you, he can create a situation between God and you. When your spiritual father blesses you or curses you, the result is instant," RCCG Grace Assembly Dubai TV, MAY 2017—RCCG Holy Ghost Service, "Abba Father 4," May 5, 2017, <https://www.youtube.com/watch?v=6eNTEOKo3o8>.

the largest Pentecostal franchise in the country (and arguably in Africa!).⁵⁴ It was surprising to many observers and commentators of Nigerian affairs, therefore, when Adeboye became an outspoken campaigner for and supporter of the anti-gay bill. He defended the law once it came into effect in January 2014.

Adeboye articulated and represented what emerged as the mainstream Nigerian Pentecostal position and arguments about homosexuality and same-sex unions. His arguments are summarized under four rubrics: the will of God, socioeconomic underperformance or poverty, African/Nigerian culture, and apocalyptic or cosmic destruction of humanity. His first argument, made public in January 2013, was that homosexuality was against “the will of God.” According to Adeboye, gay culture is contrary to the manual of God’s word, Judeo-Christian scripture, which contains “the mind of the creator” for humanity. Anything contrary to the will of God is evil, and homosexuality generally and same-sex marriage specifically are practices that defy and contradict the purpose of God for humanity: “How can a man who marries a fellow man produce a child and how can a woman who marries a fellow woman produce a child?” As human, or rather biological, reproduction is deemed impossible within homosexual culture and practice, the homosexual lifestyle produces, Adeboye insists, barrenness and loneliness with concomitant sorrow in its wake. As an evil practice, it is not just absurd but also an abomination to God and God’s children.⁵⁵ According to Adeboye’s articulation, homosexuality is evil because it defies the natural order of human reproduction for which marriage is ordained by God. As a lifestyle contrary to nature, homosexuality produces poverty, hatred, and sorrow. While there are heterosexual couples who do not have children and so resort to child adoption, Adeboye merely assumes that human biological reproduction is impossible for LGBTQI people. Many LGBTQI people do reproduce biologically, sometimes through other-gendered marriages—in which they remain, or they may eventually leave—or through surrogacy, or new reproductive technologies. Nearly all the possibilities for reproduction that are available to straight couples are also available to LGBTQI people.⁵⁶

Adeboye further argues that homosexuality hinders the socioeconomic growth of society.⁵⁷ Homosexuality and same-sex marriage are a recipe for *de-development*, a process of social and economic decline and retrogression. (It is ironic, however, that although Nigeria has not institutionalized same-sex relations, the socioeconomic fortunes of the country have been in steady and steep decline since 1960.⁵⁸) The link between homosexuality, same-sex unions, and socioeconomic development is not obvious; however, the argument can be understood along the line that a society that

54 Asonzeh Ukah, “Expansion,” in *Oxford Handbook for the Study of Religion*, ed. Michael Stausberg and Steven Engler (Oxford: Oxford University Press, 2016), 665–83.

55 *Abomination* is one of the words the archbishop used in characterizing same-sex relations, a word that Christian leaders like Adeboye cull from Leviticus, where it occurs six times in chapters 18 and 20 (Leviticus 18:22, 26, 27, 29, 30; 20:13). According to Michael Grisanti, the noun occurs 117 times in the Old Testament and generally means that which is reprehensible or detestable in the eyes of another. Michael A. Grisanti, “Homosexuality—An Abomination or Purely Irrelevant? Evaluating LGBT Claims in Light of the Old Testament (Gen. 18–19; Lev. 18:22; 20:13),” *Master’s Seminary Journal* 28, no. 2 (2017): 115–33, at 129.

56 I thank an anonymous reviewer for emphasizing this point and underscoring the mistaken assumptions of Adeboye in respect of reproduction among LGBTQI people.

57 There is an irony here. All the countries—among them Canada, France, Spain, Belgium, the Netherlands, and the United States of America—that have legalized homosexuality or same-sex union have better socioeconomic indices than does Nigeria or any African country opposed to same-sex relationships.

