
Freedom in the Context of Human Rights: A Christian Ethical Response to Transgenderism in the Nigerian Church

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ABSTRACT

Freedom and human rights are fundamental to every existing human being. These phenomena got their origin from the fact that God created humanity in His image and likeness (Gen. 1:26) and so, they are as old as humanity and their recognitions since antiquity. Freedom and rights entails that man has the volition to choose what to do with his life. This freedom however got tainted as a result of the 'Fall,' which consequently made many people in history to consider gender reassignment also known as "transgenderism". Hence, this discourse focused on transgenderism in a context where people are claiming freedom and human right, and what the response of the Nigeria church should be is such a situation. In doing this, the concept of freedom and human rights and history of transgenderism were extensively explored. The paper noted that two categories of transgender exists, viz; transgender by birth and transgender by surgical aid. Besides, the paper advocated that the church in Nigeria should respond positively in love to transgendered people by birth and to vehemently stand against the mutilation and damage God's creation through gender reassignment holding that it is an expression of ingratitude to God, and any freedom and right outside God's plan and order is not freedom and right at all. Lastly, perhaps there are surgically transgendered people who are ready to receive Christ as Lord and savior; the Nigerian church should open her arms because Christ too would do nothing less.

Keywords: Freedom, human rights, Christian, ethical response, transgenderism, and Nigerian church.

INTRODUCTION

Man, in the image of God is the premise upon which human freedom and human rights are built. This freedom with which man was created however led him into a resort to erase the moral uprightness which God had impressed on his nature and this is what brought about man's every attempt to mar God's ordained standard for the man he created. This choice which resulted to the fallen nature of man has engineered numerous moral and ethical abnormalities which the world is still battling with in a trial to offer the right responses. A few among these issues are abortion,³⁸³ euthanasia,³⁸⁴ homosexuality,³⁸⁵ divorce and remarriage,³⁸⁶

³⁸³ Abortion refers to the termination of a pregnancy by removal or expulsion of an embryo or fetus. An abortion that occurs without intervention is known as a miscarriage or "spontaneous abortion,"

³⁸⁴ Euthanasia refers to the deliberate killing of a person suffering an illness believed to be terminal, ostensibly out of mercy. The popular terminology used for this phenomenon is "mercy killing." See; John Jefferson Davis, *Evangelical Ethics: Issues Facing the Church Today* 2nd Edition (New Jersey: P&R Publishers, 1993), 168.

³⁸⁵ Homosexuality is defined by Judd Marmor as "a definite preferential erotic attraction to members of the sex and who usually (but not necessarily) engages in overt sexual relations with them." Homosexuality is a very ancient phenomenon, being evident in prehistoric art and literature of Greece and ancient Roman societies. See; Judd Marmor, ed., *Homosexual Behavior: A Modern Reappraisal* (New York: Basic Books, 1980), 5.

³⁸⁶ Divorce and remarriage are also known and familiar concepts, they have to do with marriage consummation, termination and "re-consummation."

transgenderism,³⁸⁷ honor killing,³⁸⁸ and so on.

These ethical issues have gained an unquantifiable space in the pages of history and scholarship domains. This comes as a consequence of the reality that they inevitably have to do with human life. Furthermore, these ethical concerns have created uncontrolled dilemmas in human society as a result of the emergence, reemergence, or discovery and recognition (the use of these words is deliberate) of “freedom and human rights.” On the one hand, freedom and human rights are fundamental in upholding the dignity of humanity, but on the other hand, these phenomena are problematic because they are tainted by the erroneous use of human will as evident in human history. Yet, questions surrounding these issues have never been left unattended. Many people in history have tried addressing these

³⁸⁷ As we talk about transgenderism, I want us to ask ourselves a question; what do the terms *man* and *woman* mean and what determines reality: Fact or feelings? One thinks that outward appearance is not the only thing that makes a person a male or female. In creation, God making humanity male and female does not only constitute the physical material body, rather every aspect of humanity both the psyche, the body mind and the expression. Hence people who engage in transgender, they only change the body, but the psyche and expression cannot be changed, but they (the surgically made transgender people) can only pretend and assume the role of the gender reassigned to, but in reality they cannot be totally transformed to the gender which is not theirs from birth.

³⁸⁸ Honor killing is one of the most severe and violent crimes against women (Gill, 2006). It is the murder of a girl or woman by her family members (such as her father, mother, brothers, uncles, or grandparents) or sometimes community members because of her disapproved sexual behavior (Kogacioglu, 2004; Siddiqui, 2005). Honor killing is a particularly harmful and disturbing form of the control over women's behavior. It has been taking place for thousands of years, and continues to be practiced globally, particularly, but not exclusively, amongst communities in or from Southeast Asian, Middle Eastern, and Mediterranean countries. For adequate and scholarly discussion on this matter, see; Arash Heydari *et al.*, “Honor Killing as a Dark Side of Modernity: Prevalence, Common Discourses and a Critical View” *Journal of Social Science Information* Vol. 60 No. 1 (2021): 86-106. Kogacioglu D “The tradition effect: Framing honor crimes in Turkey. Differences” *A Journal of Feminist Cultural Studies* 15(2) (2004): 119–151. Siddiqui H, There is no ‘Honor’ in Domestic Violence only Shame! Women's Struggles Against ‘Honor’ Crimes in the UK. In: Welchman L, Hossain S (eds) ‘Honor’: Crimes, Paradigms, and Violence Against Women. (London: Zed Book, 2005): 263–307.

