

Foundations of Social Institutions and the Place of LGBTQ in the Contemporary Society

¹Dr. Rashid Ali Omar, PhD & ²Mr. Patrick Oyenga

¹ SULH Consultancies for Mediation and Arbitration, P.O. Box 10890 – 00100, Nairobi, Kenya,

² Communis Minds Research and Community Resource Initiative, P.O. Box 3618 – 01002, Madaraka -Thika, Kenya

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ABSTRACT

The debates and approval for LGBTQ activities vary across the globe. Apparently, it is appealing to socialists (Asian) than it is for religious and cultural countries (Muslims and most Africa countries). In a global survey conducted in 2021, three percent of respondents from 27 countries out of the 206 sovereign states declared to be homosexual, gay, or lesbian. However, a sociological approach to LGBTQ in the contemporary society with alignment of the foundations of social institutions has created debates. The Kenyan cases where a court ruling to register LGBTQ organizations with the NGO board resulted, an uproar and varied reactions among Kenyans. Similar indications emerged in Uganda when the parliament passed a bill banning LGBTQ activities in the country. Thus, this article looks at the perceived place of LGBTQ in the five (5) foundations of social institutions; family, education, religion, health and economy. The study revealed that the acceptance and embrace of LGBTQ activities based on these foundations is by far gaped. The foundations describe the sociological and moral dispensations guided by what nature dictates which is a contradiction of the beliefs and activities of LGBTQ. We give our thoughts about the LGBTQ based on the findings.

Keywords: Constitution, Contemporary Society, Foundations, LGBTQ, Morals, Social Institutions

INTRODUCTION

Activism for human rights traces its origin in the women's empowerment and movement programs in 1970s to push for the rights and choice of gender (Gidens, 2001). The author explains the diverse view of gender and sexuality using the first transgender marriage between Janeen Newnham (born a female but felt and believed that he was a male) and David Willis (born a male but felt she was female). This escalated to what others view as inappropriate interpretation of the existing literature especially on creation (for males and females for procreation purposes). This is as specifically held by the mainstream religious doctrines including Islam and Christianity.

LGBTQ stands for lesbian, gay, bisexual, and transgender which was introduced and coined in the 1990s. This initialism is generally referred to anyone who is not heterosexual or cisgender. Heterosexual denotes a person attracted to people of the opposite gender, whereas cisgender alludes to a person whose gender identity is the same as their sex at birth. Some other variants have been introduced since then in order to try to include the whole spectrum of sexuality and gender. A shift from the natural family system. Among these variants, there are LGBT+ and LGBTQ+. The latter stands for lesbian, gay, bisexual, transsexual/transgender, and queer.

LGBTQ Statistics – Resistance, Acceptance and Growth

The debates and approval for LGBTQ activities vary across the globe. Apparently, it is more appealing to

socialists (Asian) and religious and cultural countries (West and most Africa countries). In a global survey conducted in 2021, three percent of respondents from 27 countries out of the 20 sovereign states declared to be homosexual, gay, or lesbian. In India, for instance, nine percent, instead, identified as bisexual, representing the largest group of bisexual respondents among the 27 surveyed countries. Moreover, one percent of the interviewees said to be pansexual (gender-blind) or omnisexual. Pansexuality describes people who feel attracted to other people regardless of their biological sex, gender, or gender identity, whereas omnisexuality refers to people attracted to persons of all gender identities and sexual orientations.

In a few countries, sexual orientations other than heterosexual are acknowledged, accepted, and respected contrary to majority who oppose. For instance, 71 countries worldwide, homosexuality, in fact, is more than just an issue, but considered to be a crime. Most of these countries are located in the Middle East, Africa, and Asia. In 11 countries, the death penalty is imposed, or is at least a possibility, for same-sex sexual activity (Statistica, 2023).

However, criminalization is not the only reason why many LGBTQ+ people cannot express their sexual orientation. The LGBTQ+ community is often the target of harm, transgression and discrimination. They are generally a target of aggression and brutality which is according to naturalists justified. A survey conducted in Europe shows that in Eastern Europe and the Balkans, roughly seven in 10 people who identify as lesbian, gay, bisexual, trans, or intersex are never or almost never open about their sexual orientation.