58 Zainab Usman, “The ‘Resource Curse’ and the Constraints on Reforming Nigeria’s Oil Sector,” in *The Oxford Handbook on Nigerian Politics*, ed. A. Carl Levan and Patrick Ukata (Oxford: Oxford University Press, 2018), 520–44; Kingsley Moghalu and Nonso Obikili, “Fiscal Policy during Boom and Bust,” in Levan and Ukata, *The Oxford Handbook on Nigerian Politics*, 491–501.

does not socially reproduce itself according to the order allegedly ordained by nature soon withers. Producing children, as willed by God and in obedience to the scriptural prescriptions of Judeo-Christian religion, is deemed to be the blueprint for optimal socioeconomic performance. Even this interpretation, which is supported by Adeboye's sermons, attributes poverty to God's curse on the disobedient: "poverty is one of the major curses God pronounced on the disobedient."⁵⁹ Homosexuality, according to Adeboye, hinders prosperity and human flourishing because it is in tension with biological reproduction and is a clear and evident disobedient lifestyle that contradicts God's prescription of the institution of one-man and one-woman marriage. As problematic as this position is considering that the richest countries in the world are those that have some form of legal protection for those involved in same-sex relationships, many Nigerian Pentecostal leaders insist on the contrary and preach it to their congregations.

In line with the argument that Archbishop Akinola of the Anglican Communion (Nigeria) made, Adeboye claims that "our African culture stands against the practice of homosexuality." The appeal to African and Nigerian culture is one of the strongest—and at the same time vaguest—of all reasons adduced by supporters of anti-gay legislation in many African countries. The cultural argument is "ecumenical" made by persons across religious lines who appeal to some sense of authentic, unchanging values rooted in African history, cosmology, and identity and supposedly shared by all Africans.⁶⁰ What this homogeneous African primal culture consists of is unexplained and impossible to discern considering the multiplicity of African linguistic and religiocultural groups. The Pentecostal appeal to a singular African culture as an argument against homosexual practice has an ironic twist to it, since Pentecostals have also been at the forefront of disparaging and dismantling, without remorse or compunction, structures of indigenous culture and religion in Africa—for example, discarding vernacular names, abandoning polygyny, rejecting indigenous deities, prohibiting local foods, and proscribing the pouring of libations to the ancestors.⁶¹ It is curious that it is only in matters relating to same-sex relationships that African Pentecostals positively and proudly acknowledge and vow to uphold African culture and its assumed abhorrence of same-sex relations. According to Nigerian Pentecostal theologian, Randeé Ijatuyi-Morphé, African Pentecostal Christians believe and practice the destruction of African culture to enable Christians to flourish and prosper.⁶² However, it is unclear if Adeboye's statement was merely affirming the obvious fact that, for Africans, sex, marriage, and biological reproduction are closely linked in a cosmology that reinforces the preeminent importance of having children⁶³ or was instead the falsehood that in African cultures there were no traces of homosexual activities.⁶⁴ Adeboye is a Yoruba speaker, and within Yoruba culture, homosexual practices are not absent. As literary

59 Enoch A. Adeboye, *Fire Power: Classic Prayers and Praises from the Holy Ghost* (Ibadan: Technopol Publishers, 2012), 139.

60 Kwame Essien and Saheed Aderinto, "Cutting the Head of the Roaring Monster: Homosexuality and Repression in Africa," *African Studies Monographs* 30, no. 3 (2009): 121–35; Asonzeh Ukah, "Religion in Pre-contact World: Africa," in *The Cambridge History of Religions in Latin America*, ed. Virginia Garrard-Burnett, Paul Freston, and Stephen C. Dove (Cambridge: Cambridge University Press, 2016), 21–37.

61 Ogbu Kalu, "Preserving a Worldview: Pentecostalism in the African Maps of the Universe," *Pneuma: The Journal of the Society for Pentecostal Studies* 24, no. 2, (2002): 110–37; Martin Lindhardt, "Pentecostalism and the Encounter with Traditional Religion in Tanzania: Combat, Congruence, and Confusion," *PentecoStudies* 16, no. 1 (2017): 35–58.