ethical matters using diverse approaches being optimistic that solutions would be proffered, and the problems dwindled.³⁸⁹ Those from the theological setting used theological approaches, while others from the secular settings gave secular perspectives to the issues. However, most of the discourses surrounding these issues as offered by Christian theologians revolve around the questions: What does the LORD require of man on these ethical issues?³⁹⁰ What would be the best way of responding to these issues without violating the dictates of scripture? And if Jesus were in the same shoe, what would he do? Therefore, it is in addition to the already existing body of literature on these ethical concerns that this paper is out to use Christian ethical approach in responding to transgenderism in the contemporary Nigeria in the context of freedom and human rights. Nonetheless, before we get into the heart of our discourse, let's take a look at the history and theories of freedom and human rights.

HISTORICAL DEVELOPMENT AND THEORIES³⁹¹ OF FREEDOM AND HUMAN RIGHTS

Freedom and human rights are intertwined; where human rights exist freedom is inevitably found. To define this concepts however, the Universal Declaration of Human Rights explains human rights as “rights derived from the inherent dignity of the human person.”³⁹² Similarly, Durga Das Basu sees human

³⁸⁹ The ethical problems facing humanity in this broken world can never be solved by the same humanity. In fact, as humanity tries to address and solve some, others are being created instead. But it is believed that these problems have an end in the *eschaton* (last days) meaning that they would certain be over when Christ returns.

³⁹⁰ This question was used as a title of a book authored by Walter C. Kaiser Jr., *What Does the LORD Require? A Guide for Preaching and Teaching Biblical Ethics* (Grand Rapids, Michigan: Baker Books, 2009).

³⁹¹ For theories on human rights and freedom, kindly see; Singh, *Human Rights*, 18-27, Andreas Follesdal, *Theories of Human Rights: Political or Orthodox-Why it Matters* (Cambridge: Cambridge University Press, 2017), 77-96.

³⁹² United Nations, “Universal Declaration of Human Rights” Illustrated edition 2015. The universal declaration of human rights was approved by

rights as “those minimal rights, which every individual must have against the State, or other public authority, by virtue of his being a member of human family irrespective of any consideration.”³⁹³ In other words, human rights refer to fundamental inalienable rights which are so essential to life as human beings. Human rights are referred to fundamental in the absence of which one cannot live as human being. Human rights define relationships between individuals and power structure, especially the State.³⁹⁴ Debates on this subject of freedom and human rights have occupied a significant space in academic and scholarly work, and they are thought of by many people both literate and illiterate.³⁹⁵ These discourses most often than not revolve around advocacies against the victimizers of the victims of freedom and human rights deprivation and some are to enlighten the populace concerning their rights as human beings. Interestingly, the concept of human rights acknowledges that every single human being is entitled to enjoy his or her freedom and human rights without distinction as to race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

It becomes imperative however to glance through the pages of history in order to excavate the historical development of these concepts which would unquestionably enlighten us of its evolution, magnitude or extent and its significance. From the onset, one disagrees with the assertion of David Chadler concerning the historical development of human rights when he articulates that “the concept of human rights is the result of the long evolution of philosophical, political, legal and social-

the United Nations general assembly in Paris December 10, 1948. The declaration is a statement of principles approved as a common standard of achievement for all people and nations. It is not a treaty and therefore imposes no legal obligations

³⁹³ Durga Das Basu, *Human Rights in Constitutional Law* (Wahwa, 2005), 10.

³⁹⁴ Baljit Singh *et al.*, *Human Rights* (Jammu: University of Jammu Printing Press, 2021), 3.

³⁹⁵ I use these terms to refer to formal education knowing fully well that in the real sense of knowing, no one is an illiterate, but only depending on what one is expected to know concerning a particular subject matter.

reflection inseparably connected to the social-democratic tradition.”³⁹⁶ My objection is simply because Chadler thinks that the concepts of human rights evolved after enlightenment in the 18th century and that it is a byproduct of philosophical thought which is manifested in political, legal, self-reflection and social-democratic traditions. On the contrary to Chadler’s submission, the words of Singh *et al.*, become affirmative at this point, thus; “as a social phenomenon, human rights have their origin in antiquity. As a legal phenomenon, human rights have origins in the natural law doctrine, starting from the idea that humans, by their own nature, anywhere and anytime have rights that are previous and primary to the one assigned by the society and admitted by the natural law.”³⁹⁷ These words are indeed profound when tracing the origin of the concepts of human rights. Singh *et al.*, considered different perspectives in discussing these concepts, and so, human rights as it has to do with living together, communal life and collective human engagements can be traced to ancient times, but when it is seen as a legal phenomenon, it can be traced to the natural law doctrine. By this, Singh *et al.*, refer to the fact that human rights initiated from nature, and it is from this idea that we get the concepts of “natural rights” which is traced to the Greeks.³⁹⁸ Aristotle was the first person among the Greek philosophers in asserting the idea of natural law in his work on politics. And according to him, by nature human beings do not differ and the Christian philosophers of the Middle Ages also tried to develop ideas about the condition of human equality starting from the Decalogue with 10 commands arguing that it expresses the equality of human beings regardless of any affiliation.³⁹⁹ Furthermore, the natural law that Singh talks about refers to

³⁹⁶ David Chadler (ed.), *Rethinking Human Rights Critical Approaches to International Politics* (Palgrave Mac Millan, 2002), 34.