Acceptance of homosexuality is higher in Western European countries, America, Canada, and Australia. Among these countries, over 80 percent of respondents taking part in a recent survey believed that homosexuality should be accepted by society. The data shows that general acceptance to LGBTQ is higher among people who support left-wing ideologies, are more educated, and who are not very religious. Crucial to note that all cultural heurism is exported by Europe and America to the rest of the world.

Over the last two decades, there has been a change in the acceptance of homosexuality in the world. This is due to intensive media coverage in support and funding from the western world. Among 27 countries surveyed, South Africa and India recorded highest increases in acceptance of homosexuality in society. South Africa is not the only African country making significant progress in this matter: Tunisia, Nigeria, and Kenya recorded an increase as well. However, the percentage in these countries may be minimal since information about them is scanty.

Nevertheless, this category of persons does not feel free to express their sexual orientation openly, as exclusion and violence towards LGBTQ+ people persist in these countries. In fact, despite a slight growth in acceptance, Nigeria remains one of the most dangerous countries for LGBTQ+ people in the world. For it is regarded as culturally abhorrent phenomenon to societal values and norms equally termed as invasion to the cherished popular cultures. .

Even if coming out is somehow accepted in some countries or regions than in others, talking about sexual orientation with family and friends is seen as a taboo. Moreover, giving attention to coming out as not heterosexual or cisgender is still a tall task, because it is known that the foreign entity wants to dominate cultural and social milieu.

According to a survey conducted in eight countries, in Spain people are more likely to support a family member or friend who would come out as gay, lesbian, bisexual, transgender, or non-binary. Hence, the results of this survey indicate that support is lower overall for coming out as transgender or non-binary.

Another study conducted in Singapore shows that more than half of respondents said they would be likely to react negatively to a close family member coming out. Similarly, in Japan most LGBTQ+ people said they have not disclosed their sexual orientation (Statistica, 2023). The path to normalize sexual orientations other

than heterosexual is still long and thorny while conflicts and family disintegration caused by the LGBTQ theory remains indefinitely continuous.

In 2014, the Washington Post-ABC News conducted a survey that reported about 59% of Americans to be supporting the equal right to marry for same-sex couples. There are roughly 9 million LGBTQ people in the US and more than 650,000 same-sex couples. In 2011, the US Census Bureau reported that about 19% of same-sex couples are raising children. Sexual Diversity Organization (2022) pointed out gaps in legislation for non-existence of federal laws that consistently protects LGBTQ individuals from employment discrimination. There are no state laws in 29 states that explicitly prohibit discrimination based on sexual orientation, and in 32 states that do so based on gender identity. The Organization also noted that gay people make up between 1 to 4% of the population in most U.S. cities – but are more concentrated in metropolitan areas. Justification for human right is absent on freedom copied by Islam and from outside.

Human right in Islam is fixed and not changing. Human rights are both a right and prohibition. Not only the single right to do something but also an obligation to do what is correct and noble. Therefore, there shall be no acceptable human right that contradicts natural laws, family set-up, religious doctrines and cultural values of majority world dwellers.

LGBTQ Activities and debates in Kenya

The growth of LGBTQ community in Kenya has been received with diverse views. The latest spat was the court ruling on the rights of the association to be registered by the NGO board in February 2023. The supreme court ruled “Despite gayism being illegal (in Kenya), they have a right of association”. This was also a culmination from the recent incidences including the brutal murder of the LGBTQ activist and fashion designer Edwin Chiloba in January 2023. In mid-2021, Makena Njeri, another LGBTQ activist and media personality hit news headlines through her revelation on TEDxParklands that she was gay. TEDxParklands is a regular event held in Parklands, Nairobi (Kenya) to raise awareness and showcasing Africa narrative about TED and TEDx. This raised eyebrows among Kenyans.

The Supreme Court of Kenya (Gor, 2023) declared discrimination against the LGBTQ community unconstitutional and affirmed their right to association after a 10-year legal battle. In a 3-2 majority decision, the court ruled that article 27 of Kenya’s Constitution—which protects every person from discrimination with an open-ended list of grounds—protects sexual minorities as well.

The court said:

...[a]n interpretation of non-discrimination which excludes people based on their sexual orientation would conflict with the principles of human dignity, inclusiveness, equality, human rights and non-discrimination. To put it another way, to allow discrimination based on sexual orientation would be counter to [the] constitutional principles.