62 Randeé Ijatuyi-Morphé, *Africa's Social and Religion Quest: A Comprehensive Survey and Analysis of the African Situation* (Jos: Logos Quest Publishing, 2011), 16–17.

63 Ukah, "Religion in the Pre-contact World," 48.

64 Marc Epprecht and Sule E. Egya, "Teaching about Homosexuality to Nigerian University Students: A Report from the Field," *Gender and Education* 23, no. 4 (2011): 367–83.

scholar George Olusola Ajibade has provocatively argued, homosexuality is an ever-present reference and theme within Yoruba oral literature, which he considers to be a repertoire of the people's collective tradition, culture, experience, and worldview.⁶⁵ Perhaps, then, the argument against homosexuality from essentialized "African/Nigerian Culture" is the most difficult to sustain even though it is the most cited by those against homosexuality.

By far the most frightening—and consequential—of Adeboye's charges against the LGBTQI community or the social and ultimate consequences of the so-called homosexual lifestyle is the prediction that institutionalizing homosexual culture through the legalization of same-sex unions or marriages will extinguish humanity in as little as twenty years. The reason for this is that homosexuality is believed to run counter to biological reproduction. If this is the case, however, the charge may also be laid against opposite-sex couples who are in a relationship unconnected to biological reproduction or children. Especially in Western, developed economies, many couples are deciding to avoid having children as a part of heterosexual marriage. It would seem, then, that for Adeboye marriage must result in human biological reproduction. His disapproval of consensual sexual unions that preclude having children privileges the presumed obligation to children over the rights of adults to use their bodies as they deem proper. It may seem a preposterous (and unverifiable) escalation to posit that not having children—by a minority sexual group—will bring about an apocalyptic-level cosmic disaster in twenty years. This kind of prophecy is born of eschatological fear: homosexuality and homosexuals are agents of the doomsday destruction of the world. There is no mention that countries such as Denmark, South Africa, France, Germany, and the United States of America that have legalized same-sex unions and practice have not shown signs of drastic demographic decline. The idea that gay culture and marriage are capable of eradicating humankind from the face of the earth portrays the LGBTQI community as potently, even imminently, dangerous and inimical to the survival of humankind. In this conceptualization, the LGBTQI community is the veritable instrument of Satan to destroy the world.

Although Archbishop Akinola of the Anglican Communion held a similar idea that homosexuality is capable of eradicating humanity, unlike Adeboye, he did not postulate a timeframe. Hence, the latter's position is more urgent and serious, evidently evoking an eschatological anxiety that connects homosexuality with the impending end of the world, and gays and lesbians are the agents who are to precipitate this violent cosmic destruction. Homosexuality is such a serious sin, Adeboye's position maintains, that there is no need for political correctness: only God can forgive it because it is directed at inverting God's intention for the world, God's creation, as we know it. In other words, homosexuality and same-sex unions bring about human misery of an apocalyptic proportion. Key to the eschatological anxiety evident in Adeboye's views is that same-sex relationships are such a grave sin that punishment for it is reserved only for God and so there is neither forgiveness nor repentance for homosexuality. Many other Pentecostal leaders hold such views. For example, according to Helen Ukpabio, a popular Nigerian Pentecostal church founder and Christian filmmaker, LGBTQI persons are among "some people in this world [who] no matter what . . . can never be born again. God says their sins have come up to Him and so He has closed their chapter even though we are still in the dispensation of grace. To such people, they will never be born again no matter what they do."⁶⁶

Many Pentecostal Christians believe such anxiety is necessary to curtail and stymie the influence of a powerful international gay lobby apparatus; others think it is a prophecy issued from hateful

65 George Olusola Ajibade, "Same-Sex Relationships in Yorùbá Culture and Orature," *Journal of Homosexuality* 60, no. 7 (2013): 965–83.