³⁹⁷ Baljit Singh *et al.*, *Human Rights*, 9.

³⁹⁸ Gregory J. Walter, *Human Rights in Theory and Practice: A Selected and Annotated Bibliography*, with an Historical Introduction (New Jersey: Scarecrow Press, 1995), 2.

³⁹⁹ Walter, *Human Rights in Theory and Practice*, 10.

the law of God and many philosophers even though did not expressly termed it as such, referred to it as the law which provide humanity with the rights that predate any other human institutions that is considered to be saddled with the obligation of underscoring, outlining and protecting human rights.

However, one thinks that the early Christian philosophers did not do well in allowing the secular philosophers to dominate the discourses concerning the origin of human rights by not doing a thorough biblical/theological investigation. Consequently, some human rights historians have suggested that there is no notion of human rights in the Bible. Debating that the Hebrew Bible has no knowledge of the natural rights, since “where there is no philosophy, there is no knowledge of natural right as such, and the idea of natural right that the individual can demand of society or government is entirely absent from the Bible.⁴⁰⁰ We know that the Bible presents God as the one who is active, the one who provides “rights” and human beings receive God’s righteousness –hence “right” as a gift.⁴⁰¹ Therefore, exploring the origin of “human rights” from the biblical perspective would eventually help us realize that “in the biblical tradition individuals drive their human dignity through God’s creation and liberating activity in history.”⁴⁰² It is with this perspective in mind that Holms believes that rights are not socially accorded but God-given. They may be essential to human community of moral agents, but it is God who in the first place made us responsible agents to live together in community.⁴⁰³ God purposed from creation that humanity has rights and that is why he created humanity in His own image and likeness. As such, created by God in God’s image, human persons mirror God himself, our personhood reflecting the nature of God, our

⁴⁰⁰ Milton R. Konvitz, ed., *Judaism and Human Rights* (New York: W.W. Norton, 1972), 16.

⁴⁰¹ Walter, *Human Rights in Theory and Practice*, 3.

⁴⁰² Robert Meister, *After Evil: A Politics of Human Rights* (Columbia: Columbia University Press, 2010).

⁴⁰³ Arthur F. Holmes, *Ethics: Approaching Moral Decisions* (Downers Grove, Illinois: Inter Varsity Press, 1984), 85.

individuality and relationships and activities. God values us as his own creatures, but also as persons. This therefore, calls our attention to the need to treat a person as person, to respect his/her rights as a person, and by so doing, respects both God's handiwork and God himself. This further means that to abuse a person, to violate his/her rights, is to disrespect God and depreciate his image in the person He created.⁴⁰⁴

At this point, the question that we need to respond to is; what is the extent of these human rights as endowed by God? On this, Holmes reasons that knowing the right response to this question centers on our knowledge on what is essential to being a human person.⁴⁰⁵ John Locke in his "Essays on the Law of Nature" highlights three natural rights that every human person receives from creation, these are: life, liberty and property. These he identified as essential to personal existence. He further explained that the right to life obviously is prerequisite to all else . . . the right to liberty respects the self-determination of one endowed with the capacity for deliberation and free choice. The right to property means that the fruit of one's labor should meet basic needs and sustains a human quality of life.⁴⁰⁶ Apparently, these basic natural rights outlined by Locke are thoughtful and any other rights that others may talk about could just be supplementary or further elucidation, because God has endowed us with these rights in making us the human persons we are since they are given by God; they are universal and unchangeable, they are indivisible, interrelated and interdependent.⁴⁰⁷ Nonetheless, it should be noted that in

⁴⁰⁴ Holmes, *Ethic*, 80.

⁴⁰⁵ Holmes, *Ethic*, 86.

⁴⁰⁶ John Locke, *Essays of the Law of Nature*, ed. W. von Leyden (London: Oxford University Press, 1948), 65.

⁴⁰⁷ Human Rights are indivisible and interdependent. Because each human right entails and depends on other human rights, violating one such right affects the exercise of other human rights. For example, the right to life presupposes respect for the right to food and to an adequate standard of living. The right to be elected to public office implies access to basic education. The defense of economic and social rights presupposes freedom of expression, of assembly and of association.

each case our rights are limited by the rights of others because we have to respect other's lives, other's liberty and other's properties.