Through a wider interpretation of the term “sex” under article 27, the court declared that sex should not be interpreted in the strict sense. The majority decision stated:

...[t]he use of the word “sex” under Article 27(4) does not connote the act of sex per se but refers to the sexual orientation of any gender, whether heterosexual, lesbian, gay, intersex or otherwise. Further we find that the word “including” under the same article is not exhaustive, but only illustrative and would also comprise “freedom from discrimination based on a person’s sexual orientation.”

Justices Ibrahim and Ouko (dissenting) took issue with the majority decision by stating that if Kenyans wished to include “sexual orientation” under article 27, they would have done so during the drafting of the

constitution of 2010. This decision comes at a time when there is agitation for a “third wave of decriminalization of homosexual” through anti-sodomy laws in Africa. For instance, a member of parliament has written to parliament communicating his intention to table a bill prohibiting homosexuality and its promotion thereof. The authors held that majority decision definitely opens hell's-gate, abominations and devilish behavior in the family institution further they deliberately ignored the other possible meanings of the two words “sex” and “including” of article 27 of the constitution of Kenya 2010. The judges' minds would have been opened up to the truth by striving to discovering the redress and corruptions behind the mask of LGBTQ.

THEORETICAL PERSPECTIVE

The study adopted the structural functionalism theory. The theory is one of the macro sociological theories. (Henslin, 1997). This approach argues that structural functionalism plays an active and constructive role in society by ultimately helping to cohere different populations within a particular society. Our views in this article acknowledge the diversity of thoughts, we argue from the perspective of not doing “what is uniquely out of nature” as being deviance. The natural association in the world of the living, both plants and animals, reproduction makes the basis of associating and relating with parties of opposite “sex”. This is also in the understanding of the different interpretations of sex by various authors and indeed possible meanings in semantics. Apparently, there is growing “confusion” in the interpretation of sex and gender. The Cambridge dictionary defines gender as the perceived roles of being either feminine or masculine while sex is defined as the orientation based on sexual reproduction functionality. This gives hints of the basis of differentiating the persons born with both organs – simply from medical examination of which organ is active. Similarly, the Islamic jurisprudence did lay rules and procedures for determination on the sex of hermaphrodites for the purpose of gender identity and property inheritance of a discussed Muslim.

The move from the “norm” makes deviance which helps to distinguish between acceptable and unacceptable behavior. It draws lines and demarcates boundaries. This is an important function that affirms the cultural values and norms of a society for the members of a given society. The African society understands and considers its culture as sexual relationships being only between people of opposite sex (defined by reproductive functionality) (Rao, 2008). In addition to clarifying the moral boundaries of society, deviance postulated in structural functionalism theory can also promote social disunity by creating an “us-versus-them” mentality in relation to deviant individuals. This forms the basis of this article in debating the acceptance of LGBTQ within the foundations of social institutions as discussed by Schaefer and Lamm (1995). Finally, deviance is seen as means for society to change over time. Deviance behavior can imbalance the social equilibrium with changing norms in response to deviance, the deviance behavior can contribute to long-term psychological and sociological instability. This forms instability to the other perspective of argument between those who resist and those who accepts LGBTQ. The question that arises, guided by the structural functional theory is whether a long-term social stability will be founded on LGBTQ. Also, whether deviance from the natural laws can contribute to healthy values prosperity and achievement to humanity.

However, Schaefer (2008) argues how deviance and conformity can take different meanings over time. This applies to the used theory that the emergence of LGBTQ activities is possibly attribute to the redefinition of the term “deviance” as fronted by the structural functionalism theory. The same author uses the example of the US where spanking or slapping is perceived as a necessary means of communicating that there is something wrong (deviance) but sociologists find it as teaching the young ones to use violence to address problems.

METHODOLOGY

The study adopted a content analysis approach with a blend of document analysis. The method suited the

study as it used various documents to discuss the content on LGBTQ. In his definition of document analysis, Fischer (2006) points out the need for systematic and procedural review of documents. The study reviewed documents including the Kenya Constitutions 2010, Quran and Bible, the judgment of the Supreme Court on LGBTQ right to register with the NGO board, various media commentaries, and several textbooks majorly drawn from the sociological discipline. The study also embraced the observation methods that draws from the current contexts in Kenya with a scope on LBTQ+ incidences and occurrences.