66 Helen Ukpabio, *Works of the Flesh* (Calabar: Kings View Publishing House, 2008), 54.

animus to stir up resentment, anger, violence, harassment, and intimidation against the LGBTQI community.⁶⁷

Does the public disapproval of homosexual practice and behaviors, particularly in the harsh terms used by Adeboye and many Nigerian Pentecostal leaders in the wake of the anti-gay legislation in Nigeria, amount to creating or stirring up hate, hostility, intimidation, or offense against a minority group practicing an alternative sexual lifestyle? Do Adeboye's words originate from a hateful, hurtful animus that encourages and justifies the harassment and intimidation of LGBTQI persons? To many, the refusal of leaders, civil or religious, to recognize and respect a person's sexuality "is often interpreted as a rejection of his or her entire person, and an affront to dignity, equality, and social respectability."⁶⁸ Such refusal often prompts and undergirds a conflict between constitutionally protected freedom of religious practice and speech and the equally protected right to personal dignity and respect. In other words, free religious speech comes into confrontation with social respectability and recognition of the Other as both human and a citizen deserving of respect and dignity.

RELIGIOUS FREE SPEECH VS. HATEFUL SPEECH

In the wake of increased political competition, intensification of the mobilization of religious identity politics, and the ubiquity of social media usage in Africa, hate speech has emerged as an ever-present danger to social harmony and stability. Conceptually, hate speech encompasses public speech acts that encourage or justify harassment, hostility, intimidation (either verbal or in print) of a section of a society, usually (but not solely⁶⁹) a vulnerable minority. According to Jeremy Waldron, hate speech is an act that is "performed in public with a public orientation aimed at undermining public goods" such as inclusivity and tolerance.⁷⁰ *Public* in Waldron's definition means physical, social, and virtual, and speech includes gestures (graffiti, cartoons), too. Central to hate speech is the use of words that are "deliberately abusive and/or insulting and/or threatening and/or demeaning [and] directed at members of vulnerable minorities, calculated to stir hatred against them."⁷¹ For Waldron, hate speech is harmful because it gravely undermines equal dignity and respect for vulnerable or minority groups. Hate speech includes gestures and speech acts performed in public and directed against a vulnerable group based on ethnic or religious affiliation, sexual orientation, or skin color in a way that excludes them from the enjoyment of certain social or public goods such as freedom, dignity, self-worth, or social respect. Hate speech can also be made by a minority group against a majority group, as Okot p'Bitek observed long ago when Europeans in Africa, numerically in the minority, "heaped insults" and denigration on majority

67 For a list of some of reasons given by Adeboye why gay relationships are wrong, see Eke Matthew, "Same-Sex Marriage Will Wipe Out Humanity—Pastor Enoch Adeboye calls Gay Community to Flee God's Wrath!," *Daily Facts* (blog), January 23, 2013, <https://matexventures.webs.com/apps/blog/show/22799011>; Ameh Comrade Godwin, "'Homosexuals Should Repent and Turn to God'—Pastor Adeboye," *Daily Post* (Nigeria), January 22, 2013, <https://dailypost.ng/2013/01/22/homosexuals-should-repent-and-turn-to-god-pastor-adeboye/>.

68 Alvaré, "Religious Freedom," 476.

69 In South Africa, for example, the white minority population is often accused of hate speech against the black majority population. Also, in colonial Africa, the European minority used hate speech against the majority indigenous populations. A minority group is not necessarily a vulnerable group and vice versa.

70 Jeremy Waldron, *The Harm in Hate Speech* (Cambridge, MA: Harvard University Press, 2012), 100.

71 Waldron, *The Harm in Hate Speech*, 8–9.

African communities.⁷² Excluding the targeted group from such public goods damages the group, whether or not the speaker thinks so or intended it.