HISTORICAL DEVELOPMENT OF TRANSGENDERISM

In recent times, the subject of transgender and sexually related issues have received abundant attention and occupied a large space in the pages of academic books and public fora. Interestingly, most of these current discussions have centered on the public accommodation and the rights of transgender people battling to get recognition in the public space and be respected as humans. Some of the critiques of transgender people and their advocates argue that the public is giving too much attention to a new group of people who just came into reality lately. On the contrary, this notion of late advent of the transgender as a phenomenon is a judgment that disregards the historical perspective. In debunking the above ideology, Avery Martens declares that “transgender people have always been around throughout all of human history! . . . Transgender people have existed for as long as humans have been around . . . in fact, throughout the majority of human history we have recognized more than two genders.”⁴⁰⁸

Before going any further, it is salient to have a comprehensive definition of this term “transgender,” and its different facets even though the term eludes cohesive definition. Jacob John in an attempt to define this concept holds that the term ‘trans’ refers to people whose internal sense of their gender differs from the sex assigned at birth. For instance, an individual born female who identifies as male is a trans man and a person born male who identifies as female is a trans woman.⁴⁰⁹ Transgender

⁴⁰⁸ Avery Martens, “Transgender People have Always Existed” *American Civil Liberty Union* (June, 2016).
<https://www.acluohio.org/en/news/transgender-people-have-always-existed> accessed 18/05/2023.

⁴⁰⁹ Jacob John, “Study on Human Rights of Transgender as a Third Gender” *Kerala Development Society* (February, 2017) retrieved May 19, 2023 from www.kdsonline.org.

includes pre-operative, post-operative and operative transsexual people who strongly identify with gender opposite to their biological sex.⁴¹⁰ This in other words means that transgender include people who were born as transgender without any surgical operation, and it also includes those who were made transgender through operation.⁴¹¹ Transgender covers all categories including female to male transgender, Female-to-Male Transsexual (FTM) people are born with female bodies, but have a predominantly male gender identity. Male-to-Female Transsexual (MTF) people are born with male bodies, but have a female gender identity. Many, but not all, transsexual people undergo medical treatment to change their physical sex through hormone therapy and sex reassignment surgeries.⁴¹²

Fascinatingly, from the first time of hearing the term “transgender,” many people quickly think of people who undergo surgical operations through which their gender identities are changed. And this becomes the dominant misconception that this term has suffered from for a long time. Hence, as a consequence of this fallacy, the thought of transgender as a recent development has controlled the narrative. In reality, even though there are several such cases, that is not always the case. Now, to correct the error that transgender refers only to people who have a change of gender identity through surgical operations, it is good to note that “The existence of transgender cannot be grilled but can only be-

⁴¹⁰ UNDP, “From Margin to Mainstream-Third Gender Leadership Development Projects Reports” UMMEED (December, 2012), 43.

⁴¹¹ For a good and comprehensive discourse on transgender people who transitioned through surgical operation, see; National Center for Transgender Equality, “Understanding Transfer: Frequently Asked Questions about Transgender People” (Massachusetts, Washington DC, 2009) retrieved from www.ncequality.org 19/05/2023.

⁴¹² Douglas Sanders, *Third Sex Identities and Transgender Rights: Policies in Asia and the West* Originally Prepared for South Asia LGBTI Partnership Building Workshop (Napel: Lathmandul Press, 2008), 4.

thought-out as the volition of God.”⁴¹³ This means that there are people in fact uncountable people who were created as transgendered-people by God himself. In line with this, John further observes that “transgender people have existed in every society, nation, culture and class since ancient times . . .”⁴¹⁴ and that transgender people have always been visible.⁴¹⁵

Accepting the above notion, it would be accurate to say that transgender people including non-binary⁴¹⁶ and third gender people⁴¹⁷ have existed in culture worldwide since ancient times. But the modern terms and meaning of “transgender,” “gender,” “gender identity,” and “gender role” only emerged in the 1950s and 1960s. And consequently, opinions vary on how to categorize the historical accounts of transgender, gender variant people and identities. Conforming to this, Preeti Sharma agrees that the contemporary term “transgender” arose in the mid-1990s from the grassroots community of gender-different people. This is as a result of the fact that transgender encompasses anyone whose identity or behavior falls outside of stereotypical gender norms.⁴¹⁸

However, transgender is said to have been found in the ancient Sumerian and Akkadian texts from 4, 500 years ago which

⁴¹³ Sugyanta Priyadarshini, “Life of Transgender in Ethical Milieu: A Study of Selected Transgender of Bhubaneswar, India” *Academic Journal of Interdisciplinary Studies* Vol. 9 No. 4 (July 2020): 125-132.

⁴¹⁴ John, “Study on Human Rights, 1.

⁴¹⁵ Martens, “Transgender.”

⁴¹⁶ Non-binary people may identify as an intermediate or separate third gender, identify with more than one gender, one gender, no gender or have a fluctuating gender identity. Gender identity is separate from sexual or romantic orientation: nonbinary people have various sexual orientations.

⁴¹⁷ Third gender is a concept in which individuals are categorized, either by themselves or by society, as neither man nor woman. It is also a social category present in societies that recognize three or more genders.