The article utilized thematic analysis through aligning various findings to themes guided by the sociological view of the five foundations of social institutions: family, education, religion, health and economy. The validity and reliability of the methodology and findings were guided by comparison and triangulation of the results from multiple sources.

RESULTS

The Family

Family is the smallest, most enduring, indeed, universal natural social entity for a society. It is the unit of which other communion elements spring. Composition of a family – natural creation of a nuclear family (father, mother, and children). Father – male, mother – female. At the beginning, the man was Adam and woman was Hawa (Eve). Bedrock of humanity – everyone born in a family. Nurtured and initiated into the larger societal environment. They are bound together through either lineage or affine relations (Omar, 2021). Extended family grows into a community, society and nation. Family is the custodian of cultural norms and values defined around nature.

In terms of sexual orientation for males and females, family relations are defined by sustainability through progression (only possible between man and woman) (Omar 2021). The basic functions of a family are primary socialization and personality stabilization. Socialization entails sexual relationships between males and females. Personality stabilization will be distracted through the disturbance of family causing disintegration. Further, the functions and pillars of a family are mainly constructed on recreation, economic production and socialization of children, social control, reproduction, care for the sick and aged. Support to LGBTQ will automatically distort concept of family unity and render genderless with sex obscurity.

A disturbed family lacks harmony and is, therefore, fragile. Article 45 of Kenya Constitution 2010 recognizes family as a natural unit with some order and hence to be protected. It spells out the right to marry a person of opposite sex. This considers the differences between sex and gender; sex being male or female while gender is the context of being masculine or feminine (Hess, Markson and Stein, 1996).

Nuclear family, in the African context and world view, consist of male (husband), a female (wife) and child which is the basic composition of the unit. This will later successively generate into creating societal whole with its values (Caspers, 2000). In regard to LGBTQ community, the crafters of the ideology aim at creating cultural clash and conflict between norms and behaviors of divergent cultural codes. What is distasteful and illegal to African norms and Islamic standard of values is permissible in the western worldview. In a nutshell the major objectives of advocating for LGBTQ concept is to spread immorality, destroy social values, family setup or human dignity and religious heritage.

Education

Education is a lifetime dimension of living. Education nurtures one to be upright and what is good for them (how boys will be husbands and how girls will be wives). As defined by cultural initiation. The formal education came in Kenya with specific goals including that acquisition of national values as per the constitution 2010 (Section 45 part 2- ... right to marry a person of opposite sex – Meaning this a norm for

Kenya). Hence, education in Kenya shall conform to African values, morality and religious pillars.

LGBTQ youths were found by various studies that due to unnatural behavior, faces schooling difficulties. From there they tend to have greater vulnerability towards wide range of complex problems including mental health, social problems like eating disorder, prolapses, sexually transmitted diseases and many other lifetime psychological hiccups.

Youths are valuable unit and are our livers moving on earth. We are, therefore, bound to nurture them to be the best vanguard of the society. Article 55 (a&b) of Constitution 2010 (Kenya) stipulates that the youth shall access relevant education and training and engage in what advances their socio-economic and political institution that add value to development. The youth shall be protected from harmful cultural practices and exploitation by the state. Therefore, the article calls for the youth to be protected from foreign harmful practices including LGBTQ which indeed reduces the validity of the societal wellbeing and role of the African youth.

Religion

In Islamic religion, the principle of family shall remain as established by Almighty God. Any distortion of this fundamental pillar brings family into disorder and valueless. The era where LGBTQ community is termed as a family unit, is indeed the age where man degenerate from manhood to unknown decadence. It is indeed an incurable disease of human estrangement from himself. According to the Quran – Lot’s wife was a deviant. She used to “network” the homosexuals which was iniquity (transgression with lust).

The Quran mentions that Lot asked the men in the villages whether they would want to do the strange thing in the world by having fellow men for sex. Lot said to his people “Do you commit lewdness such no people committed before you? For you practice your lust in men in preference to women; you are a people transgressing beyond your bonds” (Q.7: 80-84).

Then the people of Lot attempted to drive his followers out of the city, claiming that they tended to be clean and pure. The angels saved Lot and his family except his wife as she was among those who lagged. The people were rained upon with showers of brimstone and their dwelling turned upside-down. They were crushed harshly out of the sins they had committed.