In a democratic society characterized by openness, transparency, and inclusivity, hate speech and related gestures do the most harm to the social fabric that drives inclusive governance and living. Singling out individuals based on sexual preferences undermines the equal dignity of citizens. In the context of same-sex debates in Nigeria where LGBTQI persons are accused of being likely to cause an apocalyptic end to the world and are believed to be responsible for poverty, barrenness, and hatred among communities, hate speech may also have the added attributes of intending or causing intense humiliation, severe ridicule, or serious contempt for the LGBTQI community. The depiction of LGBTQI persons as likely to ruin human existence is, without a doubt, a form of abusing and insulting a minority group justified because of religious doctrines and conviction. Depicting LGBTQI people in a negative light and with pejorative images (as some Pentecostal leaders do in Nigeria and elsewhere in Africa) tends to produce intense disgust and discrimination against the gay community, which may lead to physical assault or even fatality.

The descriptions of homosexual persons as lower than animals in rank or as individuals driving the world to extinction impinge on their self-worth and dignity, justifying discrimination and humiliation of gay persons. Particularly as persons who supposedly embrace a lifestyle that is contrary to “the will of the creator” and so is beyond repentance, forgiveness, or redemption—as the Redeemed Christian Church of God teaches—gays become persons of perdition. The claim by Adeboye that homosexuality, if permitted and accepted, would extinguish humanity in twenty short years, as impossible as it is to prove or support with verifiable facts, establishes a negative association between homosexuality and humanity. The repetitive mention of the “vileness” and “evilness” of gay culture, as being unnatural, un-African, un-Nigerian, anti-children, and ultimately anti-life, serves to enhance the anxiety and alarm of the audiences to which such claims are addressed. The power of Adeboye is that he presents himself as a person who has a direct and oracular access to the mind of a deity, hence, he persuades his hearers of the veracity of his assertions. It is likely, therefore, that the power and influence of Adeboye’s argument, combined with the acute absence of legal protections of citizenship rights, may subject gays to public abuse and ridicule as events have shown in the aftermath of the passage of the anti-gay law. But, it should be noted that this is not simply because of Pentecostal anti-gay rhetoric; rather, the cumulative effect of many discourses about homosexuality in Nigeria, along with the law itself, has emboldened those opposed to the LGBTQI community.

Some Pentecostal leaders have argued that their positions on and descriptions of homosexuality and same-sex marriage are consistent with the doctrines, faith, culture, and belief systems to which they subscribe—that is, evangelical Christianity and African cultures. Therefore, to be consistent with their belief system, and their constitutionally guaranteed freedom to publicly teach and transmit their doctrines of faith, they need to communicate the positions of their faith traditions on such sensitive issues to their followers and fellow believers. Maintaining these cognitive propositions and publicly expressing them is consistent with the protected rights to freedom of religious exercise, which include the freedom of speech within which some locate the rights to describe LGBTQI persons and their lives in the manner that these leaders have done. But they hardly speak for all Christians. There is, however, a huge difference between Nigerian Pentecostal discourses on and framing of same-sex relationships and how the Nigerian Catholic hierarchy has expressed its position on same-sex unions and the anti-gay law of 2014.

72 Okot p'Bitek, *African Religions in Western Scholarship* (Nairobi: East African Literature Bureau, 1970), 20.

The Catholic Bishops Conference of Nigeria, through its president, the Most Reverend Ignatius Ayau Kaigama, and secretary, William Avenya, released a document justifying its stand against homosexuality and support for the anti-gay law. In the document, the conference said that same-sex unions or marriages are alien to Nigerian culture and against the natural law of creation. Further, the 2014 law was designed, in the opinion of the conference, to protect the “sanctity of marriage and family life . . . [since] marriage must be *between a man and a woman*, in accordance with our cultural and religious norms” and also to stymie global gay movements, powerful and wealthy lobbyists, and pressure from wealthy Western governments.⁷³ Speaking at the conference “Health Care and Catholic Moral Teaching,” six weeks after the signing of the anti-gay bill into law, Kaigama told his audience that “In Africa, whether it is about population control, use of condoms, homosexuality, sometimes the views of the West are forced down the throats of Africans through financial inducement. Africans must not be copy cats, believing that whatever comes from the West is ideal . . . We must not be swallowed up by the tyrannical imposition of some governments or international nongovernmental organizations who wish to dictate the moral trend of the world based on their secular values.”⁷⁴