⁴¹⁸ Preeti Sharma, “Historical Background and Legal Status of Third Gender in Indian Society” *IJRESS* Vol. 2, Issue 12 (December, 2012): 32-45.

documented priests known as *gala*⁴¹⁹ who are said to have being transgender in ancient Greece, Phrgia, and Rome, there were *galli* priests what some scholars believe to have been trans women.⁴²⁰ These *galli* priests crossed gender boundaries in their worship of a variety of goddesses in ancient Sumer and Greece.⁴²¹⁴²² Furthermore, Roman emperor Elagabalus (222 AD) preferred to be called a lady (rather than a lord) and sought sex reassignment surgery, and in the modern day has been seen as a trans figure. Similarly, Hijras on the Indian subcontinent and Katoey in Thailand have formed trans-feminine third gender social and spiritual communities since ancient times, with their presence documented for thousands of years in text which also mention trans male figures. And so, today, at least half a million *Hijras* live in India and another half a million in Bangladesh legally recognized as a third gender, and many trans people are accepted in Thailand. In Arabia, *khanith* today (like earlier *mukhannathun*) fulfill a third gender role attested since the AD 600s. In Africa, many societies have traditional roles for trans women and trans men, some of which survive in the modern era. In the Americas prior to European colonization, as well as in some contemporary North American Indigenous cultures, there are social and ceremonial roles for third

⁴¹⁹ The *Gala* (Akkadian: *kalû*) were priests of the Sumerian goddess Inanna, significant numbers of the personnel of both temples and palaces, the central institutions of Mesopotamian city states, individuals with neither male nor female gender identities. For more information on this, kindly see; Will Roscoe, "Priest of the Goddess: Gender Transgression in Ancient Religion" *History of Religions* Vol. 35, No. 3 (Feb., 1996): 195-230. Retrieved from <https://www.jstor.org/stable/1062813> on 21st May, 2023.

⁴²⁰ Bachvarova, Mary R. "Sumerian *Gala* Priests and Eastern Mediterranean Returning Gods." In: *Lament: Studies in the Ancient Mediterranean and Beyond*, ed. by Ann Suter, (Oxford: Oxford University Press, 2008), 54.

⁴²¹ Susan-Stryker, "Transgender History," Second edition (<https://www.sealpress.com/titles/susan-stryker/transgender-history-second-edition/9781580056908/>) . Seal Press. Seal Press. 27 June 2017.

⁴²² Erin Blakemore, How historians are documenting the lives of transgender people June, 2022. <https://www.nationalgeographic.com/history/article/how-historians-are-documenting-lives-of-transgender-people>

gender people, or those whose gender expression transforms, such as the Navajo *nádleehi* or the *Zunilhamana*.⁴²³

Janssen F. Diederik observes that in the Middle Ages, there are numerous accounts around Europe that document transgender people where a lament was presented by Kalonymus ben Kalonymus for being born a man instead of a woman and this has been seen as an early account of gender dysphoria. Eleanor Rykener, a male-bodied Briton arrested in 1394 while living and doing sex work dressed as a woman, has been seen as a trans woman. In the Balkans since the 1400s, female-assigned people have transitioned to live as men called sworn virgins.⁴²⁴ Even though this is not exhaustive, but they helped in attesting to the fact that transgender people have existed since ancient times and that a wide range of societies had traditionally third gender roles, or otherwise accepted trans people in some form.⁴²⁵ But it is worthy of note that these ancient accounts of transgender were not of people who changed their sex or gender through surgical operations, but they were made that way by God himself. Victoria S. Kolakowski lamenting on how transgender people are being treated opines that “they [people] fail to understand that Transgender is also a human, the creation of God.”⁴²⁶ Kolakowski lament is not my focus, but he reiterated my point when he considered transgender as also people created by God, hence not product of any surgical aid.

⁴²³ Susan Stryker, *History of Transgender People in the United States* (Seal Press, 2008), 78. 183914566 (<https://www.worldcat.org/oclc/183914566>)

⁴²⁴ Janssen F. Diederik "Transgenderism Before Gender: Nosology from the Sixteenth Through Mid-Twentieth Century". *Archives of Sexual Behavior*. 49 (5) (April 21, 2020): 1415–1425. [doi:10.1007/s10508-020-01715-w](https://doi.org/10.1007/s10508-020-01715-w).

⁴²⁵ Catherine Armstrong "[The Trans History You Weren't Taught in Schools](#)". *Yes! Magazine* (June 7, 2021). Retrieved November 17, 2022.

⁴²⁶ Victoria S. Kolakowski, “The Role of Religious Objections to Transgender and Non-binary Inclusion and Equality and/or Gender Identity Protection” *Rights and Religious Freedom* Vol. 47, No. 3/4: retrieved from https://www.americanbar.org/groups/crsj/publications/human_rights_magazine 21/05/2023.

This further confirms that transgenderism through surgical operation is a recent development, not an ancient phenomenon.

Avery Martens, in his article *“Transgender People have Always Existed”* argued that the imposition of the European ideal of gender (man, woman) was a tool of the colonization process and became the standard for gender identity as we know it today.⁴²⁷ By implication, Martens is trying to convince us that the notion of two genders as accepted by most people is an imposition by the Europeans and it was part of the colonization process which later became the universally accepted genders in almost all societies and cultures. But I think that even as Martens’ argument is not far from the truth, it would be better for us to say that Europe as a -continent with a long-term influence on world affairs propagated this notion, but they did not invent it because the core basis for many of the faith-based objections to transgender and non-binary acceptance comes from deeply ingrained theologically grounded worldviews. Certain people see humanity as having been created by a divine being who specifically created humans as male and female. This serves a reproductive purpose, and, for many, also differentiates the roles that people are expected to play in the world. To them, biological sex is divinely ordained and assigned to each person according to divine will.⁴²⁸ This divine being is God himself, and the Bible told us that “God created mankind in his own image . . . male and female he created them.” Gen. 1:27. But this does not mean we are unaware of the fact that abnormalities tempered God’s creation as a result of the fall, which transgender and bisexuality are not an exception.