The same story of Lot has been captured in 11 chapters of The Quran in different versions and styles on how the severe punishment wiped out the people of Lot. This terrible punishment was inflicted on the people of Lot because they transgressed against the natural laws of Allah. The destruction of Lot’s people is adversely mentioned in the Quran severally. For instance, chapters 6, 11, 15, 21, 26, 27, 29, 37, 51 and 54 of the Holy Quran describes the same subject matter.

The Islamic ruling and remedy are pegged on where Allah’s prophet Muhammad (S.A.W) condemns the vice of same sex cohabitation by saying, “Allah curses one who practices deeds of the people of Lot”. This is repeated three times as a sign of emphasis to show anger and disgust. In addition, Mohamed said, “If you see anyone committing the sins of the people of Lot, both doer and the under goer should be killed”. (Ministry of Endowment and Islamic Affairs, 2012). Further, it shall be understood clearly that freedom and human rights in Islamic perspective is fixed and unchanging. Human rights are both a right and prohibition – it is not only the simple right to do something but an obligation to do what is correct, honorable and noble.

The Quran says, “And among His Signs is this, that He created For you mates from among Yourselves, that ye may Dwell in tranquility with them, And He has put love And mercy between your (hearts): verily in that are Signs For those who reflect”.(Q.30:21) In the interpretation of the mates, it is elaborated that it is mystery of sex from which children rise out union of the sexes. It further explains that the female gives birth

to the offspring, and the father remains as important as the mother.

The Bible (Genesis 19) state that in Sodom and Gomorrah, men used to sleep with fellow men. When they saw the angels hosted by Lot, they demanded to have sex with them (angels). In the same vein to emphasize the religious prohibition of LGBTQ activities, the Constitution 2010 (Kenya) acknowledged the supremacy of the Almighty God – that God created Adam and Eve and allowed them to multiply.

Health

Every human organ has its function. It becomes a sanitation issue to use the “anus” for sex. It implies compromise of sanitary. Lesbianism involves use of non-sexual organ for sex purposes. This also compromises the sanitation of the actual sex organs (vaginas). Many diseases are associated with improper use of human organs and interactions.

HIV/AIDs emanated from sex with monkeys. Cleveland Clinic (2020) Your rectum is the last segment of your large intestine before your anus. This is where poop prepares to exit your body. When poop arrives in your rectum, it triggers the urge to defecate (poop), and a network of muscles pushes the poop out through your anus. But when rectal prolapse occurs, the rectum itself travels with it, slipping down telescope-style into the anal canal — and sometimes out the other side.

“Prolapse” is the term healthcare providers use to describe any body part that has fallen from its normal position in your body. It usually means that the muscles supporting the part have weakened or deteriorated. Some weakening or deterioration is normal with aging, but extra wear and tear on the muscles can accelerate the process. Childbirth, chronic constipation, or diarrhea can affect your rectum. LGBTQ groups experience unique health issues including contracting sexually transmitted diseases compared to that of male and female relation, negative psychological effects, mental disorder and continuous stress.

Economy

Morality- making quick wealth through evil doings and corruption on the end including Freemason and other secret organizations, to fulfil their dirty game and deception on earth. Freemason sponsors with lots of money. The LGBTQ has similar approaches that once accepted, there is “free” money and specific societal support. Social evils – just like prostitution, homosexuality and lesbianism are now associated with wealth making. Others argue that it is a source of employment and income. There are money organizations whose objective is to create havoc and corruption on earth and destroy the pure natural systems for dominance.

Structural functionalism dictates that one’s life is society life. The changes and freedom of association and socialization make people cut-off from society and belief that their lives are “theirs”. And that they don’t care about society’s perspective of what they do to get wealth. This is against shared societal responsibilities and suppression of others for socio-political reasons.

DISCUSSIONS

From the results, many questions arise whether it is generational changes, environment, mental orientation. This is happening in the context of the skewed population growths with more girls than boys (World data, 2016). More than half countries in the world have more females than males. The social development of the world that focus on gender equity and equality formed the basis of women empowerment and movements in the 1970s. This has grown into the current human rights activism that gives room for choice of gender and sexuality orientations. The debate on whether LGBTQ is considered a human right, social control and conformity is duping into a precipice.