The Catholic framing of same-sex relationships, therefore, is seen as a matter of external imposition, with financial inducement by Western governments and advocacy groups. This external pressure or intervention makes it important for Nigeria to take action that preserves the sanctity of the family as the base unit for both human reproduction and the church and to be faithful in preserving the religious and cultural heritage of Nigerians. The Catholic stance refrains from calling homosexuals and lesbians evil or beastly or even shameful; rather, it emphasizes the need to protect family structures and resist external pressures on domestic morality. For the Catholic bishops, gays have “erred” and need to be “helped unto salvation” rather than punished and jailed.⁷⁵ By focusing on and emphasizing structures and themes rather than persons, the Catholic Bishops Conference of Nigeria avoids the charge of overt incitement to hate or humiliation of LGBTQI people as a minority sexual group, unlike the Pentecostal depiction of the LGBTQI community as an agent of apocalyptic moral annihilation and Armageddon. However, it is important to highlight here that the Catholic position, just like the Pentecostal one, has the capacity, even potential, to incite hearers or readers to intolerance and exclusionary behavior.

Central to hate speech and the limit to free speech, therefore, is an incitement to hate or harm of a person or persons based on certain attributes such as ethnicity, sexual orientation, nationality, or skin color. It is a form of extreme speech capable of inciting or provoking violence—verbal, emotional, social, or even physical. The harm in hate speech lies in its capacity, even potentiality, to incite hearers or readers to intolerance and exclusionary behavior. The Pentecostal framing of same-sex relationships, while disapproving of such lifestyle as inconsistent with scriptural prescriptions, goes beyond disavowal to include a wider ramification of consequences for such choices. The harm in such descriptions may transcend the words used and may be in the authority or assumed expertise of the persons providing such descriptions. Religious leaders such as Adeboye or Akinola

73 Chris N. Anyanwu, “Nigerian Catholic Bishops Take a Swipe at Media Misrepresentation,” Vatican Radio, September 28, 2015, http://en.radiovaticana.va/news/2015/09/28/nigerian_bishops_conference_against_media_misrepresentations/1175390 (emphasis in the original). Ignatius Kaigama and William Avenya, “Our Stand on Marriage, Family and Human Society,” Catholic Bishops Conference of Nigeria, accessed December 8, 2020, <https://www.cbcn-ng.org/docs/g20.pdf>.

74 Catholic Bishops Conference of Nigeria, “Critics of Catholic Church Are Prejudiced and Ignorant—Archbishop Kaigama,” February 7, 2014, <https://cbcng.org/newsdetail.php?tab=298>; Chris N. Anyanwu, “Still on Same-Sex Union and the Stand of the Catholic Bishops’ Conference of Nigeria,” Nigeria World, September 28, 2015, <https://nigeriaworld.com/articles/2015/sep/286.html>.

75 Sean Smith, “We Do Not Advocate Punishing Gays, Say Nigerian Bishops,” *The Tablet*, October 1, 2015, <http://www.thetablet.co.uk/news/2728/o/we-do-not-advocate-punishing-gays-say-nigerian-bishops>.

have a special type of authority that often resists public scrutiny because it is encrusted in the (inaccessible) power, privilege, and mind of a metaphysical entity or divinity. In such an authority structure, the religious leader is perceived to be expressing not just his views or opinion on a theme but the mind and views of a higher power, God.