A HISTORY OF TRANSGENDERISM IN AFRICA

Transgenderism is also found in many African nations since antiquity. Beginning from Ancient Egypt, research has shown

⁴²⁷ Avery Martens, “Transgender People have Always Existed” June, 2016.

⁴²⁸ Kolakowski, “The Role of Religious Objections.

that they had third gender categories, including eunuchs.⁴²⁹ In the tale of “Two Brothers” (from 3,200 years ago), *Bata* is said to have removed his penis and tell his wife “I am a woman like you,” one modern scholar called him temporarily transgendered before his body was restored.⁴³⁰ Furthermore, *Mut*, *Sekhmet* and other goddesses are sometimes represented androgynously, with erect penises and *Anat* wears clothes of the both men and women.⁴³¹⁴³² In North Africa, trans people were also marginalized and were said to only live in the shadows because of stigmatization. In countries like Morocco,⁴³³ Algeria,⁴³⁴ Tunisia,⁴³⁵ Sudan, and so on, Trans people existed but were/are pushed to the margin, in fact in some countries, trans people are subject to arrest torture and jail.⁴³⁶

West African countries are also not unaware of the existence of trans people. By the modern period, the Igbos in Nigeria like many other people has transgender roles including for females who take on male status and marry women,⁴³⁷ a practice which also exists among the Dahomey of Benin republic which has

⁴²⁹ T.G. Wilfong, "Gender and Sexuality". In Wilkinson, Toby (ed.). *The Egyptian world* (London: Routledge, 2007), 211.

⁴³⁰ Wilfong, "Gender, 211.

⁴³¹ Valerio Simini, "Cross-dressing in pharonic Egypt". In Campanile, Domitilla; Carlà-Uhink, Filippo; Facella, Margherita (eds.). *Transantiquity : cross-dressing and transgender dynamics in the ancient world*. (London. 2017), 90–91.

⁴³² *Interpreting Ancient Egyptian Narratives: A Structural Analysis of the Tale of Two Brothers*. Nouvelles Études Orientales. EME Editions. 2014.

⁴³³ "[Morocco's Transsexual Community Creates a Collective Body](#)". *Morocco World News*. February 24, 2018.

⁴³⁴ Kellou, Dorothée Myriam (December 3, 2014). "[Behind the scenes with Algeria's first LGBT magazine](#)". *The Observers*.

⁴³⁵ Morgan, Michaela (January 26, 2017). "[Tunisian teen imprisoned for being transgender](#)". *Special Broadcasting Service*.[Karakoulaki, Mirianna \(July 8, 2018\). "\[Transgender refugees in Greece reclaim their dignity\]\(#\)". *Deutsche Welle*.](#)

⁴³⁶ Feinberg, Leslie (2006). "Transgender Liberation". In Stryker, Susan; Whittle, Stephen (eds.). *The transgender studies reader*. New York: Routledge. pp. 215–216.

⁴³⁷ John C. McCall, *Dancing Histories: Heuristic Ethnography with the Ohafia Igbo* (2000)

been viewed through both transgender and homosexual lenses. In west Africa, the countries who experience trans people, such as Nigeria,⁴³⁸⁴³⁹ Ghana, Senegal, Gambia, Sierra Leone, Liberia, Mali, Ivory Coast and so on have been extremely hostile to trans people, they face discrimination, harassment, violence, abuse from society, government, media and doctors. Similar issues regarding transgender are also found in Central Africa, countries like Cameroon, Democratic Republic of Congo, Angola, in East Africa, countries like Kenya, South Sudan, Ethiopia, Uganda, and Madagascar, Southern Africa such as Botswana and South Africa. Among these nations, some considered the hostility against Trans people as the violation of their rights to dignity, privacy, freedom of expression, equal

⁴³⁸ In Nigeria the context of the writer, there are many male-to-female and female-to-male transgender recorded in history. The most famous among them are; Miss. Sahhara who is a British Nigerian beauty queen, fashion model, singer/songwriter and a human rights advocate, Bobrisky who was a cross-dresser before becoming transgender. 'she' is the most confident of all the transgender women in Nigeria. Research has shown that in December, the social media informed the public that she has finally undergone surgery to remove her manhood in place of a woman's version to complete her transition. Stephanie Aderalegbe also known as Stephanie Rose was formally known as the son of Professor Obafemi Awolowo who because of pressure exited Nigeria to become a woman and lived her dreams; Mandy la Candy, it is believed that Miss. Sahhara influence Candy to become a trans woman too, and knowing the volatility of the Nigerian environment, Candy left for an unknown European country, Noni Salma was born and raised in Lagos, she studied at the University of Lagos, after being bullied many times for being a transgender, she left for United States. But it is not in record of whether she was born transgender or transitioned through surgical operation. These are few among the numerous cases found in Nigeria. "Meet 5 Beautiful Female Nigerian Celebrities who were born as men" <http://www.ghgossip.com> accessed on 26/05/2023.