The religious perspective shows how the people of Sodom and Gomorrah were harshly searched. The God

Allah had first warned them against the violence censure for their disregard and crime. This was abomination committed by the men. The Quran further posits that Allah called on his people to learn from the mistakes and abominations committed by the people of Lot. God refers to the men of Sodom and Gomorrah as gross ignorant people from their “LGBTQ” activities. Narrated by Ibn Abass, The Prophet said; “Whoever you find doing the action (sexual act) of the people of Lot, kill the one who practice it and the one whom it is done.”

The Islam jurisprudence spells out how Mohamed SAW prohibited the engagement of same sex persons. When he said that both should be killed for engagement in LGBTQ activities. Therefore, beneficial law for justice shall be measured by universal vital values and compatibility to human nature. Such laws must make life better, hence, contributing to human development. In contrast, any kind of law that contributes to mental, emotional and physical distress and anguish shall be regarded as unfit for human consumption.

The sacred sense always articulates civil or good and expounds how choices have consequences for the evil doers. All is profane where the sense of right or wrong and decent or indecent meet or conjoined as twins. The only acceptable family coupling in Islam consists of a male and female.

The Quran says, “Does man thinks he will be left uncontrolled without any moral responsibility; was he not a drop of a sperm emitted, then a leach-like clot, then fashioned in due proportion of him he made through sexes, male and female?” (Q.75:36:39). Also (Q30:21).

The sense of right and wrong decency and indecency has been dissolved into the cook pot of blurry mix. Ethical standards guiding towards prescribed rights and values which are accepted and are compatible with human nature, rational and logical seem to be disregarded.

Moral values are those vital actions perceived by rational people for being right and proper, making life better and contributing to human development. Immorality contributes to mental and physical distress and thus disrupts societal welfare. Sociocultural experts believe that LGBTQ as opposed to family life will beget dysfunctionality to traditional families. This brings up crisis in the natural unit and erosion of standards of morality. Innovating an arbitrary copulation is a rebellion and transgression against the creator and beyond. It is creating mischief and corruption on earth.

The authors argue that the descending judges were right. The interpretation of sex as a perceived correction is appropriate. Their decision described the natural law, logic and dictate. Further, it’s compatible to the ethical orientation of entire communities which is the basis for our values and norms. The principle of legal paternalism justifies state coercion to protect individuals from self-inflicted harm, or in its extreme version, to guide them, whether they like it or not, toward their own good. Parents can be expected to justify their interference in the lives of their children (e.g., telling them what they must eat and when they must sleep) on the ground that “daddy knows best.” Legal paternalism seems to imply that since the state often can know the best interests of individuals more than citizens know themselves; it stands as a permanent guardian of those interests *in loco parentis*. To put it in blunt way, paternalism seems like a preposterous doctrine. If adults are treated as children, they will come in time to be like children. Deprived of the right to choose for themselves, they will soon lose the power of rational judgment and decisions. Even children, after a certain point, had better not be “treated as children,” else they will never acquire the outlook and capability of responsible adults.

The supreme court of Kenya ruling in March 2023, there was a split among the judges (two) descended. The judgment to allow the NGO board to register the LGBTQ group is a giving precedence to immorality. This contravenes the beliefs of many religious orientation including Islam and Christianity. Article 45 of the Constitution of Kenya 2010 defines a family as a unit of purpose that guides social order. Clause 2 allows marriage of every adult to a person of opposite sex.

Article 55 of the Constitution 2010 of Kenya ordains the state to protect the youth; it states that youth (d) are protected from harmful cultural practices and exploitation. Thus, the judges were inclined to positivism school of law at the expense of naturalism theory. The theory spells out the natural law that advocates for the ideal standard of legal retribution, hence suitable to all humanity.

Ascending to the judgment was contrary to African culture, religion, logic and naturalism. In a more diverse thinking, it is argued that African culture is founded on Christianity which came from West (Bujo, 1998). This creates gaps as to whether the West communicated “ethical values” through the Bible only to change thereafter. Good law /precedence is the beginning of greatest happiness of greatest number of people. In spite of the majorly ruling on the right to registration of LGBTQ, the Kenyans vehemently opposed the supreme court verdict. A cross-sectional interview carried out by the researcher on 100 persons indicates that majority are against legalization of LGBTQ entities. 85% of respondents said it is not a Kenya issue but westernization dogma while terming it as satanic handcraft. They wondered how a criminalised entity in the statute of Kenya can at the same time be legalized.