In the case of Adeboye, being a nationally and internationally respected and popular leader of the most popular and largest Pentecostal organization in Nigeria lends more gravitas to what he says. For many decades, he has positioned and constructed his public authority on his (assumed) direct and immediate access to the mind of God, whom he fondly calls “my Daddy” and for whom he is a mouthpiece and spokesperson. According to J. D. Y. Peel, “Adeboye has unquestioned authority . . . his utterances being regarded as the equivalent of direct messages from God—whom he often refers to as ‘Daddy’—and his visionary revelations as absolutely normative.”⁷⁶ Sarah Sorial makes a similar point that “speakers with perceived expertise are able to secure uptake for their views.”⁷⁷ The harm in the Pentecostal public framing of gays and lesbians, their opposition to same-sex relationships, and their support for the criminalization of such relationships is not in publicly stating the position as an interpretation of Christian faith, but in the subtle ways in which such views may influence, justify, and incite many of their followers or hearers to acts of intimidation, intolerance, and exclusion of vulnerable groups, whether or not the speakers intended it. With sophisticated skills, and access to large and varied audiences nationally and internationally, Adeboye’s framing of same-sex relationships may cause more harm than the extreme speech act of some lesser-known persons who lack his kind of skills, access to audiences, and authority status. His identity and status as a trusted, established religious personality lends his words and statements normative power. Such absolute normativity may impose subtle, sometimes even overt, moral and institutional obligations on the entire global leadership structure of the Redeemed Christian Church of God, over which he presides, on the followership and members of the church, and on the Pentecostal community within and outside Nigeria, which recognizes and privileges his authority as close to scriptural prescriptivity. The problem with the Pentecostal framing of same-sex relationships goes beyond the authority of the Pentecostal spokespersons producing these descriptions of the gay community—it further impinges on the contested nature of the constitutional guarantees of free speech (CFRN, 1999, section 39(1))⁷⁸ and religious speech (framed constitutionally as “freedom . . . to propagate [one’s] religion or belief, worship, teaching, practice and observance” (CFRN, 1999, section 38(1)). More importantly, perhaps, are its repercussions on the articulation of (religious) citizenship (an issue that is treated elsewhere⁷⁹).

CONCLUSION

Nigeria, like many African countries, does not have a law on hate speech. The concept of hate speech, however, is alien to neither popular discourse nor political speech and practice. In fact,

76 J. D. Y. Peel, foreword to Ukah, *A New Paradigm of Pentecostal Power*, xix–xxiv, at xxiii. It is ironic to observe how Adeboye’s habit of routinely calling God his “Daddy” would signify as “gay” in stereotypical evaluations of popular rhetoric.

77 Sarah Sorial, “Free Speech, Hate Speech, and the Problem of (Manufactured) Authority,” *Canadian Journal of Law and Society* 29, no. 1 (2013): 59–75, at 59.

78 “Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference.”

79 Asonzeh Ukah, “Vox Die, Vox Populi: Pentecostal Citizenship and Political Participation in Nigeria since 1999,” in *Christian Citizenship and the Moral Regeneration of the African State: Locating the Relationship between Religion, Society and Political Transformation in Africa*, ed. Barbara Bompani and Caroline Valois (Farnham: Ashgate, 2018), 35–48.

during the 2015 general elections, hate speech became a veritable public point of discussion. The state recognizes that there exists a type of speech that demeans a person or persons based on their social identifiers such as race or ethnicity, sex, or religious affiliation such that they are predisposed to public abuse and violence or the threat thereof. The current political administration of Muhammadu Buhari threatens to prosecute those who may engage in hate speech under the anti-terrorism act.⁸⁰ The problem with this, however, is that the government and its agents are free to categorize whatever they disagree with as hate speech and proceed to prosecute opponents of government as “speech terrorists.”⁸¹ While hate speech is a negative and extreme public speech use, it becomes a plank with which to persecute perceived or real opponents of the state. Likewise, the 2014 anti-homosexual law has become a stratagem to harass and intimidate, even torture and kill, some persons based on their non-mainstream sexuality. It is ironic that a law that many prominent personalities and leaders of organizations supported to maintain public morality, social order, and stable institutions such as the family and marriage has in its wake brought so much acrimony, violence (verbal and physical), and ultimately fractured the society into excluded groups and included and tolerated groups.