⁴³⁹ On January 7, 2014, Nigeria's former president, Goodluck Jonathan, signed the Same-Sex Marriage (Prohibition) Bill (SSMPA) into law. The notional purpose of the SSMPA is to prohibit marriage between persons of the same sex. While existing legislation already criminalizes consensual same-sex conduct in Nigeria, the report found that the SSMPA, in many ways, officially authorizes abuses against LGBT people, effectively making a bad situation worse. See, Human Rights Watch, "Tell me where I can be Safe: The Impact of Nigeria's Same Sex Marriage (Prohibition) Act" (October 20th 2016) retrieved from; <https://www.hrw.org/report/2016/10/20/tell-me-where-i-can-be-safe/impact-nigerias-same-sex-marriage-prohibition-act> 25/05/2023.

protection of the law, freedom from discrimination and freedom from inhumane and degrading treatment. While other nations take transgender as totally illegal, unacceptable and against the ethics and norms of these nations and consequently band and the victims punished by law.

THE RELATIONSHIP BETWEEN HUMAN RIGHTS AND TRANSGENDERISM

We have already explored the concept of human right/freedom and its different theories. Where we got to understand that human rights denotes the fundamental rights of every human being which are essential to life as human being and stemmed from the belief that man was created by God in the image and likeness of God, even though theories that argue against this abound. Nonetheless, the previous section also gave the historical development of the concept of transgender as a case in point. As the exploration unfolds, it became glaring that there are two categories of transgender people; those born as transgender and those who undergo surgical operation through which their gender/sex identity was changed. However, coming to this section, we are concerned with the integration between human rights and transgenderism.

Advocates of freedom and human rights have always been on the move to see that people are treated equally in every part of the world regardless of any human perceived affiliation. They advocated the idea of treating equals equally, it is with this idea in mind that they believe that “every person has the right to control him/herself, a right that can be termed as self-sovereignty. It could also be said that the person owns himself/herself but not in the sense that this ownership can be transferred because it is innate to the person and therefore inalienable.”⁴⁴⁰ Therefore, going with the conventional or rather secular concept of human rights, one is said to be sovereign

⁴⁴⁰ Roberts Stephen Haggins, “The Theory of Human Rights” (June, 2019) retrieved from <https://www.researchgate.net/publication/334001033> 22/05/2023.

over oneself, and as such, one can do anything with his/her life so far no one else is hurt. It also implies that one has the right to manage his/her own life which includes “choice of employer, where to live, customs, manner, style and habits . . . the choice to follow one’s sexual orientation, or even to change one’s body in the process of changing one’s gender.”⁴⁴¹ The implications of this understanding is that; all people born transgender can decide to change their gender identities at any point in time regardless of what others think of them because their freedom and human rights have granted them the warranty. However, it is good to note that even though those who were born as transgender can change their gender identity, most of them are not happy with the way they are, yet we know that no one is given the latitude to choose his/her gender before birth, rather God owns the prerogative even though God allows science and technology to interfere sometimes.

Freedom and human rights does not only give liberty to people to undergo gender reassignment, but it also protects those who were born transgender. Many countries across the world have stipulated laws against any gender based discriminatory attitude towards their citizens and the transgender people in particular. For instance, the European Court of Justice found that discrimination against trans person fell within the prohibition of sex discrimination in European law . . . consequently, the sex discrimination (gender reassignment) regulations (1999) amended the 1975 Act to expressly extend protection to transsexual people.⁴⁴² This is because transgender people have experienced a lot of insensitive discrimination from families, friends, and society and so on. This is clearly spoken by John when he laments on the discriminatory situation of transgender people in India saying that transgender are being deprived of many of the rights and privileges which other persons enjoy as citizens of this country. Transgender people

⁴⁴¹ Haggins, “The Theory of Human Rights”

⁴⁴² Matin Mitchell and Charlie Howarth, “Trans Research Review” *Equality and Human Rights Commission* Research report 27 4.

are facing serious problems of human rights violation in the field of education, employments, health care, voting and contesting election and regarding their personal freedom, legal protection, family, marriage etc. denial of equal protection of law leave them extremely vulnerable to harassment, violation and sexual assault in public spaces, at home and in jail, also by the police. They face harassment at work place, hospitals, places of public conveniences, market places, theaters, railway stations, bus stands and so on.⁴⁴³ Hence looking at the inhumane treatments transgender people do face in some parts of the world, the human right is out to defend their rights arguing that they are humans created by God with all rights and privileges of being humans. The relationship of human rights and transgender is double faceted; on the one hand, it protects the rights of those who were born transgender, and on the other, it gives liberty to those who want gender reassignment through surgical operation which as we shall see violates ethical and moral standards of the creator.