For Locke (1997), human reason may be weak with regards to our understanding of the natural world and the workings of the human mind, but it is exactly suited for the job of figuring out human moral duty. By looking at Locke’s moral philosophy, as it is developed in the *Essay* and some of his earlier writings, we gain a heightened appreciation for Locke’s motivations in the *Essay*, as well as a more nuanced understanding of the degree of Locke’s empiricism. Further than this, Locke’s moral philosophy offers us an important exemplar of seventeenth-century natural law theory, probably the predominant moral view of the period.

In the *Essays on the Law of Nature*, Locke draws a connection between the natural law governing human action and the laws of nature that govern all other things in the natural world; just as all natural things seem logically determined, so human beings are likewise law governed. Humans are not determined to the same degree as other physical and biological entities but are beholden to God to ensure that our lives follow a certain path. Natural law is, Locke writes, a “plan, rule, or ... pattern” of life (Locke 1663–64, 81). Locke’s early view has a teleological strain typical of the Aquinian (and thus Aristotelian) tradition. In fact, Locke does not shy away from this teleological angle, acknowledging this inheritance when he writes of Aristotle’s that he rightly concludes that the proper function of man is acting in conformity with reason, so much so that man must perform what reason prescribes. (Locke 1663–64, 83)

Locke considers moral duty to be tailored to human nature, a set of laws specific to humanity and governing our actions according to God’s will. These laws are not only discoverable by reason, but to fulfil our function, humans are required to make use of reason to this very end.

African cultures are eroded by the perceived definition of freedom and human rights by the west which leads to loss of values and beliefs (Rao, 2008). In decision making, Courts, ought to consider procedural consistency and practicability of law. Further, the validity of the law must be tested on absolute and comprehensive values. In addition, the social context is the source and measure of jurisprudence and maxims.

Hence, the best and effective law shall be developed through either popular approval or values, customs and norms. In the light of the above, allowing LGBTQ organization to be registered by the ruling Supreme Court of Kenya is a disgrace to African identity, abortive jurisprudence and unqualified for human good (Omondi, 2013). Assisting in doing what is right is virtuous and forms the basis of rights but assisting in encouraging in vice is a sign of a dying civilization. The obligation to do right relies upon one another to form a true fraternal society (Zarabozo, 2013).

From another perspective, ethics are the basis of reforms – they create a healthy civilization. Straying away into LGBTQ activities makes the morals leave once and can never be regained. Ethics exist as either

practical ethics or theoretical ethics. Practical ethics are defined by the acceptable morals that are justified under humanity as values, culture and religion. These are practicalized and thus create room for enforcement across society (Singer, 2011). On the other hand, theoretical ethics cannot be practiced, but it is desired hence cannot be actualized. This implies that by observing morals, civilization's zenith will survive. However, when morals deteriorate, and values disorganized, civilization topples.

CONCLUSION

The western lifestyles and front are debating for LGBTQ with a basis of promoting human rights. However, the foundations of social institutions are affected in the process of protecting the LGBTQ community and its practices. Contemporary society needs a higher perspective of discussing and sharing on acceptability of LGBTQ and its activities. While the West threatens on financial sanctions for African nations, it is important that these nations stand for their culture and values to resist pressure to adopt.

Some books and readings, and music have become the motives for pushing for immorality that approve LGBTQ practices. In what is termed and argued as freedom, it is within the mandate of the foundations of social institutions to uphold what is deemed right and rebuke evil. The judgment to allow the LGBTQ groups to register with the NGO board is a precedence for moral divert from the belief, practice and culture. This can also be seen and interpreted as change from ideational culture to sensate culture in relation to LGBTQ.

LGBTQ are distinct groups each with exclusive characters and dimensions hence collapsing together under a single roof brings about obscurity calling for additional types of "others" hence requiring separation of this acronyms.

RECOMMENDATIONS

The article makes recommendations as follows;

1. The educational institutions in African countries need to balance on curriculum and content as the penetration for LGBTQ with strict care and scrutiny.
2. Religious institutions need to narrow down to the foundations of the Holy books. This can be done through maintaining religious heritage as they focus on passing on to the successive generations. This will ensure that the belief and norms are maintained throughout generations.

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