In February 2018, Aliyu Sabi Abdullahi of the ruling All Progressive Congress in the Nigerian Senate introduced a new bill against hate speech. The bill, titled “National Commission for the Prohibition of Hate Speech Bill” was revised and resubmitted in the senate where it passed the first reading in November 2019. According to this bill, the offense of hate speech occurs when “A person who uses, publishes, presents, produces, plays, provides, distributes and/or directs the performance of any material, written and/or visual, which is threatening, abusive or insulting or involves the use of threatening, abusive or insulting words or behavior commits an offence if such person intends thereby to stir up ethnic hatred, or having regard to all the circumstances, ethnic hatred is likely to be stirred up against any person or person from such an ethnic group in Nigeria.”⁸² Such a person would violate another “person’s dignity or [create] an intimidating, hostile, degrading, humiliating or offensive environment for the person subjected to the harassment.”⁸³ The bill recommends the establishment of a National Commission for Hate Speech to enforce the law as well as a five-year jail term or a fine of ₦10 million (USD 27,500) or both for anyone convicted of hate speech under the law. Furthermore, a fatality due to hate speech carries a death sentence by hanging.⁸⁴ The law proposed here is draconian, an indication of the seriousness of the problem that it is designed to tackle. Such a bill also recognizes the intense and precipitous discursive environment to which Pentecostal rhetoric, among other social and political events, has in part contributed in no small measure.⁸⁵

80 See Abimbola Adelokun, editorial, “But, What Exactly is Hate Speech?,” *Punch* (Lagos), August 31, 2017, <https://punchng.com/but-what-exactly-is-hate-speech/>.

81 Olalekan Adetayo, “Osinbajo Declares Hate Speech as Terrorism,” *Punch* (Lagos), August 17, 2017, <https://punchng.com/breaking-osinbajo-declares-hate-speech-as-terrorism/>.

82 National Commission for the Prohibition of Hate Speech (Est, etc) Bill, 2019 (SB.154), § 4(1), p. 6. This quotation and all subsequent citations are from the 2019 revised bill (available at <https://media.premiumtimesng.com/wp-content/files/2019/11/National-Commission-of-Prohibition-of-Hate-Speeches-Bill-2019-1.pdf>), hereafter cited as Nigeria’s Hate Speech Bill, 2019.

83 Nigeria’s Hate Speech Bill, 2019, § 5(1)(b).

84 Nigeria’s Hate Speech Bill, 2019, § 4(2).

85 Asonzeh Ukah, “Africa and Free/Hate Speech,” *The Immanent Frame*, January 4, 2019, <https://tif.ssrc.org/2019/01/04/africa-and-free-hate-speech/>; Nicholas Asogwa and Christian Ezeibe, “The State, Hate Speech Regulation and Sustainable Democracy in Africa: A Study of Nigeria and Kenya,” *African Identities* (2020), 1–16. Published ahead of print, <https://doi.org/10.1080/14725843.2020.1813548>.

Undergirding the Pentecostal discourse on homosexuality is an appeal to a rigid and unchanging nature of human sexuality and biology. The problem with this understanding is its lack of fluidity and the changing social meaning of personhood and sexuality. This failure, framed as upholding religious norms and public morality, in practice produces social intolerance of diversity, inclusivity, and difference. In a plural, secular (even though multireligious), and democratic society and nation-state like Nigeria, the unequal power and domination of religiously informed sexual heteronormativity and its consequences for unbridled extreme forms of speech acts need unpacking and interrogation. Hate speech as a subset of extreme speech harms a fluid, inclusive understanding and performance of the rights and obligations of citizenship. The association of same-sex relationships with an apocalyptic end of humanity has the potential to encourage the vilification and discrimination of minority groups based on sexual orientation. In this sense, it may compromise the public good of equal citizenship and social respect; it may also produce and justify public ridicule, disdain, scorn, and social contempt of the gay and lesbian community. Extreme speech is an instrument at the disposal of an increasingly powerful and assertive Pentecostal community to contest citizenship, sexualities, and identities. Mischaracterizing hate speech as free speech protected under the freedom of religious expression clause does more harm to the stability of the Nigerian society characterized by a plurality of faiths, lifestyles, sexualities, and cultures. To deal with such possible social harm, it is important to critically scrutinize the public speech activities of religious and political leaders whose public profiles earn them large public followings.

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