CHRISTIAN ETHICAL RESPONSE TO TRANSGENDER IN CONTEMPORARY NIGERIAN CHURCH

In giving an ethical response to transgender issues in the contemporary Nigerian church, it is important from the onset to understand that direct guidance from the Bible does not exist. Rather our response would have to be gleaned from the premises that the scriptures categorically postulated male and female gender as the genders recorded from creation. Therefore, a person's gender is considered divinely ordained and assigned to each person by divine will. Consequently, it is not surprising that some people/churches become indignant to people whose gender identities do not conform to the conventional gender identities they were assigned at birth. Now the questions are:

⁴⁴³ John, "Study on Human Rights, 10. See also, Arnold H. Grossman and Anthony R. D'Augelli, "Transgender Youth: Invisible and Vulnerable" *Journal of Homosexuality* (Harrington Park Press, an imprint of The Haworth Press, Inc.) Vol. 51, No. 1, (2006): 111-128; retrieved from <http://www.haworthpress.com/web/JH> 2/05/2023.

what would be the church's response to those who were born as transgender and equally those who transitioned through medical aid? Giving favorable responses to these questions would give the Nigerian church a direction on how to treat people who are being dehumanized by the society to regain their dignity because they were all created in the image and likeness of God.

There are many responses from the secular standpoints concerning tolerating transgender people and treating them with all sense of dignity as we have seen above. For instance, transgender activists around America and in Washington, DC in particular are working to pass anti-discrimination laws that provide protections for transgender people and send a message to their communities that intolerance is not acceptable. The church in Nigeria can however take a step in this line and discourage any discriminating behavior towards transgender people. Yet, this response is in two folds, on the one hand, the church should consider those created as transgender as people created by God in his own will and plan, he is aware of their being transgender, so any unfair treatment directed towards them will be inhumane and as such discriminating against God Himself. By these, I mean that the church should embrace them, counsel them and make them know that they are important and they are valued by God and His church. While on the other hand, there are people who were created with a specific gender, but they feel ungrateful with the way God created them, as such considered recreating themselves the way they think God should have created them. One considers that act, devaluation and an ill-treatment of God's creation. Hence the church should vehemently stand against such a move of gender reassignment. This assertion goes in accord with the submission of Trent Horn when he advised the church not to mock or dehumanize people who have gender identity disorder. Declaring that someone struggling with this disorder requires counseling, appropriate medical intervention, and an empathetic ear that is willing to listen. But we also should not

celebrate the mutilation of healthy bodies or facilitate the destruction of masculinity and femininity.⁴⁴⁴ The Church of Jesus Christ of Latter-day Saints also spoke in favor of those born transgender saying, “Transgender individuals who do not pursue medical, surgical, or social transition to the opposite gender and are worthy may receive Church callings, temple recommendation, and temple ordinances.”⁴⁴⁵

Similarly, one is not oblivious of the fact that the surgically-made transgender people would claim that they have freedom and human rights to do whatever they want with their bodies, arguing that God created them in His image and likeness with freedom and rights. On this regards, the church should be clear in making them know that any rights and freedom outside the will of God is not right and freedom at all. Apostle Paul in his letter to the church at Galatia discovered that the Galatian Christians were having a wrong concept of freedom, hence he wrote to disabuse their minds saying, “It is for freedom that Christ has set us free. Stand firm, then, and do not let yourselves be burdened again by a yoke of slavery . . . [and] you, my brothers, were called to be free. But do not use your freedom to indulge the sinful nature . . .” (Gal. 5:1, 13). Apostle Paul further warned in his second letter to the Corinthian church saying, “Be careful, however, that the exercise of your freedom does not become a stumbling block to the weak . . .” (1 Cor. 8:9). The church should respond to these people claiming they have freedom and rights that, the God who created them has not given them freedom to go against his stipulated order and will. Their freedom is not to cross God’s set boundaries. And so, any freedom that takes them out of His will and purpose is

⁴⁴⁴ Trent Horn, “Five Questions for Supporters of Gender Transitioning” *Catholic Answers Magazine* retrieved from <https://www.catholic.com/magazine> on 23/05/2023.

⁴⁴⁵ The Church of Jesus Christ of Latter-Day Saints, “What is the Church’s Position on Transitioning? Retrieved from <https://www.churchofjesuschrist.org/study/manual/transgender-understanding-yourself/what-is-the-churchs-position-on-transitioning?lang=eng> 25/05/2023.

destruction to themselves and perhaps others. and to the salvation of unbelievers.

CONCLUSION

To end this discourse, it is good to reemphasize that God is the creator of everything and everyone, with the exclusion of Himself. He created man and woman in His image and likeness, with freedom and rights. These freedom and rights were meant to bring glory to Him and more dignity to humanity. But the fall tainted man's thinking faculty that he would most often than not think of using his freedom and right for self-fulfillment. Man's ill-use of his freedom and rights brought so many abnormalities in the world among which transgenderism is one. Transgenderism however existed since ancient times, especially those born transgender, and the surgical gender reassignment is a much recent development. Those who undergo gender reassignment through surgical aid claim that they are free individuals having rights over their bodies. Furthermore, transgendered people have received numerous responses which include but not limited to being maltreated, segregated and marginalized in diverse contexts in the world and in Nigeria particularly. However, even though the church is not silent in matters related to this, it became paramount to critically scrutinize how this set of people has been viewed and responded to. Now having looked at how they are viewed in the secular context, this paper responded by articulating that the church should be empathetic to those born transgender through counseling them compassionately, treating them with dignity and emphasizing the redemptive work of Christ which is for everyone—transgender inclusive. On the other hand, the Nigerian church should stand outrightly to condemn any act of gender reassignment by those who are not content with the way they were created by God. Yet those who have already undergone gender reassignment should also be approached with the redemptive love of God so as to make them embrace the love of God and

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